ACTA REGIA;

Being the Account which

Mr. RAPIN de THOYRAS

Publiſhed of the

HISTORY of ENGLAND,

By Authority of the Lords the States-General;

And grounded upon thoſe Records which, by Order of their Late MAJESTIES King *WILLIAM*, Queen *ANNE*, and King *GEORGE*, are collected in that Ineſtimable Fund of Hiſtory

Mr. Rymer's Foedera.

Containing not only

The LETTERS that paſſed between the Monarchs of *England* and Foreign Princes; their TREATIES and NEGOTIATIONS of Peace, Friendship, and Commerce; BATTLES, REVOLUTIONS,

And other Important Events in the HISTORY of ENGLAND:

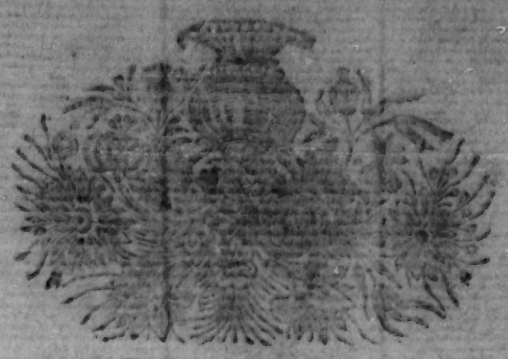
But an Account of the ſeveral Grants from the *Crown* to the *Nobility*, &c. through all the Reigns, from King *William Rufus* to the Tenth Year of King *Charles* I.

Of the Summons's to *Parliament* and *Convocation*;
Of Royal Mandates to the *Clergy* and *Laity*;
Diſpenſations for *Marriages*; General and Particular Pardons;
Patents for *Honours*, *Offices*, *Manufactures*, *Inventions*, &c.
And numerous other publick Acts relating to Families, and our own Domeſtick Affairs.

LONDON:

Printed for James, John *and* Paul Knapton, *in* Ludgate-Street; D. Midwinter, *in* St. Paul's-Church-Yard; A. Bettesworth *and* C. Hitch, *in* Pater-Noſter-Row; C. Rivington, *in* St. Paul's-Church-Yard; J. Pemberton, *in* Fleet-Street; J. Osborn *and* T. Longman, *in* Pater-Noſter-Row; F. Clay, *without* Temple-Bar; J. Batley, *in* Pater-Noſter-Row; A. Ward, *in* Little-Britain; R. Hett *in the* Poultry; T. Hatchett, *at the* Royal-Exchange. v–4

LONDON:



HISTORY OF ENGLAND:

AND OTHER IMPORTANT EVENTS IN THE

FRANCE; their CONDUCT; PARTIES, REVOLUTIONS

THE LETTERS and NEGOTIATIONS of FRANCE,

Continued to the Abdication of King JAMES II.

King WILLIAM, Queen MARY, and King GEORGE, as collected

and grounded upon those Records which, by Order of their Late MAJESTIES

By Authority of the States-General.

HISTORY OF ENGLAND

Extracted of the

Mr. RAPIN de THOYRAS

Down to the Accession of

GEORGE I.

But an Account of the several GRANTS from the Crown to the Nobility, &c.

through all the Reigns, from King WILLIAM I. to the Death of King

CHARLES I.

Of the several MANDATES to the Clergy and Laity:

Of the SUMMONS to Parliament and Convocation:

DISPENSATIONS for Marriages, Consecrating Prelates, PARDONS:

PATENTS for Honours, Offices, Manufactures, Inventions, &c.

And instructions what Books are to be printed and not.

DOMESDAY BOOK.

in that Inestimable Treasure of History

King WILLIAM, Queen MARY, and King GEORGE, are collected

and grounded upon those Records which, by Order of their Late MAJESTIES

TO

His Most Serene Highness

WILLIAM-CHARLES-HENRY

PRINCE of *ORANGE* and *NASSAU*;

Count of Catzenellebogen, Vianden, Dietz, Spiegelberg, Buuren, Leerdam; *Marquis of* Ter-Veer *and* Flushing; *Baron of* Breda, Peylstein, *the Town of* Grave, *and the Country of* Cuyk, Isselstein, Cranendonk, Eindhoven *and* Liesfeldt; *Lord of* Bredenvoort, Turnhout, Geertruydenberg, Willemstadt, Klunderd, St. Martensdyk, Seevenbergen, Steenbergen, Upper *and* Lower Swaluwe, Naaltwyk, Grimbergen, Herstal, D'Arlay, Noseroy, St. Vith, Burgenbag, Daasburg *and* Warneton; *Independent Sovereign of the Isle of* Ameland; *Hereditary Burggrave of* Antwerp *and* Besancon; *Hereditary Marshal of* Holland; *Stadtholder and Captain, and Admiral-General of* Guelderland, *and the County of* Zutphen; *Hereditary Stadtholder, and Captain-General of* Friseland; *Stadtholder and Captain-General of* Groeningen, *and the* Ommelands, *and the Country of* Drenthe.

MOST NOBLE PRINCE,

AS the Transcribing and Publishing of that Invaluable *Collection* of Records in the FOEDERA, so much conducing to the Honour and Service of *Great Britain*, as justly to be reckon'd one of the many Glories of the Reigns by which it has been supported, was first of all directed and encouraged by your Immortal Ancestor, King WILLIAM THE THIRD; and as the Abridgement of that voluminous expensive Work in the *French*

Language,

DEDICATION.

Language, by that able Hiſtorian *M. Rapin de Thoyras*, has had the Sanction of the Greateſt and Wiſeſt Commonwealth in the World, namely, the *High and Mighty States* of thoſe Provinces to which you are ſo dear by your Birth, Reſidence and Perſonal Merit, as well as by the Intereſt and Fortune that you derive from your Illuſtrious Family: To whom, Sir, could *ACTA REGIA* be ſo properly inſcribed as to your Moſt Serene Highneſs?

The Tranſlator is very well appriz'd, that your Highneſs has ſuch an Averſion to Adulation, as is uncommon to Princes of your Age and Power: And indeed to mention any of thoſe amiable Endowments and Qualities, that have already ſo endear'd you to this Nation, would be altogether needleſs; ſince all Tongues are united in your Praiſe, and all Hearts that are grateful for the Ineſtimable Advantages procured to them by King *William*'s Glorious Legacy, *viz.* the *Succeſſion* in the Royal Line of Hanover, are convinced that His preſent Majeſty could not give a more engaging Proof of his Deſire to perpetuate their Happineſs, than by the Contract he lately ſign'd to tranſplant the Faireſt Branch of that Legacy into a Family, which has ſo ſignally defended and promoted the Cauſe of Liberty, and the Proteſtant Religion.

It muſt be very pleaſing to thoſe of our Religion to find, that ſo long as two Centuries ago, a Prince of your Name took a Pope, and thirteen Cardinals, Priſoners in the Caſtle of *St. Angelo*.——But I muſt not forget that I am imploring your Highneſs's Patronage; and therefore will not preſume farther, than to add my moſt humble Teſtimony, that I ſincerely join with the Public, not only in the Veneration due to your Virtues, but in the moſt ardent Wiſhes, that you may begin the New Year with a perfect Re-eſtabliſhment of your Health: And that it may be permanent, is, and ever will be, the Prayer of,

Your Highness's

Moſt Devoted, and

Moſt Obedient Humble Servant,

Stephen Whatley.

December 20. 1733.

INTRODUCTION.

THERE *never was yet ſeen ſo noble a Collection of Publick Acts and Monuments of Hiſtory as that firſt compiled by the late Hiſtoriographer Mr.* Thomas Rymer, *purſuant to the Directions of King* William, *Queen* Mary, *and Queen* Anne, *and ſince continued by Mr.* Sanderſon, *under the Title of* FOEDERA, CONVENTIONES, LITERÆ, *&c. conſiſting of the* LEAGUES, CONVENTIONS, LETTERS, *and all the other* PUBLIC ACTS *between the Kings of* England *and all other Emperors, Kings, Popes, Princes, or Communities, beginning with the Reign of King* Henry *the Firſt, and ending with that of King* Charles *the Firſt.*

THIS *was an Undertaking not only worthy of the Generoſity of thoſe Great Princes, but very much to the Honour of the able Councils that were about them when it was directed and ſet on foot: For it is univerſally allow'd to be a Repoſitory of the beſt Materials that can be had for embelliſhing and illuſtrating the* Britiſh *Hiſtory, and that of all Countries in general with which our Crown has negotiated ever ſince the beginning of the twelfth Century. By this we diſcover a great many Faults which have eſcaped the moſt exact* Hiſtorians *who have wrote of our Affairs ſince that Time, both in Facts and Dates. We find ſeveral conſiderable Chaſms in our Hiſtory fill'd up by the help of many ſecret* Acts *which were never publiſh'd before, or never came into the hands of* Hiſtoriographers, *either before or ſince. We are thereby enabled to diſcover the Anceſtors of many illuſtrious Families of* Europe, *how they conducted themſelves in all Revolutions and Parties in the State; and, in fine, we have the Satisfaction to ſee every Fact eſtabliſh'd upon the authentic* Acts *of the ſeveral Reigns, and on ſuch Originals as are indiſputable.*

AFTER *this, it cannot be doubted but the Public is eſpecially oblig'd to the late Queen, and to her Miniſtry, who, in the midſt of ſo expenſive a War, generouſly contributed to promote this Undertaking. I own, it was a great Pleaſure to me, to ſee ſuch a Regard had to Poſterity, as to put it in a Condition to be better inform'd of paſt Tranſactions than even the preſent Age was till now: This was a Thought we were not to expect but in great Souls, too ſublime to be affected by the Viciſſitude of the Times. In many Places Duſt and Vermin prey upon the few ancient Records they have left, till perhaps they are quite deſtroy'd by Fire, or ſome other Accident, while no body laments the Loſs, becauſe it falls on the* Indolent, *who deſpiſe the Knowledge of what's paſt, or to come, provided they enjoy the Time preſent. But the Philoſophers tell us, That the Curioſity of knowing Things paſt, the Attention which a Man gives to it, in order to form Rules for his preſent and future Conduct, and the Regard he ſhews to Poſterity, are ſome of the chief Characters which diſtinguiſh Man from the Beaſts of the Field. One of the * Antients, no leſs famed for his Knowledge than for his Eloquence, ſays,*

" *That the Difference betwixt Men and Brutes lies chiefly here: A Beaſt is only*
" *moved by the Senſes, and looks no farther than the Time preſent, having little*
" *or no Perception of what is paſt, or to come; on the contrary, Man being endow'd*
" *with Reaſon, ſees both the Cauſes and Conſequences of Things, knows their Be-*
" *ginning and Progreſs, compares Like with Like, and even joins Futurity with*
" *the Time preſent.*

IT *was therefore a ſingular Pleaſure to ſee Perſons of the firſt Rank in* Britain *correcting the Vice of their Age, and ſetting an illuſtrious Example, which, 'tis to be hoped, will ſome time or other be follow'd by its Neighbours.*

OF *all the Hiſtories that were conſulted by Mr.* Rapin de Thoyras, *'tis granted by the Editors of his Volumes, that this Valuable Collection was of the greateſt help to him in compiling that large Work; for it enabled him to rectify the Dates in an infinite number of Places; to diſcover a world of Miſtakes in the beſt Writers*

* Inter hominem & belluam hoc maxime intereſt, &c. *Cic. Offic. Lib.* 1. *cap.* 4.

ters of all Nations that have treated of our Hiſtory, to paſs a true Judgment on thoſe Articles wherein they happen to contradict one another, and to bring to light a great many Events which other Hiſtorians have not ſo much as mention'd, or but ſlightly touch'd.

'TIS now almoſt Thirty Years ſince the FOEDERA *firſt began to be publiſh'd. In the Year* 1708 *it made ſix Volumes, which are ſince increas'd to nineteen large Folios; and when it made but ſeventeen, it was ſold for a hundred Guineas; there being, I may venture to affirm, not one important Act omitted in it, that the Records of* England *can ſhew in any of the Reigns it mentions.*

WHAT is now propoſed is an Abridgment of this voluminous expenſive Collection, tranſlated from that made by Mr. Rapin *himſelf in* Holland, *and firſt publiſh'd in the* French *Bibliotheques of the famous M.* le Clerc, *who being furniſh'd with the* Fœdera *by the late Lord* Hallifax, *one of the principal Promoters of it, lent the ſeveral Volumes to Mr.* Rapin *for that very purpoſe.*

THO it is an Abridgment, 'tis ſo judiciouſly and accurately done, that it has paſs'd the Approbation of all the Curious who have ſeen it; for we have not only the Titles and Pages of the ſeveral Acts recorded by Mr. Rymer, *but a well connected Series of the Events to which they relate; together with many uſeful Remarks, for which we are oblig'd to the learned Publiſher above-mention'd, as well as to his deceaſed Friend* Rapin.

THE Diſpoſition as well as Leiſure of the preſent Generation to read the Hiſtory of England *by Mr.* Rapin, *ſeem very much to encourage the publiſhing of this other Work of his in the ſame manner, which is intended to cõme out weekly alſo, as that does. And, to make it ſtill further uſeful, the Tranſlator has added ſome Notes from the beſt Authorities, which are not to be met with either in the* Fœdera, *or* Rapin's *Abridgment of it; and he has mark'd the Pages in the Margin, referring to the Originals at large in the* Fœdera.

'TIS proper to acquaint the Reader that the Firſt Tome of the Fœdera *was abſtracted by the famous Mr.* Le Clerc *of* Amſterdam; *but that Gentleman had ſo many Engagements in the Republic of Literature, that he proceeded no farther than the ſaid Firſt Tome, and lent the other Sixteen, as they were publiſhed, to Mr.* Rapin, *who continued the Abſtract of each Tome, as it was printed in* Le Clerc's Bibliotheques.

THIS Abſtract was thought ſo valuable by the Government of Holland, *that the illuſtrious Penſionary* Fagel, *obſerving how difficult it was to come at it in ſo many ſmall Volumes, where it lay confuſed with the Extracts of numerous other Books, cauſed the ſeveral Parts of it to be collected together, and printed by the States Printer at the* Hague *in one entire Volume in Folio, after Mr.* Rapin *himſelf had review'd the Firſt Tome of the* Fœdera, *and given a fuller and more methodical Account of it than Mr.* Le Clerc *had done.*

YET for a particular Reaſon, no more than thirty Books of that Edition were printed off; ſo that one would ſcarce have expected to meet with a Copy of it in England; *but the Tranſlator had the good Fortune to find this Curioſity in the Library of an* Engliſh *Gentleman,* Martin Folkes, *Eſq; who not being capable to deny his Country any thing in his Power for the Illuſtration of its Hiſtory, generouſly lent him his Book; of which the following Sheets are an exact Tranſlation.*

ACTA

ACTA REGIA.

MR. *Le Clerc* having given an Extract of the Firſt Tome of Mr. *Rymer's* Collection, in the XVIth Vol. of his *Bibliotheque Choiſie*, it would be extraordinary Preſumption in me to offer at giving another, if I did it with a Thought of performing it better than he has done, or of making any Correction in what he has thought fit to remark. But that was not the thing which induced me to this Undertaking. I am, on the contrary, fully perſuaded that Mr. *Le Clerc's* Extract muſt convince the Lovers of Modern Hiſtory, what a Loſs they ſuffer'd when he was pleaſed to lay the Task of continuing the Extracts, upon me. If the Multiplicity of his Affairs had permitted him to have apply'd cloſe to the Work, he would have made an infinite number of Remarks upon this Collection, which cannot be expected from me. But as I have Extracted all the following Tomes of the *Fœdera*, in a Method different from Mr. *Le Clerc*, and with other Views, I thought it would not be improper to retrace this Tome after the ſame Method, in order to render the whole Plan more uniform. It ſeems that Mr. *Le Clerc*, when he gave the Extract of the Firſt Tome, had no deſign to go on with the reſt, becauſe he contented himſelf with giving a general Idea of the Uſe which might be made of that Collection; firſt, by ſome general Remarks; and, ſecondly, by pointing to ſome of the moſt important Acts which are in the Firſt Volume.

Lemma. Mr. Rapin's Reaſons for the Uſe he has made of Mr. Rymer's Fœdera.

But my View in the following Extracts, from the Second Tome to the Seventeenth incluſive, was to be more particular, to ſhew the *Relation which the Acts ſtand in to the Events we meet with in our Hiſtory*, and to *illuſtrate* the *one* by the *other*. It was with the ſame View, and in purſuance of the ſame Method, that without meddling with Mr. *Le Clerc's* Extract, I propoſed to make this, which tho' the firſt in Order, is the laſt with regard to the Time of its Compoſition.

THIS Firſt Tome contains all the Acts that could be found of ſix Reigns, *viz. Henry* I. *Stephen*, *Henry* II. *Richard* I. *John*, and *Henry* III. Theſe ſix Reigns together include the ſpace of 172 Years, from 1101 to 1272. It is to be wiſh'd that this Collection could have begun with the Reign of *William* the Conqueror; for that is not only the moſt conſiderable Epocha of the Hiſtory of *England*, but it is certain that the Knowledge of what paſs'd in that Kingdom from the Conqueſt, that is to ſay, from the Year 1066 to the Year 1101, at which this Collection begins, is abſolutely neceſſary for the perfect underſtanding of a great number of the Acts therein printed. This is true, eſpecially as to the Affair of the Succeſſion of the Crown, concerning which there were Wars whereof it is impoſſible to know the real Foundations, without knowing what State the Right of Succeſſion was in, during the two firſt Ages that follow'd the Conqueſt. This leads me to ſay a Word or two upon this Subject, which I regard as a matter of great Importance, with reſpect to the ſeveral Revolutions that fell out afterwards, and to what we have ſeen in our own Time.

General Contents of the firſt Tome of the Fœdera.

IT cannot be deny'd that *William* the Baſtard, Duke of *Normandy*, truly conquered *England*, by the Victory he gain'd at *Haſtings* over *Harold*, and by every Step he took afterwards, as well to procure the Crown to himſelf, as to keep it in his Poſſeſſion. It was Force only that placed him on the Throne, and it was by the ſame Method that he maintain'd himſelf upon it. I will not enter here into the Diſcuſſion of the Proofs which ſome have brought to ſhew that the Crown of *England* devolv'd juſtly to *William*, after the Death of *Edward* the Confeſſor; ſuch as *Edward's* laſt Will and Teſtament, which no body ever ſaw; the pretended Approbation of the Parliament, even during the Life of *Edward*, which is only founded upon the Teſtimony of ſome Hiſtorians who wrote long after that Time; and laſtly, the Kindred betwixt

Inquiry into William *the Conqueror's Right to the Crown.*

those two Princes, which could not but be defective, because *William* was a Bastard, besides that he was only related by the Female side. All *William's* Right therefore is reducible to this, *viz.* that *Edward* intended to appoint him his Heir, and had perhaps made him a verbal Promise of it; but as *Edward* had a Nephew, *viz. Edgar Atheling* his Brother's Son, 'tis certain that it was not in his Breast to leave the Crown to a Foreigner. At least we meet with no Precedent in the History of the *Saxon* Kings, from whence it may be infer'd that it was in the Power of a King to leave his Crown to Foreigners, in Prejudice of the Royal Race.

AFTER *Edward's* Death, *Edgar Atheling* was excluded from the Succession, and the *English* chose *Harold* II. who was not of the Royal Blood. It was this Election that furnished *William* with a Pretext for aspiring to the Crown of *England*. He pretended that because *Edgar* was rejected, the Right which *Harold* could infer from the Consent of the Great Men who had elected him, was no better founded than what he himself could infer from *Edward's* Promise. That was the real Ground of the Quarrel betwixt the two Princes, in which *Harold* fell, being overthrown and kill'd at the Battle of *Hastings*.

The Oath taken to him.

AFTER that Time, *William* being plac'd upon the Throne, acquir'd a new Right by the Oath his Subjects took to him; an Oath which they were not in a Condition to refuse him, and which really was rather extorted than given voluntarily. Yet for all this, *William* look'd upon himself as a real Conqueror, and exercised a Despotick Power over his Subjects all the rest of his Lifetime. He took away their Estates, and gave them to Foreigners; and in the space of a few Years, *England* was peopled, if we may so call it, with new Inhabitants, and especially with new Lords.

His absolute Power.

His Carelessness about the Succession.

DURING this whole Reign, no Law was made about the Succession to the Crown. The Conquest being laid down as the Foundation, could not of it self give any manner of Right to the Succession, because from the Conquest of a Kingdom there cannot be infer'd either an Hereditary Right from Father to Son, or a Right of Males exclusive of the Females, and much less a Right of Election in the Commons, or in the Great Men. In this confused State did *William* leave the Succession when he died, that is to say, no Regulation was made about it. This is a Point I lay down for Fact, and which I prove by what happen'd afterwards.

WILLIAM the Conqueror being on his Death-Bed, did not think fit to dispose of the Crown by an Act of absolute Power. He barely signified that he wish'd his second Son *William* might attend the Throne after him; and he also secretly concerted Measures with *Lanfranc*, Archbishop of *Canterbury*, that his Wish might be accomplish'd, as it actually was.

William Rufus's Succession, to what owing.

WILLIAM II. surnam'd *Rufus*, the second Son of *William* the Conqueror, seated himself on his Father's Throne to the Prejudice of his elder Brother *Robert*; not by virtue of an express Nomination, or by a Will of the Father, or by an Election in form, but by the Broils he had rais'd among the Great Men to hinder them from opposing his Succession: and notwithstanding *Robert's* Efforts, he maintain'd himself upon it as long as he liv'd.

Succession of Henry I.

HENRY I. succeeded him after the very same manner almost, tho' *Robert* his eldest Brother was still living. Hitherto we find no Trace of Hereditary Succession, as that Term is commonly understood. *Henry* left one only Daughter, named *Maud*, who was Widow to the Emperor *Henry* V. and afterwards marry'd to *Geoffery Plantagenet* Earl of *Anjou*. But *Stephen*, the younger Son of a Daughter of *William* the Conqueror, who was marry'd to the Earl of *Blois*, ascended the Throne in the same manner as his two Predecessors. He had a long War with *Maud*, who had a Party in *England*; but at last he carry'd his Point, and drove her out of the Kingdom. I confess I don't see why *Stephen* deserves the Title of Usurper any more than the three Kings that preceded him; and yet it is a Title that the Historians commonly give him, as if it fitted him better than the others. After *Stephen* was deliver'd from *Maud*, he had a new Rival to cope with, *viz. Henry*, who was *Maud's* Son by the Earl of *Anjou*. This young Prince repairing to *England*, disputed the Crown with *Stephen*, and at length forc'd him to make a Treaty with him, whereby he declar'd him his presumptive Successor, tho' he had a Son of his own; and this Treaty was approv'd by all the Great Men of the Kingdom. Here it is that we begin to have a View of the Hereditary Right of Succession, because *Henry* only disputed for the Crown with *Stephen* in quality of *Maud's* Son; and yet *Maud* was still alive when *Henry* her Son made this Treaty, and when he ascended the Throne; nor does it appear in History that she had transfer'd her Rights to him.

Of Stephen.

Prov'd to be no more an Usurper than his Predecessors.

His Treaty with Hen. II. his Rival.

HENRY II. had a Son of his own Name, whom he caused to be crown'd beforehand; a Precaution which would have been very needless, if he had thought the Hereditary Succession sufficiently establish'd. He had three other Sons, *viz. Richard*, *Geoffery*, and *John*. *Henry* the eldest of the Four died without Issue in his Father's Lifetime. *Richard* was King of *England*. *Geoffery* died before his Father, leaving a Daughter nam'd *Eleanor*, and a Posthumous Son who was called *Arthur*. *Richard* succeeded

Henry IId's Son crown'd beforehand.

eeeded the King his Father, but after his Death, inſtead of *Arthur*, *John* was plac'd upon the Throne, who was the laſt of *Henry* IId's Children; tho' according to the natural Order of Hereditary and Lineal Succeſſion, the Crown devolv'd to *Arthur* the Son of *Geoffery*, *John*'s elder Brother.

Barons Wars with King John.

JOHN, ſurnam'd *Lackland*, being very much embroil'd with his Barons, they call'd to their Aſſiſtance Prince *Lewis*, Son to the King of *France*, and recognized him for their Sovereign. This Prince made himſelf Maſter of almoſt the whole Kingdom; and *John*, who had but a very ſmall Party in *England*, dy'd before the end of that War. After his Death, the Barons who were attach'd to him, crown'd *Henry* III. his Son, who was about 12 Years of Age. *Lewis* being afterwards forc'd to abandon *England*, the two Parties were reconcil'd, and acknowledg'd young *Henry* for their King.

Coronation of Henry III.

THUS have I given you a ſhort Hiſtory of the Succeſſion to the Crown of *England*, from the Conqueſt to *Henry* III. In which it may be obſerv'd, 1. That the Crown was preſerv'd in the Poſterity of *William* I. tho' *Stephen* and *Henry* were deſcended from him only by the Female ſide. 2. That all the Kings of *England* from *Henry* II. derive their Origin from *Maud*. 3. That of the firſt eight Kings who reign'd after the Conqueſt, there were but two, *viz.* *Richard* and *Henry* III. who ſucceeded in the Order of Nature, that is to ſay, from Father to Son, according to the Priority of Branches. They who admit of this Order as a fundamental Maxim of Succeſſion, cannot but own that *William* I. *William* II. *Stephen*, *Henry* II. and *John*, were all Uſurpers; at leaſt if they will judge according to their own Principle. But as in this ſpace of Time we meet with no Law, nor any other Regulation, which has eſtabliſh'd this Order; and as on the other hand we find in theſe eight firſt Reigns ſix Precedents to the contrary; I think it may be infer'd that there was nothing fix'd upon this Head, nor any Principle eſtabliſh'd for regulating the Succeſſion. Theſe Remarks may be of ſome Service in the Courſe of the Extracts intended from the *Fœdera*. I come now to the ſix Reigns, whoſe Acts are contain'd in the firſt Tome of the *Fœdera*.

The REIGN of *HENRY* I.

ANNO 1100.

FOEDERA Tom. I.

Henry I's Acceſſion.

HENRY I. aſcended the Throne after *William Rufus*, tho' *Robert* their elder Brother, who had already been ſupplanted once, was ſtill alive. This is not a Place to examine whether *Henry* became King by Stratagem, by Force, by Right of Birth, as being born in *England* after the King his Father was on the Throne, by an Election free or forc'd, or by all theſe Claims put together. As there is not a ſingle Act in this Collection that has a relation to it, I ſhall not inſiſt upon this Matter. It being natural for the ſaid Prince to foreſee that he ſhou'd need the Aſſiſtance of his Subjects to maintain him on the Throne, he granted them a very advantageous Charter, whereby he reſtor'd to them their antient Privileges, which they had enjoy'd under the *Saxon* Kings. But this Charter was ſo ill obſerv'd, that it was in a manner forgot; and 'twas by mere Chance that a hundred Years after, a Copy of it was found among thoſe depoſited in the chief Monaſteries.

His Charter to his Subjects.

Anno 1101. IN order to win the Hearts of the *Engliſh* more and more, *Henry* recall'd *Anſelm* Archbiſhop of *Canterbury*, who had had great Quarrels with *William Rufus*, and was retired into *France*. Moreover, he marry'd *Maud* of *Scotland*, the Daughter of *Malcolm*, by a Siſter of *Edgar Atheling*, the laſt Prince of the Race of the *Saxon* Kings. By this Marriage, the *Saxon Blood* was united with that of *Normandy* and *Anjou*, ſo that *Henry*'s Poſterity deriv'd its Origin from both.

He recalls Anſelm *A Bp. of* Canterbury.

He marries.

HENRY I.

HENRY was under a Neceſſity of taking theſe Precautions; for he had occaſion to know very ſpeedily how neceſſary the help of the *Engliſh* would be to him, in order to reſiſt the Attacks of *Robert* his Brother, who endeavour'd, tho' in vain, to dethrone him. The *Engliſh* ſerv'd their King ſo well, that *Robert* was obliged to lay aſide his Claim on the Payment of a certain Penſion.

Anno 1103. *HENRY* rag'd with Envy to be reveng'd on his Brother, or rather to deprive him of *Normandy*; but it was delay'd for ſome time, by a Quarrel which he had with *Anſelm*, relating to the Inveſtitures (of Biſhops and Abbots) which was at laſt determin'd by an Accommodation.

His hatred of Robert his Brother, and quarrel with Anſelm.

Anno 1105. THIS Affair being over, *Henry* attack'd *Robert*, defeated him, took him Priſoner, ſeiz'd his Duchy, and confin'd him to the Caſtle of *Cardiff* in *Wales*, where that unhappy Prince dy'd after he had been 28 Years a Priſoner.

Robert's Ruin and Death.

Anno

FOEDERA Tom. I.

HENRY I.

Henry is made uneasy by his Nephew William Crito.

Anno 1108. WHILE *Robert* was in Priſon, *William* his Son, ſurnamed *Crito*, being ſupported by the King of *France*, prov'd a great Thorn in the Side of his Uncle *Henry*, 'till Death pluck'd it out, by cutting off his ſaid Nephew in 1128.

His Daughter Maud's *Marriages.*

IN the Year 1109. *Henry* gave his Daughter *Maud* in Marriage to the Emperor *Henry* V. who dying without Iſſue by her, *Maud* return'd home to the King her Father, and was marry'd again to *Geoffrey Plantagenet*, Earl of *Anjou*.

Wm. *his Son is drown'd.*

Anno 1127. FROM this Marriage deſcended *Henry*, of whom I ſhall have occaſion to treat hereafter. Mean time *William*, who was the only Son of *Henry* I. was unfortunately drowned, as returning from *France* to *England*. By his Death the Empreſs *Maud* became preſumptive Heir to the King her Father, who caus'd her to be recogniz'd as ſuch, and made all the *Engliſh* Nobility take an Oath to her, which, as we ſhall ſee hereafter, was ill obſerv'd.

Empreſs Maud *recogniz'd preſumptive Heir to the Crown.*

Henry *enriches his Nephews.*

Anno 1127 & 1130. *HENRY* had with him in *England* two Nephews, the Sons of his Siſter *Adela*, Counteſs of *Blois*. He took a delight to make thoſe two Nephews rich and powerful, by procuring for *Stephen* the Elder, a Match with the Heireſs of *Bologne*; and for the other, who was *Henry*, the Biſhoprick of *Wincheſter*: By which he hop'd the Empreſs his Daughter would be well ſupported, in caſe the *Engliſh* ſhou'd ſcruple to own her as their Queen; for no Settlement

His View in it.

having been made hitherto of the Succeſſion, he apprehended that they would refuſe Obedience to a Woman. But this Precaution only tended to put *Stephen* in a Capacity to ſupplant her. *Henry* dy'd in 1135, after having reign'd about 36 Years.

His Death.

THERE are but two Acts in this Reign, and they both ſhew that it was the Cuſtom then to grant Penſions in Fee, as they did Land.

Conventions with Robert *Earl of* Flanders.

THE firſt of theſe is a Convention between *Henry* I. and *Robert* Earl of *Flanders* *, dated at *Dover* the 16th of the Calends of *June* 1101.

" BY this Convention *Henry* gave a " Penſion of 400 Marks to *Robert* in Fee, " and *Robert* engag'd to ſend him into " *England* or *Normandy* 500 Men arm'd, " with 3 Horſes each, and 250 into *le* " *Maine*, *Salva Fidelitate Ludovici Regis Francorum*. Nevertheleſs *Philip* I. " was alive; but as he was excommuni- " cated, there's no mention in theſe Acts " of any but King *Lewis* his Son."

P. 4. of the *Fœdera.*

THE ſecond is another Convention between the ſame Perſons: Sign'd at *Dover* the 6th of the Ides of *March* 1102.

" BY this Convention the Earl of *Flan-* " *ders* engag'd himſelf to furniſh the King " with 1000 Horſemen for a Penſion of " 400 Marks in Fee, and gave him 12 " Sureties, who were bound each in 100 " Marks. The King likewiſe gave Sure- " ties for the Payment of the Penſion." †

The

* THIS Earl was called *Robert* of *Jeruſalem*, becauſe of his being at the taking of that City from the *Saracens*, by *Godfrey* of *Bouillon*. In his time, *Flanders* was ſo afflicted with Plague, Famine, Inundations, and continual Rains, from *October* 1108, to *April* 1109, that many of the Inhabitants were forced to retire into *England*, where they were planted in a Colony in the Eaſt Part of the Country, by King *Henry* I. He was the firſt of the Earls of *Flanders* choſe by the Emperors to be Protector of *Cambray*.

AFTER his Return from the Holy Land, he took part with the *French* King, who was called *Lewis the Groſs*, againſt the *Engliſh*, and beſieged the City of *Mante*, on the *Seine*, then in their Hands; but was trampled under Horſes Feet in one of their Salleys, and dy'd of his Wounds at *Arras*, in 1111.

† THESE being not the moſt inconſiderable Pieces in the Collection, Mr. *Rymer* has made Remarks upon them in his Preface, that deſerve to be taken Notice of; to which we ſhall join others, when we come to the mention of ſome particular Paſſages in theſe two Acts.

AFTER having mentioned the Witneſſes on the Part of the King and Earl, the firſt Act goes on thus: " ROBERTUS comes Flandriæ, fide & ſacramento aſſecuravit regi Henrico, vitam ſuam, & membra quæ " corpori ſuo pertinent, & captionem corporis ſui, ne rex eam habeat ad dampnum ſuum, & quod juvabit eum, " ad tenendum & defendendum regnum Angliæ, contra omnes homines, qui vivere & mori poſſint; ſalva fide- " litate Ludovico regis Francorum. Ita ſi rex Ludovicus regnum Angliæ invadere voluerit, comes Robertus, " ſi poterit, regem Ludovicum remanere faciet; & quæret quocumque modo poterit, conſilio & precibus, per " fidem abſque malo ingenio, ſine datione pecuniæ, ut remaneat. Et ſi rex Ludovicus in Angliam venerit, & " Robertum comitem ſecum adduxerit, comes Robertus tam parvam fortitudinem hominum ſecum adducat, " quam minorem poterit; ita tamen ne inde feodum ſuum erga regem Franciæ forisfaciat." *i. e.*

ROBERT Earl of *Flanders* ſolemnly ſwears to ſubject himſelf, Life and Member, to King *Henry*, that he ſhall not come to any Damage by him, and that he will aſſiſt him to maintain and defend the Kingdom of *England* againſt all Men living; ſaving his Allegiance to *Lewis* King of *France*: In ſuch manner, that if King *Lewis* offers to invade the Kingdom of *England*, Earl *Robert*, if he can, ſhall prevail with King *Lewis* to forbear, and ſhall for that end uſe all manner of Advice and Intreaty, without any ſiniſter Intention, or Bribe. And if King *Lewis* ſhall come into *England*, and bring Earl *Robert* with him, the ſaid Earl *Robert* ſhall take as ſmall a Number of Men with him as poſſible: Provided nevertheleſs that he doth not depart from the Fealty which he oweth to the King of *France*.

THESE follow certain Conditions, particularly one in theſe Words, *Et ſi quis comes Angliæ, vel alii homines ejuſdem terræ juraverint, ita quod reus comitatum, vel valens comitatum quæſierit: i. e.* And if any Earl of *England*, or other Perſons of the ſaid Realm ſhall rebel, ſo as that the King ſhall loſe the County, or the Value thereof, &c. There are likewiſe Guarantees on both ſides for this Treaty, who are termed *Obſides*, *i. e.* Hoſtages: And in the ſecond Act, theſe Guarantees oblige themſelves to pay 100 Marks for him they are bound for, in caſe he does not obſerve the Treaty. The King of *England* engages on his Part to pay the Earl of *Flanders*, *singulis annis 400 marcas argenti in feodo: i. e.* 400 Marks Sterling every Year, in way of Fealty.

THESE Remarks which Mr. *Rymer* makes upon theſe Conventions are, 1. That *Eadmer* the Hiſtorian of that time ſhews that the common People knew nothing at all of the Reaſon why *Robert* came over into *England*,

The REIGN of King STEPHEN.

ANNO 1135.

FOEDERA Tom. I.

King Stephen's Acceſſion.

WHILST *Henry* I. was on his Death-bed at the Caſtle of *Lyons* near *Roan*, the Biſhop of *Wincheſter* made a Party in *England* for his Brother *Stephen* ‡. He had ſuch good Succeſs in the Scheme he had laid to procure him the Crown, that when *Stephen* arriv'd in *England*, after the Death of the King his Uncle, the great Men were diſpos'd to place him on the Throne, notwithſtanding the Oath they had taken to *Maud*. It does not appear that at that time the common People concern'd themſelves in any manner in the Affair of the Succeſſion to the Crown; for it was the great Men, both Spiritual and Temporal, that diſpos'd of it. The Sex of the Empreſs was the great Pretext that was made uſe of to exclude her; but the true cauſe that induced the Barons to declare for *Stephen*, was the Biſhop of *Wincheſter*'s having engag'd for him, that he would maintain them in the Poſſeſſion of their Eſtates and Privileges. It was on this poſitive Promiſe that the Grandees were willing to obey him. This appear'd by the Oath of the Earl of *Gloceſter*, natural Son to *Henry* I. which contain'd this Clauſe, *That he would be faithful to the King as long as he ſhould obſerve the Conventions made with the Barons.*

STEPHEN.

Why the great Men declar'd for him excluſive of Maud.

I ſhall obſerve here by the way, that at that time almoſt all the Barons of *England* were Foreigners; that is to ſay, Natives of *Normandy*, *Bretagne*, or *Anjou*; and, that they poſſeſs'd the Fiefs which *William* the Conqueror had taken from the *Engliſh*. Now as they had receiv'd thoſe Fiefs from the abſolute Power of the Conqueror, they had reaſon to fear that the ſame Royal Power might as well take them away. Therefore they placed *Stephen* on the Throne, becauſe, as he had no Right

land; which Reaſon we find in this Inſtrument, and which probably was kept ſecret for fear of offending the King of *France*.

2. THAT the Hiſtorians of *Flanders* miſtook the 400 Marks Sterling for a Tribute, becauſe the King gave it to the Earl of *Flanders*, *in feodo*, as a Fief, by Virtue of which the Earl was obliged to do him certain Service, as appears by this original Convention, and by many others; tho' ſome Hiſtorians, both ancient and modern, have related the Matter quite otherwiſe, for want of being well informed of the Fact.

3. THAT this Act is a more ancient Proof than any the *French* have yet been able to produce, that the old Earls of *Flanders* were Vaſſals to their Kings.

4. THAT *Lewis* is here nam'd for his Father *Philip* *; becauſe the latter was then excommunicated, upon account of his carnal Commerce with *Bertrade*, Wife to *Fulk* Earl of *Anjou*, tho' *Lewis* had not begun to take care of the Affairs of the Kingdom: Which is a Confutation of *David Blondel*, who in his Book *de formulâ regnante Chriſto*, has aſſerted that the Title of King was never granted to this *Lewis* in any Act whatſoever, during the Life of his Father.

To theſe Remarks *Le Clerc* adds, That a Penſion is here called *Feodum*, or Fief, a Term ſeldom given to any thing but Lands; from whence it comes to paſs, that a *Fief* is defin'd in Law to be *uſus-fructus rei immobilis, ſub conditione fidei*; *i. e.* The holding of Land upon condition of Fealty. Mean time, 'tis ſpecify'd in both Conventions, that the 400 Marks Sterling ſhall be given to Earl *Robert*, *in feodo*, or in Fee, as if it was ſo much Land.

It muſt be obſerv'd by the way, That if any one would undertake to inrich M. *du Cange*'s Gloſſary of Vulgar *Latin*, he would here find a great many new Examples of Words which M. *du Gange* has explain'd; and without doubt many more of which he has ſaid nothing at all. There is a Neceſſity of having either his Book, or *Spelman*'s, for the perfect underſtanding of thoſe Acts. Without ſuch Helps, who could imagine that *boſiare* ſignify'd to rebel; that *exonium* ſtood for Moleſtation; *foriſfacere* for rejecting, renouncing, or loſing, which occur in the foregoing Acts; and many more ſuch Words that we meet with afterwards?

Source of the French Language.

As the *French* Language, in its preſent State, is deriv'd immediately from the vulgar *Latin*, 'tis there we muſt ſeek for the Etymology of moſt Words, as M. *Menage* plainly demonſtrates, in his Origin of the *French* Tongue. For Inſtance, they who are only acquainted with the ancient *Latin*, would be at a Loſs to gueſs from whence comes the Expreſſion *il ſera quitte de cela*; but ſuch as have read the foregoing Acts will know that it then meant *quietus erit de illa*; *i. e.* he ſhall not be moleſted on that Head. To inſtance in the Etymology of one Word, which does not derive its Origin from the old *Latin*; the Orthography of the Word *Feodum*, Fief, and the Senſe which it bears in the abovementioned Acts, perſuade me to believe, that they † who derive that Word from the old *Saxon Feo*, which ſignifies Reward, are in the right.

* *He put away his Wife on pretence that ſhe was too near a-kin, and marry'd another, for which he was excommunicated; but obtained an Abſolution afterwards from the Pope, and a Confirmation of his laſt Marriage. He waſted himſelf by his Debaucheries, and died in* 1108, *not at all lamented by his Subjects, becauſe he was a great Oppreſſor.*

† *See* Stephen Skinner's Etymologicon, *upon the Word* Fee.

‡ *Stephen* was then in *France*, where Pope *Innocent* II. had an Interview with him, and wou'd have perſwaded him to take a Voyage to the *Holy Land*. Mr. *Rapin* has omitted the mention of a remarkable Bull granted by this Pope in the Year 1137, whereby he takes *Aldgate* Church at *London* into his Protection, and confirms the Donations which had been given to it. Mr. *Rymer* has caus'd the Beginning and the End of it to be engrav'd, to pleaſe the Curioſity of thoſe who never ſaw ſuch Inſtruments: There we plainly ſee the Pope's Sign Manual, his Cypher, or thoſe interwoven Letters which he ſubjoin'd to his Name; and laſt of all, his Seal. Its being dated in the Year of our Lord 1137, ſhews, according to the Remark of Mr. *Rymer*, that Father *Papebroch*, the Jeſuit, was miſtaken, when he deny'd that Bulls were dated after that manner before Pope *Eugene* IV. and pretended that thoſe produc'd to diſprove him were ſubſtitious. Father *Mabillon* was in the right to oppoſe him, and this ancient Monument is a Proof of it. The ſame thing will appear in a like Bull, granted by Pope *Eugene* III. which is a little lower; and in another by Pope *Honorius*, which is produc'd among the Acts of the Reign of *Henry* III. ſo that we need go no farther for Proofs of it.

Fœdera Tom. I.

to the Crown, they had a Pretence to demand ſuch Conditions of him as *Maud* perhaps would never have conſented to. Of theſe the moſt important was, that they ſhould enjoy their Fiefs independently of the King's Will, and that they ſhould never be depriv'd of them, but by the Judgment of their Peers, and conformably to the Laws. The two *Williams* had not ſhewn abundance of Regard to thoſe Privileges; and *Henry* I. had only pretended to ſecure them in the Poſſeſſion thereof, by a Charter, which, as I ſaid above, was not well obſerv'd. So that the Barons, by taking only a conditional Oath to *Stephen*, ſecur'd themſelves from the Danger they were in of being depriv'd of their Eſtates, by the ſame Royal Power which had put them in poſſeſſion. *Stephen* promis'd whatever they requir'd of him, for the ſake of obtaining the Crown; but afterwards the Barons pretended that he had not kept his Word with them, and that gave Occaſion to a War, which laſted to the end of this Reign.

His War with the Barons.

Anno 1138. THE Earl of *Gloceſter* headed the Party which oppos'd the King; and the Biſhop of *Wincheſter*, tho' he was *Stephen*'s Brother, join'd alſo with his Enemies; and as he was Legate from the Pope, he drew in almoſt all the Clergy to his Party. At length *David* King of *Scotland*, ſeeking to make advantage of theſe Diviſions, under pretence of ſupporting the Rights of the Empreſs his Niece, enter'd alſo into the Quarrel. But that which did the King moſt harm, was his Folly in falling out with the Clergy, who debauch'd his Subjects to that degree, that they call'd for *Maud*, in order to place her upon the Throne. The Events of this Civil War make up the whole Hiſtory of this Reign.

His Defeat and Impriſonment.

Anno 1140. BUT without entering into Particulars, I will only take notice, that *Stephen* being defeated in Battle, and taken Priſoner by the Earl of *Gloceſter*, languiſh'd for ſome time in Priſon, while *Maud* was own'd as Queen, tho ſhe was not yet crown'd.

His Brother joins him and retrieves his Affairs.

Maud's flight.

Anno 1141. BUT the Biſhop of *Wincheſter* being diſſatisfy'd with the Empreſs, went over to the Party of the King his Brother, and notwithſtanding his being a Priſoner, gave quite another Turn to his Affairs: For by his Intrigues *Maud* was, as it were, turn'd out of *London*, and forc'd to fly with very great precipitation. Afterwards, when ſhe hoped to ſurprize the Biſhop in *Wincheſter*, and ſpent time in beſieging the Caſtle of that City, ſhe was her ſelf ſurpriz'd by an Army which that Prelate had ſet on foot, and oblig'd to retire in great haſte; but the Earl of *Gloceſter*, who kept in the Rear to favour her Retreat, was taken Priſoner. As this Earl was the greateſt Support ſhe had, and as without him ſhe knew ſhe could not ſtand her Ground, ſhe conſented he ſhould be exchang'd with the King.

STEPHEN.

Earl of Gloceſter's impriſonment and exchange with King Stephen.

Anno 1146. AFTER that time *Stephen* gain'd ſuch great Advantages over his Competitor, that he oblig'd her at laſt to return to *Normandy* to the Earl her Husband.

Maud's return to Normandy.

THE Tranquillity which the King enjoy'd by *Maud*'s Retreat laſted but three or four Years. For *Henry*, who was *Maud*'s Son by the Earl of *Anjou*, becoming Duke of *Normandy* by his Mother's Reſignation of that Duchy to him, and afterwards Duke of *Guienne*, by his Marriage with *Eleanor* the Heireſs of that Country, undertook to aſſert his Rights to the Crown of *England*, as Grandſon to *Henry* I.

Henry's Claim to the Crown.

Anno 1150. *STEPHEN* labour'd in vain to have the Crown placed on the Head of his Son *Euſtace*, in order to ſecure the Poſſeſſion of the Throne to his Family, for he found an invincible Reſiſtance in the Clergy, who had already made Engagements with *Henry*.

Stephen *tries in vain to get his Son crown'd.*

Anno 1152. THIS young Prince arriving in *England*, was ſupported in it by a ſtrong Party, and made a ſharp War upon the King, who on his part defended himſelf with very great Courage.

Henry's *Reception in* England *and War with King* Stephen.

Anno 1153. AT length *Euſtace* Earl of *Boulogne*, the King's eldeſt Son, dying, and the War ſtill continuing betwixt the two Competitors, it happen'd that the two Armies were in ſuch a Situation, that they could not avoid coming to a Battle.

Anno 1154. BUT the Noblemen of the two Parties interpoſing to accommodate this Quarrel without the effuſion of more Blood, a Treaty was made, whereby *Henry* was declar'd preſumptive Succeſſor of *Stephen*, who actually adopted him, tho' he had a Son alive nam'd *William*. This Treaty being ſign'd, *Henry* return'd to *Normandy*, there to wait the Death of *Stephen*, who was to keep the Crown during his Life, but he did not hold it above a Year, for he died in 1154. after a Reign of 19 Years full of Troubles.

Their Agreement.

Stephen's *Adoption of* Henry, *and his Return to* Normandy.

These are the Acts of the Fœdera *in the Reign of* Stephen.

1. A Patent whereby *Maud* creates *Milo* of *Gloceſter* Earl of *Hereford*; dated *July* 25. 1141. at *Oxford*.

The firſt Earl's Patent. 8.

'TIS the oldeſt Patent we know of for 'the Creation of an Earl *.

2. A Bull of Pope *Lucius*, diſſolving the Charters by which Children pretend to ſucceed their Parents in Eccleſiaſtical Benefices. It has no Date expreſs'd.

Pope Lucius's *Bull of the Succeſſion to Benefices.* 9.

3. A

* By this Patent it appears, that the Earldoms of *England* at that Time were real Fiefs, and not meer Titles, as they are now. That Princeſs gave to *Milo* the Moat of *Hereford*, and *all the Caſtle*, with many Prerogatives ſpecify'd in the Patent.

FOEDERA Tom. I.

Stephen's *Treaty with his Succeſſor* Henry. 13.

3. A Treaty betwixt King *Stephen* and *Henry* Duke of *Normandy*, at *Weſtminſter*, in the Year 1153.

'*STEPHEN* acknowledges *Henry* for his preſumptive Heir. It ſets forth, 'that *William* Son of *Stephen* has done 'Homage to *Henry*, who has engag'd 'himſelf to leave him all the Eſtate which '*Stephen* was poſſeſs'd of before he was 'King, and to ſhew him other Favours. 'The Barons engage themſelves to do 'Homage to *Henry*, as *Stephen*'s preſumptive Succeſſor, *Salva Fidelitate Regis 'Stephani quamdiu vixerit*, i. e. Saving 'their Allegiance to King *Stephen* as long 'as he lives. * They alſo promiſe to abandon *Stephen*, if he acts againſt this 'Treaty.

STEPHEN.

'WE ſee by this Treaty that *Geoffery* 'Earl of *Anjou*, Father to *Henry*, was yet 'alive, tho' the Hiſtorians have put him 'down dead ſome time before.

* See *Polydore Virgil*, in his Account of K. *Stephen*.

The REIGN of *HENRY* II.

ANNO 1154.

FOEDERA Tom. I.

Henry II's *Acceſſion.*

HENRY II. ſurnam'd *Plantagenet*, aſcended the Throne after the Death of *Stephen*, tho' the Empreſs his Mother was ſtill alive, and tho ſhe had not made him any authentick Conveyance of her Rights. At leaſt we find nothing upon this Subject in Hiſtory. The Reign of this Prince contains ſeveral important Events, of which, for the greater clearneſs, I ſhall make ſeveral Articles. The firſt ſhall be of the Increaſe of the *Engliſh* Monarchy, which happen'd chiefly in this Reign; the Knowledge of which Increaſe is abſolutely neceſſary for underſtanding the Hiſtory of *England*, with regard both to this and the following Reigns. The ſecond Article ſhall contain a ſhort Abridgment of *Henry* IId's Quarrel with *Thomas Becket* Archbiſhop of *Canterbury*, tho' we find but one Act in the *Fœdera* which relates to it. The third ſhall treat of the Conqueſt of *Ireland*. The fourth, of the Rebellion of the King's Children. The fifth of *Henry* IId's Affairs with *Scotland*. The ſixth, of his Affairs with *France*. The ſeventh, of the Rebellion of *Richard* the King's Son, and of the War it occaſion'd betwixt *Henry* and *Philip Auguſtus*.

ARTICLE I.

Of the Increaſe of the Engliſh *Monarchy.*

Increaſe of the Engliſh *Monarchy.*

I call that the Increaſe of the *Engliſh* Monarchy, which in a proper Senſe was only the Augmentation of the Power of the Kings of *England*. But tho' the Provinces which thoſe Kings poſſeſs'd in *France* were not united to the Crown of *England*, yet they depended thereon in ſome meaſure, becauſe they depended on him that wore it. And it happen'd, whenever there was occaſion, that the Kings of *England* made no ſcruple to ſpend the Blood and Treaſure of the *Engliſh*, for the Preſervation of ſuch foreign Provinces; tho' they did not make a Part of their Kingdom.

HENRY II.

THUS *William* the Conqueror added *Normandy* to the Crown of *England*: But after his Death, this Duchy was ſeparated from it, becauſe it fell into the Hands of *Robert* his eldeſt Son; while *William Rufus* his ſecond Son enjoy'd the Crown of *England*. The latter gave plain Intimation, that he thought *Normandy* ought to be united to *England*; becauſe he made Efforts to turn his Brother out of it: but not ſucceeding in his Enterprize by force of Arms, he acquir'd the ſaid Duchy after another manner, at the Cloſe of his Reign; *Robert* having mortgag'd it to him for a Sum of Money, to enable him to make a Voyage to the Holy Land.

Normandy *added to, and ſeparated from the Crown of* England.

Mortgag'd to King Henry I. *by his Brother* Robert.

AFTER the Death of *William Rufus*, *Henry* his younger Brother ſeiz'd the Throne of *England*, in the Abſence of *Robert* his elder Brother; but did not dare preſently to attempt the Maſtery of *Normandy*. *Robert* returning afterwards from the Holy Land, put himſelf in poſſeſſion of that Duchy; but *Henry* made War upon him for a very ſlight Cauſe, and having defeated and taken him Priſoner, he ſeiz'd his Country and kept it as long as he liv'd.

Seiz'd by King Henry I.

THIS ſame Duchy was the Occaſion of a War between *Stephen* and the Empreſs *Maud*. *Stephen* ſeiz'd it and held it for ſome time, after having obtain'd the Inveſtiture of it for *Euſtace* his eldeſt Son, from the King of *France*; but at laſt it fell into the Hands of *Maud* and *Geoffery Plantagenet* her Husband, who yielded it to *Henry* their Son: So that *Henry* was actually Duke of *Normandy* when he came to the Crown of *England*.

By King Stephen.

Devolv'd to Henry II.

HE was alſo Earl of *Poitou* and Duke of *Guienne*, by his Marriage with *Eleanor* of *Guienne*. *Lewis* the Younger, King of *France*, had marry'd this Princeſs, and had two Daughters by her; but he quarrell'd with her to ſuch a degree, that he

His other Acquiſitions.

divorc'd

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divorc'd her, and reſtor'd her all the Dominions ſhe brought him as her Portion. By this Reſtitution he depriv'd the Crown of *France* of the Duchy of *Guienne*, and the Earldom of *Poictou*; which included the *Limouſin*, *Perigord*, *Auvergne*, *Rouvergne*, *Saintonge*, the *Pais d'Aulnis*, beſides *Guienne* and *Poictou* properly ſo call'd. *Henry* who was already Duke of *Normandy*; ſeeing ſo rich an Heireſs that wanted nothing but a Husband, propoſed a Marriage to her, which was negotiated ſo privately, that the firſt News the King of *France* had of it, was, that the Wedding was ſolemniz'd at *Bourdeaux*.

His Marriage.

He defrauds his younger Brother of his Eſtate, &c.

Anno 1156. To theſe fine Acquiſitions, *Henry* alſo join'd, after the Death of *Geoffery* his Father, *Anjou*, *Maine*, and *Touraine*, of which he depriv'd *Geoffery* his younger Brother. The Earl of *Anjou*, who was Father to both of them, had left thoſe 3 Provinces to his ſecond Son, ſuppoſing that the eldeſt would have reaſon to be ſatisfy'd with the Duchy of *Normandy*, of which he was already in poſſeſſion, and with the Crown of *England*, which was to devolve to him one Day by a Treaty that he had concluded with *Stephen*. He had alſo made him take an Oath that he would punctually execute this Clauſe of his laſt Will. But *Henry* not thinking it fit to leave the Inheritance of his Anceſtors to his younger Brother, got himſelf abſolved from his Oath by the Pope, and then ſeiz'd thoſe three Provinces.

Geoffery's Expulſion, and Death.

GEOFFERY being drove out of *Anjou*, retir'd to *Bretagne*, where he was recogniz'd Earl of *Nantes* by the People of that County, who were not ſatisfy'd with their Earl.

Anno 1159. THIS Prince dying two Years after, *Conan* Duke of *Bretagne* ſeiz'd *Nantes*. But *Henry* maintaining that he was the lawful Heir of his Brother, march'd into *Bretagne* with ſuch a ſtrong Force, that *Conan* was oblig'd not only to yield the Earldom of *Nantes* to him, but alſo to make a Treaty with him, whereby he promis'd to give his only Daughter *Conſtantia* in Marriage to *Geoffery*, *Henry*'s third Son, who was as yet but in the Cradle. And the Marriage was celebrated five Years after this, notwithſtanding the tender Age of this Prince, who after the Death of his Father-in-Law, became Duke of *Bretagne*. But as he was ſtill under Age when *Conan* dy'd, *Henry* took Poſſeſſion of *Bretagne* in his Son's Name. To prevent *France* from oppoſing his Undertaking, he went to *Paris*, and there concluded a Marriage between *Henry* his eldeſt Son, and *Margaret* Daughter of *Lewis* the young, who was then but [illegible] of the Monarch of *France*.

ALL theſe Acquiſitions being not enough to content him, he undertook to make himſelf Maſter of the County of *Tholouſe*, to which *Eleanor* his Wife had Pretenſions as Heireſs to the Family of *Poictiers*. With this Deſign he made an Alliance with the King of *Arragon*, and the Count of *Barcelona*, and went and beſieg'd *Tholouſe*, after having taken *Cahors* in his March. But the King of *France*, who was beforehand with him, had already thrown himſelf into *Thoulouſe*, and defended that City ſo well, that he forc'd him at length to raiſe the Siege. HENRY II.

I ſhall treat hereafter of the Conqueſt of *Ireland*, which happen'd in this Reign.

ARTICLE II.

Affairs of Henry II. *with* Thomas Becket, *Archbiſhop of* Canterbury.

THOMAS BECKET was the Son of a Citizen of *London*, and his Mother was a *Syrian*. In his youth he profeſs'd the Law, and was ſo eminent for his Abilities, that he was made Archdeacon of *Canterbury*. Some Affairs which he had to tranſact at Court, made him known to *Henry* II. who having employ'd him upon ſeveral Occaſions, had ſuch an Eſteem for him, that he made him Lord High Chancellor. He behav'd in this new Dignity very inſolently towards all Mankind, except the King, to whom he always paid all manner of Submiſſion and Complaiſance. *Henry* thinking that *Becket* was entirely devoted to him, reſolved to make uſe of him for executing a Project which he had form'd, to humble the Clergy a little, and to reduce their Power to due Bounds, by retrenching part of the Eccleſiaſtical Juriſdiction. To accompliſh this with the more eaſe, it was abſolutely neceſſary to have the Concurrence of the Archbiſhop of *Canterbury*; wherefore *Henry* thought he cou'd not do better than to procure the ſaid Eccleſiaſtical Dignity for *Becket*, after the Death of the Archbiſhop *Theobald*, which happen'd in 1163. It was with very great difficulty that the Monks of St. *Auſtin* reſolv'd to chuſe *Becket*, becauſe they thought him too much devoted to the Court.

Hiſtory of Thomas Becket.

Henry's Project to humble the Clergy.

IN the Reign of *William* the Conqueror, the Clergy of *England* were very much fallen from the Grandeur and Power they were veſted with under the *Saxon* Kings. This Prince did whatever he pleas'd both in Church and State, and *Gregory* VII. with all his Inſolence, did not ſo much as dare to pretend to thwart him. The Caſe was much the ſame under *William Rufus*, who was not of a Humour to be hector'd either by the Clergy or the Pope. This Prince had a great Quarrel with *Anſelm* Archbiſhop of

Decay and Revival of their Power.

William Rufus's Quarrel with the Archbiſhop of Canterbury.

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of *Canterbury*, who was at last oblig'd to quit the Kingdom, and to go for Refuge to *Lyons*, where he stay'd 'till this King's Death. *Henry* I. lost a little Ground, and cou'd not maintain the absolute Power which the two preceding Kings had enjoy'd, as well over the Clergy, as the Laity. The obstinacy, or if you please, the undauntedness of *Anselm* in the Quarrel which they had together about the Investitures, gave him abundance of Mortification, and at last he was oblig'd to put an end to it in an amicable way. In the Reign of *Stephen*, the Crown lost still more. The Clergy, who had properly plac'd this King upon the Throne, had all Power as it were in their own Hands; and when *Stephen*, who fear'd the Consequences of it, went to reduce it, his Endeavours only tended to engage him in a War, which debarr'd his Children from the Crown.

HENRY II. perfectly knew what the Clergy's Power was, because he himself had made great use of it before he came to the Crown. He was no sooner upon the Throne, than he form'd a Contrivance to lessen that Power, but he could not immediately put it in Execution, because of the Affairs which detain'd him in *France*.

Becket is made Abp. of Canterbury.

Anno 1163. THOSE Affairs being finish-ed, he persisted in his Design, and casting his Eye on *Thomas Becket*, as a Man that he thought he could depend on, he made him Archbishop of *Canterbury*; to the end, that while he possess'd together two Dignities so considerable as those of the Chancellor, and the Archbishop, he might be in a better condition to assist him. Probably he had imparted his design to *Becket* in confidence, while he was as yet but Chancellor, and this was what broke his Measures. *Becket* was no sooner vested with the Archiepiscopal Dignity, but he return'd the Great Seal to the King, who seem'd very much surpriz'd at it. Moreover, whereas before he affected Pomp to excess, he chang'd his Manners as soon as he was Archbishop, dress'd himself with coarse Stuff, and kept but a very small number of Domesticks. In fine, he shew'd by his whole Conduct that he had some great Design working in his Head, which, as appear'd afterwards, was to oppose the King's Project with respect to the Humiliation of the Clergy; either from Self-Conviction, or from a desire to render himself the more popular. The King who had been during this in *Normandy*, returned to *England*, and suspecting what *Becket* had been contriving, gave him a very cold Reception. But tho' he plainly foresaw the Opposition he should meet with from that Prelate, yet he persisted in his Resolution. That he might have a good Plea for acting, he undertook in the first place to reform a very palpable Abuse, which was introduced into the Jurisdiction that the Clergy had acquir'd over their own Members. This Jurisdiction was exercis'd with so much Indulgence to the Priests or Clerks, that the most enormous Crimes were only punish'd by Degradation, and the least by some slight Censure, or short Imprisonment. A Trial of this Nature laid the Foundation of a Quarrel betwixt the King and the Archbishop. A Priest of the Diocese of *Salisbury* having committed a Murder, the Ecclesiastical Court only punish'd him by depriving him of his Benefice, and confining him to a Monastery. The King complain'd of the Mildness of this Sentence, as countenancing the Crime; and the Archbishop publickly defended it, in the presence of the King himself, founding his Argument on the Privileges of the Clergy. Tho' *Becket* thereby put the King into a very great Passion, yet he took that same opportunity to reproach him that he violated the Immunities of the Church of *Canterbury*, by depriving him of the Custody of the Castle of *Rochester*. Some Days after, he caus'd the Earl of *Clare* to be summon'd, to come and give him Homage for the Castle of *Tunbridge*, and never vouchsaf'd so much as to inform the King of his said Pretension. The Earl refus'd to do Homage, because he held the Castle of the Crown; and *Becket*, who according to all appearance had no good Claim to it, let the Affair drop. He afterwards gave the Curacy of *Ainefford* to a Priest, contrary to the Rights of the Patron. This Patron, who was one of the Barons of the Kingdom, holding his Lands immediately of the Crown, having hinder'd the Priest from putting himself in possession, the Archbishop excommunicated him; tho' it was the acknowledg'd Right of the immediate Vassals of the Crown, not to be put under Excommunication without the King's Consent.

Quarrel betwixt the King and the Abp.

BECKET's Audaciousness confirm'd the King more and more in the Resolution he had taken against the Clergy. For this purpose he call'd an Assembly of the Lords Spiritual and Temporal, to whom he complain'd of the Archbishop's Insolence; after which he propos'd the Reformation of certain Abuses that were crept into the Kingdom, and to make a Regulation, of which he gave the Model. This Regulation was divided into 5 Articles, *viz.* 1. That no body should carry Appeals to *Rome* without the King's Approbation 2. That no Bishop or Archbishop should go to *Rome*, without having first obtain'd the King's Licence, even tho' he should be sent for thither by the Pope. 3. That no immediate Vassal of the Crown be excommunicated,

K. complains of him to the Lords.

The King's Proposal of a Reformation of Abuses.

FOEDERA municated, unleſs the King expreſly con-
Tom. I. ſent to it. 4. That Clergymen accus'd of any Capital Crime, ſhall be tried in the Temporal Courts. 5. That the Affairs of the Church, which do not directly concern Religion, ſuch as thoſe relating to the Tenths, the Repairs of Churches, and other things of this Nature, be immediately carry'd to the Royal Courts. The Temporal Lords unanimouſly conſented to theſe Articles, but the Biſhops ſought to elude them, by offering this Clauſe to be inſerted in them, *viz. ſaving the Rights of the Church.* Yet the King having threaten'd them with his Diſpleaſure, they alſo gave their Approbation of them. *Becket* was the only Man that requir'd a vaſt deal of Sollicitation; but at laſt he was prevail'd on by the Inſtances of his Brethren, who fear'd the Effects of the King's Reſentment. Mean time as this Aſſembly was not very ſolemn, the King call'd the General Aſſembly of the Kingdom, or the Parliament, to meet at *Clarendon*, in order to get the ſame Articles confirm'd there, which were paſs'd accordingly without much oppoſition; and the Archbiſhop, after having a long while refus'd to ſign them, came as readily into it as if it had been the firſt time of Intreaty. The King not thinking this ſufficient, he had a mind to have the Articles of *Clarendon* confirm'd by a Bull. But the Pope, inſtead of granting the Bull which the King deſir'd of him, declar'd that thoſe Articles were prejudicial to the Church. Then *Becket* repented that he had given his Conſent to them, and ſuſpended himſelf, in order to puniſh himſelf for his Error, but the Pope reſtor'd him.

Aſſembly at Clarendon.

AFTER that time, the ſaid Prelate oppos'd the Execution of the five Articles with all his Power; which was the Reaſon that the King rais'd ſeveral Storms againſt him, in hopes of abating his Pride, but all was to no Purpoſe. At length this Prelate having taken ſome Steps which gave his Enemies an Advantage over him, the Court of Peers condemn'd him to Impriſonment, but he eſcap'd to *Flanders* in a Lay Habit. I will not enter further into the detail of this Affair, and ſhall only ſay that the Pope publickly juſtified the Archbiſhop; that the King of *France* gave him Protection in his Kingdom; and that this Quarrel, which had already continued ſeveral Years, was at laſt decided in 1170, by an Agreement, and a Reconciliation betwixt the King and the Archbiſhop. It began in 1163.

Becket's Sentence and Eſcape.

BECKET returning into *England*, after having forc'd the King to be reconcil'd with him, carry'd himſelf in a very haughty manner. He excommunicated the Archbiſhop of *York*, and ſome other Biſhops, beſides ſeveral Lords who had adher'd to the King's Party, which look'd as if he had a Mind to renew the Quarrel. Upon Complaints made thereof to the King, who was then in *Normandy*, he exclaim'd that he was very unhappy, in that having ſo many Men in his Service, there was not one that would undertake to deliver him from that Prelate. HENRY II.

Becket's Return to England.

Anno 1171. UPON this, four of his Domeſticks went to *Canterbury*, and murder'd the Archbiſhop in the Church, at the Foot of the Altar. His Death caus'd the King more uneaſineſs than the Quarrel had done. The Pope pretended that he was the Author of this Murder, and threaten'd to excommunicate him. Several Miracles were aſcrib'd to the Corpſe, for which he was canoniz'd not long after his Death, by the Name of St. *Thomas* of *Canterbury*. Then the People regarding him as a real Martyr, had an extraordinary Veneration for him, which quickly ſpread thro' all Chriſtendom. The King of *France*, who was jealous of *Henry*, and ſought to embroil him, did what lay in his Power to ſtir up the Pope to revenge the Death of the new Saint. At laſt *Henry*, what with Submiſſions, and Proteſtations that he never entertain'd a thought of the Murder of the Archbiſhop, was admitted with abundance of Difficulty to the Peace of the Church: But he was fain to repeal the Articles paſs'd at *Clarendon*, and to ſubmit to be whipp'd by the Monks of St. *Auſtin*, while he went round the Sacred Tomb.

His Murder and Canonization.

The King's Submiſſion and Penance.

* THERE is but one ſingle Act, as I have already ſaid, in the *Fœdera*, relating to this Affair, *viz.*

A Letter from *Henry* II. to Pope *Alexander* III. dated in 1169.

Henry's Letter to the Pope. 2 b.

" THE King complains in this Letter, " that the Pope after having promis'd " him to exempt *England* from the Pre- " lates Juriſdiction, had chang'd his Mind. " He complains alſo that *Vivian* and " *Gratian* the Legates, having proteſted " that they only came into *England* to " advance the Glory of God, had never- " theleſs excommunicated ſome of his " Domeſticks. That afterwards it was " agreed with them that the Excommu- " nication ſhould be made void; that *Vi-* " *vian* ſhould reſide in *England* with the " King, and that *Gratian* ſhould go and " tell

* 'Tis ſurprizing that there are no more Acts mentioned on this Subject; but perhaps they were ſuppreſs'd by the Authority of the Pope, who had a Mind that *Becket* ſhould paſs for a Saint, becauſe he had defended the *Liberties of the Church*, as they call'd it, againſt his King.

HENRY II. "tell *Becket* that the King restor'd him: "That nevertheless they had broke their "Word, tho' the King knew not for "what Reason; and that for this Cause "he sent Ambassadors to the Pope. This "Letter also contains some Menaces."*

ARTICLE III.

Of the Conquest of Ireland.

Of the Conquest of Ireland.

I HAVE already observ'd how ambitious *Henry* II. was, under the first Article; of which we shall now see a fresh Proof. The Crown of *England*, with all the rich Provinces which he possess'd in *France*, not being capable to satisfy his Desires, he form'd a Project betimes to conquer *Ireland*, and desir'd an Approbation of it from Pope *Adrian* IV. an *Englishman*, who then enjoy'd the Papal See. To obtain this with the more ease, he represented two things to him, which were very capable of making an Impression upon his Mind. 1. That if the *English* should conquer *Ireland*, it wou'd be an infallible means to bring under the Holy Church, that Island which as yet did not acknowledge its Jurisdiction. 2. That after he had conquer'd it, he would there establish St. *Peter*'s Pence, in the same manner as it was establish'd in *England*. *Adrian* being tickled with these Advantages, sent a Letter to him, in which at the same time that he pretended to believe that *Henry* had nothing in View but the Glory of God in the Enterprize which he had concerted; he gave him to understand that he approv'd of his pious Design to extend the Bounds of the Church, to carry the Knowledge of Truth to the dark and ignorant parts of the World, to root Wickedness out of the Field of the Lord, and to establish Colonies of Believers in *Ireland*. Not but that Island had been Christian for many Ages, but it did not acknowledge the Authority of the Pope. That was the Vice which there was such a necessity of weeding, and the Submission to the Church of *Rome* was the Truth which was so absolutely necessary to be planted in it. *Henry* could not make use of the Letter at the time that he receiv'd it, by reason of the Affairs which he had in *France*; and 'twas not 'till 1171 that he found an opportunity for it.

Anno 1171. *IRELAND* being divided into seven Kingdoms, of which that of *Connaught* was the most considerable, the King of which Country had even a kind of Sovereignty over the rest, it happen'd that the Kings of *Leinster* and *Meath* quarrelling with each other, the latter made War upon the King of *Leinster*, drove him out of his Dominions, and even compell'd him to quit that Island. *Dermot*, which was the Name of the King of *Leinster*, went to *Henry* who was then in *France*, to desire his Assistance. But *Henry*, who was at that time embaras's'd with *Becket*'s Affair, which was not yet determin'd, could not grant him his Request; and giving him hopes of his Assistance at a more proper time, he only permitted him to engage some *English* Noblemen in his Service, judging rightly that it could not but be for his Advantage to keep up the Divisions in *Ireland*. *Dermot* found two Noblemen who were willing to venture their Fortunes in his Service, upon certain Conditions; they were *Robert Fitz-Stephens*, and *Richard Strong-Bow* Earl of *Pembroke*, whose Progress under the Conduct of the King of *Leinster* was so prodigious and rapid, that they over-ran great part of the Island in a short space of Time, and even push'd their Conquests as far as *Dublin*. This happy Success rais'd *Henry*'s Jealousy, who fearing that all the Island would fall a Prey to those Adventurers, and that he should afterwards find it a very hard Task to wrest it from them, recall'd them, and forbad all his Subjects to give them any Assistance. Then the latter perceiving that they should have a vast deal of Difficulty to defend themselves, if the King was against them, sent Deputies to him, and made a Treaty with him, whereby they engaged to put the maritime Places in his Hands, and to do him Homage for all that they had conquer'd in *Ireland*. A Pannick being spread among the *Irish*, *Henry* thought he ought not to slip so favourable a Conjuncture, to make himself Master of the Island.

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Anno 1172. WITH this View he repair'd to *Waterford* with a numerous Army, which the *Irish* had never so much as a Thought of opposing, they were already so terrify'd by the Arms of the *English* Adventurers. On the contrary, not long after *Henry*'s Arrival, all the Kings of the Island went to make their Submission to him, and to pay him Homage. He afterwards went to *Dublin*, where he made some Regulations for the Government of his new Conquest; and having left *Hugh Lacy* Governour, he return'd to *England* in Triumph. Thus was *Ireland* conquer'd in a very little time, and without any considerable Effort.

Conquest of Ireland.

THERE are but two Acts in this Volume of the *Fœdera*, and under this Reign, which relate to *Ireland*; and they are,

1. A Letter from *Adrian* IV. † to *Henry* II. relating to *Ireland*; dated in 1154.

"THERE'S

* Also a Demand on the Popes to absolve certain Bishops and Abbots whom *Becket* had excommunicated.

† This was our Country-man *Nicholas Breakspear* of *Abbots-Langley* in *Hertfordshire*, whose Father was a Lay Brother of the Abbey of *St. Albans*, where he himself receiv'd Alms every Day at the Gate, and did much of their Drudgery for it —— The Condition of his approving *Henry*'s Design to conquer *Ireland* was, that every House in that Island should pay St. *Peter*'s Penny to the Apostolical See.

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Pope's Letter to Henry *about* Ireland. 15.

"THERE's no doubt, *says the Pope in this Letter*, and you your self know it, "that *Ireland*, as well as all the other "Islands which have the Happiness to "enjoy the Light of Christ, the Sun of "Righteousness, and have receiv'd the "Precepts of the Christian Religion, ought "to be obedient to the Jurisdiction of "St. *Peter* and the Holy Roman Church, "&c.

Treaty with the King of Connaught. 41.

2. A Treaty betwixt *Henry* II. and *Roderick* King of *Connaught*; dated at *Windsor* in the Octaves of St. *Michael* 1175.

"'TIS stipulated in this Treaty, that *Ro-* "*derick* shall continue King of *Connaught*, "in a dependance on the King of *Eng-* "*land*, to whom he shall pay Homage.

"THAT he shall give the Skin or Hide "of every tenth Beast kill'd in his Domi- "nions, to the King of *England*, those ex- "cepted which shall feed on the Lands "that *Henry* reserves to himself, or which "he has given to the *English*, wherewith "*Roderick* shall not meddle.

THERE is some probability either that *Henry* had not conquer'd the Kingdom of *Connaught* before the Year 1175, or that *Roderick* had revolted, and was at last oblig'd to make this Treaty with *Henry*.

ARTICLE IV.

The Rebellion of Henry II*d's Children.*

Rebellion of Henry's *Children.*

HENRY II. had four Sons, *viz. Henry*, who had marry'd *Margaret* of *France*, Daughter of *Lewis* the younger, and who had been crown'd; *Richard*, who had the Title of Earl of *Poictou*; *Geoffery*, who was Duke of *Bretagne*, by his Marriage with *Constantia* Heiress of that Duchy, and *John*. The three first were dissatisfy'd with the King their Father: *Henry* being of a very haughty Spirit, was uneasy to find himself vested with the Royal Dignity, without the power of exercising one Royal Function. *Richard* was Earl of *Poictou*, but had no Authority in that Province. *Geoffery* thought himself old enough to govern his Duchy of *Bretagne* himself, and was to the last degree provok'd, to find that the King excluded him from the Government of that Province, on pretence of his being under a Guardian, of which he thought he had no longer any need. The Discontent of these three Princes was fomented also by *Eleanor* their Mother, who was very uneasy to see the King her Husband drawn aside every Day by Foreign Amours. Among the King's Mistresses, there was one call'd *Rosamund*, whom he passionately lov'd; and because the Queen had often threaten'd her, he caus'd a sort of Labyrinth to be made at *Woodstock*, where he kept her shut up, in order to shelter her from the Queen's Revenge. But notwithstanding this Precaution, during the Expedition which he made in *Ireland*, the Queen found means to take away her Rival's Life. Afterwards the Queen foreseeing that this Act of Violence would draw a Storm upon her own Head, she endeavour'd to maintain her Ground by engaging her three eldest Sons in a Combination against the King their Father, into which also enter'd, besides a great number of *English* Noblemen, the Kings of *France* and *Scotland*, the Earls of *Flanders*, *Blois*, *Boulogne*, and several *French* Lords who were *Henry*'s Vassals. The View of this Combination was to depose *Henry* the Father, and to place *Henry* the Son upon the Throne. The King suspecting nothing of what was contriving in his absence, did but just pass thro' *England* as he return'd from *Ireland*, because he was press'd to repair to *Montferrand* in *Auvergne*, in order to treat of the Marriage of Prince *John*, his fourth Son, with a Daughter of the Count *de Maurienne*.

HENRY II.

Combination against him fomented by his Wife.

Anno 1173. As soon as he arriv'd at *Roan*, he there receiv'd a Letter from the King of *France*, who not having seen his Daughter since her Infancy, desir'd him to send her to him with the young King her Husband, in order to spend some time with him at *Paris*. As *Henry* had no manner of Suspicion all this while, he consented to his Son's Voyage, but soon after recall'd him, in order to carry him along with him to *Montferrand*. The Son did not dare to disobey, because his Affairs were not quite ready. Besides, he wanted a Pretext for springing the Mine, and he hoped that while he stay'd with the King his Father, he should find one. Accordingly the King, in order to conclude the Marriage of Prince *John*, having offer'd to give him the Towns of *Loudun*, *Chinon*, and *Mirabeau*, young *Henry* strenuously oppos'd it. This Opposition being very ill grounded, the King suspected that his Son had some ill Design, and set a strict watch over him; yet this did not hinder his Son's Escape, who repair'd to the King of *France*. He was no sooner arriv'd at *Paris*, but the Queen also sent thither the two Princes *Richard* and *Geoffery*, and immediately after, the Conspiracy broke out in many places at once, particularly in *Guyenne*, *Poictou*, and *Bretagne*. At the same time the King of *Scotland* enter'd *Northumberland*, and the Earl of *Leicester* caus'd an Army which he had rais'd in *France* to be landed at *Southampton*.

Henry's *Voyage to* France.

Conspiracy against him breaks out.

Henry's *Amours with* Rosamund. &c.

HENRY, tho' attack'd in so many places, instead of losing Courage, shew'd an extraordinary Resolution. I don't propose here to enter into the Detail of this War, it being Sufficient for my purpose to mention the Success of it. *Henry* was victorious every where, either by himself

Henry's *Victorious Successes.*

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or by his Generals. *Humphry Bohun* defeated the Earl of *Leiceſter* in *England*, and took him Priſoner. Then he marched towards the North, againſt the King of *Scotland*, and put his Army to the Rout. The King himſelf fell into the hands of the *Engliſh*, and was ſent into *Normandy* to be kept under a Guard there. *Henry*'s Succeſſes in *Guyenne*, *Poictou*, *Saintonge*, and *Bretagne*, were equally fortunate. And to crown his Happineſs, an Army conſiſting of *French* and *Flemiſh* Troops, which the young King deſign'd to ſend over to *England*, was detain'd ſo long at *Gravelin* by contrary Winds, that it was of no ſervice. This Delay gave the King time to paſs over to *England* himſelf, where he reduc'd the reſt of the Towns that had rebell'd againſt him.

A Succeſs ſo contrary to what the Allies expected, oblig'd the King of *France* to make Propoſals of Peace. *Richard*, who was of a fiery reſtleſs Temper, oppos'd it with all his Might, but his Brothers and the King of *France* not thinking it fit to continue the War for his ſake, the Peace was concluded, and *Henry*'s Sons went and caſt themſelves at his Feet for a Pardon. During this Negotiation, a Marriage was concluded betwixt *Richard* and *Alice*, Daughter to the King of *France*, which Princeſs being very young, was put into *Henry*'s hands for her Education till the Marriage cou'd be conſummated.

A Peace.

His Son Richard's *Marriage-Treaty with a Daughter of* France.

THE Acts under this Head are,

1. A Letter from *Henry* II. to the Pope in 1173.

Henry's *Letter to the Pope.* 35.

" THE King complains of the Rebel-
" lion of his Children, and begs the Pope's
" Aſſiſtance. — *Veſtræ Juriſdictionis eſt*
" *regnum Angliæ, & quantum ad Feuda-*
" *tarii Juris obligationem, vobis dum-*
" *taxat obnoxius teneor & obſtringor.*
" *Experiatur Anglia quid poſſit Romanus*
" *Pontifex, & quia materialibus Armis*
" *non utitur, Patrimonium Beati Petri,*
" *Spirituali gladio tueatur. i. e.* The Realm of *England* is in your Juriſdiction, and as far as feudatory Right requires, I am bound to you alone. Let *England* experience what the *Roman* Pontiff can do, and becauſe he does not uſe temporal Weapons, may he defend St. *Peter*'s Patrimony with the ſpiritual Sword.

HENRY having need of the Pope's Aſſiſtance acknowledg'd himſelf his Feudatory, but on what ſuch Acknowledgment was founded I know not.

2. A Treaty betwixt *Henry* II. and his Sons, in 1174.

Treaty with his Sons. 37.

THIS is the 6th Article.

" *Et Dominus Rex non habet Conven-*
" *tionem domui Regi filio ſuo de caſtella*
" *[illegible]*
" *[illegible]*
" *[illegible]*
" *[illegible]* libertatem Antecessorum ſuo-

HENRY II.

" *Ritardo filio ſuo, in Pictavia duo re-*
" *ceptacula idonea, unde Domino Regi non*
" *poſſit damnum provenire, & medietatem*
" *redituum Pictaviæ in denariis. Gau-*
" *fredo verò filio ſuo dat in Britannia,*
" *in denariis, medietatem redituum mari-*
" *tagii filiæ Comitis Conani, quam ducere*
" *debet in uxorem. Et poſtquam conceſ-*
" *ſione Eccleſiæ Romanæ eam in uxorem*
" *duxerit, habebit omnes reditus illius*
" *maritagii, ſicut continetur in Charta*
" *Comitis Conani. i. e.* And the Lord the King by this Convention granteth to the King his Son two ſuch Caſtles in *Normandy* as he the Father thinks proper, and 15000 Livres of *Anjou per Annum*. And to *Richard* his Son he grants two proper Manſions in *Poictou*, from whence no damage can accrue to the Lord the King, and one Moiety of the Revenues of *Poictou* in ready Money. And to *Geoffery* his Son, in *Bretagne*, he giveth in Money a Moiety of the Revenues ariſing from the Marriage of the Daughter of the Earl of *Conan*, whom he is to eſpouſe. And after he has by Grant of the Church of *Rome* taken her to Wife, he ſhall have all the Marriage Revenues, as is contain'd in the Earl of *Conan*'s Inſtrument.

" ALL the Priſoners on both ſides ſhall
" be releas'd, except the King of *Scotland*,
" who made his Agreement before.

" *HENRY* the Son promiſes to per-
" form his Father's Will touching certain
" Grants which the Father has made to
" *John* his fourth Son.

" 'TIS ſaid in the Treaty that *Henry*
" the Son having offer'd to do Homage to
" the King his Father, the Father was not
" willing to accept it, becauſe his Son is
" King."

ARTICLE V.

Henry IId's *Affairs with* Scotland.

His Affairs with Scotland.

DAVID King of *Scotland*, taking advantage of the Commotions in *England* during the Reign of *Stephen*, had often brought War into this Kingdom, on pretence of ſupporting the Rights of the Empreſs his Niece, tho' he was Uncle likewiſe to Queen *Maud*, *Stephen*'s Wife: and at laſt he ſucceeded ſo far as to have a Grant to him of the County of *Northumberland*, to which he had ſome Pretenſions. *Malcolm* his Grandſon, who ſucceeded him, ſeeing *Henry* II. upon the Throne of *England*, and that his Power increaſed every day, thought it was more for his Advantage to win his Friendſhip, by reſtoring to him *Carliſle*, *Newcaſtle*, and the Caſtle of *Bamborough*, than to engage in an unequal War, for the ſake of poſſeſſing what his Grandfather had acquir'd in that troubleſome time. Never-theleſs he preſerv'd the County of *Huntingdon*, which his Father *Henry* had

Malcolm yields to Henry the Places taken by his Grandfather.

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possessed, and for which he perform'd Homage to *Henry* II.

His Death and Successor William.

"*MALCOLM* dying in 1171, his Brother *William* ascended the Throne of *Scotland*, and two Years after, join'd the Party of *Henry*'s Son, with a view to recover what he thought *Malcolm* his Brother had improperly restor'd to *England*. He entered *Northumberland* at the head of an Army, and ravag'd that County, while the Earl of *Leicester* acted for the young King in the South. But *Humphry Bohun* having settled a Truce with him, made good use of that time to go and fight the Earl of *Leicester*, after which he march'd without delay towards the North, cut the King of *Scotland*'s Army in pieces, and took the King himself Prisoner.

He is routed, and taken Prisoner.

Anno 1173. THE *Scots* pretend that the *English* General attack'd the King of *Scotland* before the Expiration of the Truce; but be this so or not, the captive King was sent into *Normandy* to be kept there. Before the War was over, *William* being impatient to the last degree for his Liberty, made a particular Treaty with *Henry*, whereby he engag'd himself not only to restore all that he had taken in *England*, but also to do Homage to *Henry* for the entire Kingdom of *Scotland*; and upon his swearing a solemn Oath to execute the Treaty, he was releas'd. Afterwards, when *Henry* made Peace with his Children, it was agreed that all the Prisoners should be set at liberty, except those who had already made their Agreement. So that *William* cou'd not reap any Advantage from this Treaty.

Gets his Liberty.

Pays Homage to Henry *for* Scotland.

Anno 1174. WHEN *Henry* had made an end of all Affairs with his Sons, and with *France*, he went accompany'd by his Son the King to *York*, whither *William* came to pay them Homage for the whole Kingdom of *Scotland* in general, and for the Share of *Galloway* in particular; which Homage was confirm'd by the Oaths of a great number of *Scots* Noblemen. Moreover, *Henry* had deliver'd up to him for Security the Castles of *Berwick*, *Roxburgh*, *Jedburgh* and *Sterling*.

THE only Act mention'd in this Article is,

Conventions betwixt them. 39.

THE Conventions between *William* King of *Scotland*, and *Henry* King of *England*, who was *Maud*'s Son, dated in 1174.

"*WILLIAM* own'd himself *Henry*'s "Liege Man, and does Homage both to "him and his Son for the whole Realm of "*Scotland*.

Pand Eccles Scotcans vacua Juriſdictione, &c.

"2. THAT the Church of *Scotland* "shall hereafter make such Submission to "the Church of *England* as she ought to "make to her, and as she was wont to "do in the time of the Kings of *England* "his Predecessors.

HENRY II.

"THAT the Barons of *Scotland* shall "perform Homage to the King of *Eng-*"*land* whenever they are requir'd.

"*WILLIAM* delivers up to *Henry* "as Security for the Performance of his "Promise, the Castles of *Berwick*, &c.

"The Barons of *Scotland* undertake "to get these Conventions approv'd by "the absent Barons, and to engage them "likewise to do Homage to the Kings of "*England*. They promise to declare a-"gainst King *William*, and to serve *Henry* "against him if he does not execute these "Conventions."

ARTICLE VI.

Affairs of Henry II. *with* France.

Anno 1159. I have already said, that *Alice* the Daughter of *Lewis* the younger was left with *Henry*, to be educated till she was of Age to consummate the Marriage which was agreed upon in the Treaty made at *Paris*. Part of her Portion consisted in the City of *Gisors*, which *Lewis* put into the hands of the Knights-Templars, in order to be deliver'd to *Henry* upon the Celebration of the Marriage.

K. Henry *the younger's Marriage, the Cause of a short War, with* France.

Anno 1161. *HENRY* having the Princess in his own hands, caused the Marriage to be celebrated two Years after, tho' she was but five Years of Age, and the Bridegroom but seven, and the Templars deliver'd up *Gisors* to him. This precipitant Step was the Cause of a War betwixt the two Kings, which was but of a short continuance, being determined by the Mediation of Pope *Alexander* III.

FROM that time, those two Monarchs were never good Friends, and upon all occasions *Lewis* endeavour'd to oppose *Henry*'s Aggrandizement. *Henry*'s Enterprize against *Tholouse* produc'd a new War, which ended by a Treaty, wherein that of *Paris* was confirmed, and no mention made of the Affair of *Tholouse*. Consequently, *Henry* reserv'd his Pretensions to that County.

Enterprize against Tholouse, *the Cause of another.*

IN the Quarrel betwixt *Henry* and *Becket*, *Lewis* shew'd a world of Zeal to give him trouble, by stirring up the Pope against him. Otherwise *Henry* wou'd no doubt have come off much better.

Lewis's *Hatred of* Henry.

THE Conspiracy of *Henry*'s Children against their Father was another Cause of War betwixt the two Monarchs. Upon this occasion, *Lewis* discover'd a great deal of Animosity against *Henry*. He not only assisted the Son against the Father, but as if he had really thought that those Measures [illegible] he [illegible] no longer any Hopes of Reconciliation between *Henry* the Son, and his Father

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hear the Title of King beſtow'd upon the Father.

BUT as I have ſaid, the Scheme for dethroning this Prince miſcarried, and *Henry* came off with Honour, in an Affair where he was like to have met with his Ruin.

Becket's Tomb viſited by the French King.

Anno 1177. A few Years after, *Lewis* went in Pilgrimage to *Canterbury*, to beg of God, thro' the Interceſſion of the new Saint *Thomas*, the Cure of his Son *Philip*, who was attack'd with a dangerous Diſtemper. *Henry* went to receive him at *Dover*, and conducted him to the ſacred Tomb, where they paid their Devotions together, and *Lewis* gave a very rich Jewel for the Saint's Shrine. It was on this occaſion probably, that the two Monarchs agreed together to make an Expedition into the Holy Land. But *Lewis* died ſoon after, in 1180. and *Philip* his Son, who was afterwards ſurnam'd *Auguſtus*, ſucceeded him.

IN order to have a right Underſtanding of the laſt Affair in which *Henry* II. was concern'd with *France*, the Reader ſhould be acquainted with the State of the Court of *England*, after *Philip Auguſtus* aſcended the Throne of *France*. Upon the firſt Intelligence which *Henry* had of the Conſpiracy I mention'd in the fourth Article, he

Q. Eleanor committed to Priſon.

caus'd his Wife Queen *Eleanor* to be clapp'd in Priſon, where ſhe was kept 'till the King's Death. *Henry* the younger was ſtill uneaſy, tho' he was reconcil'd to the King his Father in outward Appearance. *Richard* deſir'd

Three of Henry's Children prove Malecontents.

that he might have permiſſion to conſummate his Marriage with *Alice* of *France*, in order to have a Pretence for Complaint, becauſe he well knew that the King his Father, who was in love with that young Princeſs, would never conſent to it. There was cauſe even to ſuſpect that he held a criminal Correſpondence with her. *Geoffery* was as much diſſatisfy'd as they. He had attain'd to the 24th Year of his Age, and yet the King was unwilling to truſt him with the Adminiſtration of *Bretagne*. The Diſcontent of theſe three Princes was heightened by the fond Affection which their Father ſhew'd to Prince *John*, who was the youngeſt of all. In order to free himſelf from the Dangers to which the reſtleſs Temper of his Children might expoſe him, *Henry* endeavour'd to create a Difference betwixt them, and had in a manner carried his Point; but as at laſt they perceiv'd his Artifice, they concerted Meaſures together

Young Henry's Death.

to ſupport one another. And the young King actually hatch'd Conſpiracies, which might have prov'd fatal to the King his Father, if Death, which carry'd him off in 1183, in the 28th Year of his Age, had not blaſted his Deſigns.

RICHARD being become preſumptive Succeſſor by the Death of his elder Brother, who had left no Heirs, was impatient to be crown'd, as his Brother had been be-

fore him. But he was of too turbulent a Temper for the King to run the riſque of ſeeing him tread in his Brother's Footſteps. HENRY II.

Anno 1185. NOTWITHSTANDING this, *Richard* try'd to reſcue himſelf from a Dependence on the King his Father, by making himſelf Maſter of *Guienne*; but failing in the Attempt, he was oblig'd to ſubmit.

Anno 1186. *GEOFFERY* his Brother died ſome time after, leaving a Daughter nam'd *Eleanor*, and *Conſtantia* his Wife big with a Son, who was named *Arthur*. His Death occaſion'd ſome Diſturbance in *Bretagne*. *Henry* aim'd to have the Guardianſhip of his Son's Children, but the States adjudg'd it to *Conſtantia* their Mother, on condition that ſhe would do nothing of Importance without the King's Advice. Geoffery's Death.

ARTICLE VII.

Of Richard's *Rebellion.*

PHILIP Auguſtus conceiv'd a Project from the very beginning of his Reign, to reunite the Provinces which the Kings of *England* poſſeſs'd, to the Crown of *France*; and he never abandon'd it 'till he had very near brought it to paſs, in the Reign of King *John*: which was the true cauſe of the Wars between *France* and *England*, during the whole Courſe of this Prince's Reign. He began to manifeſt his Deſigns early. Richard's Rebellion.

Anno 1186. AS ſoon as he ſaw the beginning of the Quarrel betwixt *Richard* and the King his Father, he thought that it might prove to his advantage; and with this View he attack'd *Richard*, to whom the King his Father at length yielded *Poictou*. But the Father and the Son uniting together for their common Defence, *Philip*, who had not concerted his Meaſures well, conſented to a Truce of two Years.

THIS firſt Enterprize not having anſwer'd his Hopes, he judg'd, that in order to renew the War with advantage, it was his Intereſt to encreaſe the Difference betwixt *Henry* and his Son. Animated by Philip of France.

Anno 1187. FOR this purpoſe, having found a Method to draw *Richard* to *Paris*, he careſs'd him to ſuch a degree, that he lay with him in the ſame Bed, and this Prince eſteem'd him as the beſt Friend he had. *Henry*, who was informed of this ſtrict Union, was afraid what would be the Conſequences of it, and choſe to recall his Son home. But *Richard* refus'd to obey, complaining that he was not permitted to conſummate his Marriage with *Alice*, and pretending to believe that the King only recall'd him to clap him up in a Priſon, in order to let his Crown go to *John* his younger Brother. Thoſe were the Pretences which *Philip* ſuggeſted to him, in order to foment the Miſunderſtanding. But *Henry* finding an Opportunity to come at the Speech of his Son by a ſecret Emiſſary, Richard goes to France.

Richard

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Returns home.

Richard quitted the Court of *France* on a ſudden, and went home.

As ſoon as the Truce was expir'd, the two Kings took Arms again. But the War was ſuſpended by the News which arriv'd in *Europe*, that the Sultan *Saladin* had made himſelf Maſter of *Jeruſalem*. For this reaſon the two Monarchs reſolv'd to drop their private Quarrel, in order to go together to the Aſſiſtance of the Chriſtians of *Paleſtine*. *Richard* took the Croſs with them, and ſolemnly engag'd to accompany them in the Voyage.

Reſolution of the Kings of England *and* France *to go to the Holy Land.*

Anno 1188. THE Preparations which were made for this Expedition were interrupted by a Quarrel that fell out betwixt *Richard* and the Count *de Tholouſe*; which, tho' about a meer Trifle, was carry'd ſo far, that *Richard* undertook to revive the Pretenſions of the Queen his Mother to the County of *Tholouſe*, and ſeiz'd *Moiſſac*, with ſome other Places. The Count *de Tholouſe* begg'd Aſſiſtance from *France*, and *Philip* making as if he believ'd that *Henry* was the real Author of this War, made an Incurſion into *Berry*, and ſeiz'd *Iſſoudon*.

Quarrel betwixt Richard *and the Count of* Tholouſe.

Another War with France.

THE War being thus kindled again, and proſecuted on both ſides with a great deal of Vigour, *Henry* was terribly ſurpris'd to hear that *Richard* was gone to throw himſelf into the Arms of *Philip*. As ſoon as this Prince arriv'd at *Paris*, he renew'd his former Complaints, pretending as if he believ'd that the King his Father intended to give *Alice* to *John*, and to leave the Crown to him. But this was not all; *Richard* before he ſet out had debauch'd the Affections of almoſt all the Subjects of *France* to ſuch a degree, that the Father was in no condition to continue the War.

Anno 1189. *HENRY* did every thing in his power to obtain a Peace from *Philip*, but the more he ſeem'd to deſire it, the more averſe was *Philip* to it. The latter demanded that *Richard* ſhould be crown'd, and that the Bride ſhould be deliver'd to him for conſummating the Marriage. But *Henry* had ſtrong Reaſons to reject thoſe Conditions; to which *Philip* afterwards added another, by demanding that Prince *John* ſhould make a Voyage to the Holy Land, leſt he ſhould ſupplant his elder Brother, if the King their Father ſhould happen to die in the Voyage. This new Condition being likewiſe rejected, the War was continued; and *Henry* being abandon'd by all his Subjects in *France*, was always beaten. At length, after having in vain employ'd the Pope's Mediation for obtaining a Peace, he was forc'd to ſubmit to all the Conditions which *Philip* was pleas'd to impoſe upon him, for putting an end to a War which could not but be fatal to him. He diſcover'd not long after, that *John* his well-beloved Son was enter'd into his Brother's Conſpiracies; which griev'd him to ſuch a degree, that he fell ſick, and died at *Chinon*, *Anno* 1189, after having reign'd 34 Years.

Henry's Misfortunes.

HENRY II.

And Death.

The Acts which relate to the two preceding Articles are,

1. A Letter to the King from Pope *Alexander* III. when he ſent him a Cordelier Friar named *Manſuetus*, to mediate the Peace between him and the King of *France*; dated at *Viterbo* the Ides of *September* 1162, in the 3d Year of the Pontificate.

Pope's Letter to him. 21.

2. CONVENTIONS between *Lewis* the younger, and *Henry* II. concerning the Expedition to the *Holy Land*; dated in 1177.

Henry's *Conventions with* Lewis. 50. *With* Philip *of* France. 53.

3. A Treaty of Peace betwixt *Henry* II. and *Philip Auguſtus*; dated the 4th of the Calends of *July* 1180. near *Giſors*.

OTHER Acts of *Henry* IId's Reign, which have no relation to the preceding Articles, are,

1. CONVENTIONS between the two *Henrys* Father and Son on the one part, and * *Theodorick* Earl of *Flanders*, and *Philip* his Son on the other; dated at *Dover* the 14th of the Calends of *April*, 1163.

With the Earls of Flanders. 23.

" THE two Kings grant 400 Marks in " Fee to the Earl of *Flanders*, and 100 " Marks to the Counteſs, for which Fee " the Earl and his Son are bound to do " Homage †.

2. An Engagement of the *Flemiſh* Lords to ſerve *Henry* according to the Fees in Money which they hold of him, *viz.* to furniſh him with 10 Horſemen for every 30 Marks; dated in 1163.

Flemiſh *Lords Engagements to ſerve him.* 27.

" THESE two Acts clearly prove that " it was then the Cuſtom to receive Money " or Penſions in Fee.

3. A Convention betwixt *Henry* II. and the Count *de Maurienne*, concerning the Marriage of Prince *John* with the Count's Daughter; dated in 1173.

Convention about Prince John's *Marriage.* 33.

4. A Letter from *William* II. King of *Sicily*, to *Henry* II. dated at *Palermo*, *Aug.* 23. 1176.

King of Sicily's *Letter to* Henry. 42.

THIS Letter is about *William*'s Marriage with *Joan*, *Henry*'s Daughter. The King of *Sicily* ſays, that he himſelf has not ſworn to the Treaty, becauſe it was not the Cuſtom of his Predeceſſors, but that he has caus'd his Ambaſſadors to ſwear to it in his Name, and that he has ratify'd it.

5. CONVENTIONS, whereby *Alphonſus* King of *Caſtile*, and *Garcias* King of *Navarre* his Uncle, choſe *Henry* II. to be Arbitrator and Judge of their Differences, or elſe the King of *France*, in caſe that *Henry* ſhou'd die before the Award; dated *inter Navarres & Lucronium*, the Kalends of *Sept.* 1176.

Conventions for chuſing Henry II. *Arbitrator.* 43.

" *A L-*

* This Earl made four Voyages to the *Holy Land* againſt the Infidels, and had to his firſt Wife, the Dowager of *Charles*, call'd the *Pious*, King of *France*; and to his ſecond, a Daughter of *Fulk* of *Anjou*, King of *Jeruſalem*.

† They were alſo to ſend a Thouſand Horſe to the King of *England*, when he had need of them.

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Archdeacon of Bath's Letter to Henry. 45.

"ALPHONSUS had marry'd *Eleanor*, *Henry* IId's Daughter."

6. A Letter from *Peter de Blois*, Archdeacon of *Bath*, to *Henry* II. dated in 1177.

HE gives him advice of the Arrival of the Ambaſſadors of *Caſtile* and *Navarre*, to refer the old Diſpute betwixt the two Kingdoms to his Judgment.

HE ſays to him alſo, *Nuncii veſtri a Romana Curia redierunt exonerati quidem argento, onerati plumbo*; *i. e.* Your Ambaſſadors are return'd from the Court of *Rome*, eas'd of their Silver, and laden with Lead.

7. THE Award paſs'd by *Henry* II. upon the Differences between the Kings of *Caſtile* and *Navarre*; dated in 1177. HENRY II.

Henry's *Award betwixt* Caſtile *and* Navarre. 48.

"IN this Sentence we find the Subject "of the Proceſs; and the two Kings ac-"quieſc'd in the Award."

8. THE Marriage-Treaty betwixt *William* II. King of *Sicily*, and *Joan* the Daughter of *Henry* II. dated *February* 10. 1177. at *Palermo*,

King of Sicily's *Marriage with* Henry's *Daughter*. 52.

9. A Bull in favour of the Knights Templars; dated in 1181.

10. *HENRY* IId's laſt Will and Teſtament; dated at *Waltham* 1182.

Henry's *Teſtament*. 57.

The REIGN of *RICHARD* I.

Surnam'd *Cœur de Lion* from his Valour.

Acceſſion of K. Richard I.

THE Expedition of *Richard* I. to the *Holy Land*, with its Dependences and Conſequences, being the chief Subject of his Reign; this Abridgment of it will therefore conſiſt of but one Article.

RICHARD I.

Homage to the King of France.

Anno 1189. THO' *Richard* had expreſs'd a great deal of Impatience to conſummate his Marriage with *Alice* of *France*, he dropp'd all Thoughts of it as ſoon as it was in his own power to make himſelf eaſy. On the other hand, he diſcover'd no Uneaſineſs with reſpect to his Brother *John* Earl of *Morton*, tho' he made a handle of thoſe two Articles to rebel againſt the King his Father. He went firſt, and paid Homage to the King of *France*. Then he caus'd himſelf to be crown'd Duke of *Normandy* at *Roan*, and did not go over to *England* 'till a Month after *Henry*'s Death. Not many days after his Coronation at *London*, he receiv'd a Letter from *Philip*, ſummoning him to make good his Engagements with reſpect to the Expedition to the *Holy Land*; to which he had the leſs need of being ſollicited, becauſe he was reſolutely bent upon it. He made vaſt Preparations, and employ'd ſeveral Methods to raiſe Money for it, which were not all of them very regular. Among others, he accepted of 10,000 Marks, which were offer'd him on the part of the King of *Scotland*; in conſideration whereof, he reſtor'd the Places of Security to him, which had been put into the hands of *Henry* II. and parted with the Sovereignty which the Crown of *England* had acquir'd over the Kingdom of *Scotland*. His Brother the Earl of *Morton* having expreſs'd his Diſinclination to make a Voyage to the *Holy Land*, he thought fit to ſecure his Fidelity by heaping Favours on him. He gave him ſix conſiderable Counties in *England*, and concluded a Marriage betwixt him and *Avis* the Heireſs of *Glouceſter*; tho' the Archbiſhop of *Canterbury* oppos'd it, becauſe the Parties were too near a-kin.

Voyage to England.

His Preparations for the Expedition to the Holy Land.

His Favours to the Earl of Morton, *and the latter's Marriage.*

Anno 1190. AS ſoon as *Richard* was ready, he ſet out with his Army for *France*, leaving for Regent in *England* his Favourite *Longchamp*, a Man of obſcure Birth, and a *Norman*, whom he had promoted to the Dignity of Chancellor, Biſhop of *Ely*, and Legate from the Pope. And by inveſting him likewiſe in the Regency, he render'd his Power abſolute both in Church and State. Indeed he gave him for his Adjunct or Aſſociate the Biſhop of *Durham*, who had bought the Regency of him, or rather the Title of Regent; for *Longchamp* did not permit him to meddle with the Affairs of Government. The two Kings of *France* and *England* met at *Vezelay* in the *Nivernois*; from whence, after having renew'd their Alliance, and made ſome Regulations for the Voyage, they march'd together to *Lyons*, where they ſeparated, *Philip* taking the Rout of *Genoa*, and *Richard* going directly to *Marſeilles*, whither he had ordered his Fleet. But when he came thither, he found that it was not yet arriv'd; which made him reſolve to hire ſome Ships for his ſpeedy Paſſage to *Meſſina*, where the *Croiſes* were to have their general Rendezvous. His Fleet having join'd him at the mouth of the *Tyber*, he continued his Voyage to *Meſſina*, where the King of *France* was already arriv'd. The two Monarchs ſpent the Winter in *Sicily*, during which ſome things happen'd there, which 'tis neceſſary briefly to mention.

His Voyage to France.

To Sicily.

ROGER, King of *Sicily*, had left two Lawful Children, *viz.* *William* and *Conſtantia*, and a Baſtard named *Tancred*. *William*, who was ſurnam'd the *Bad*, ſucceeded the King his Father, and *Conſtantia* was a Nun at *Palermo*. To *William* the *Bad* ſucceeded *William* the *Good*, his Son, who marry'd *Joan* the Daughter of *Henry* II. and Siſter of *Richard*. *William* the *Good* dying without Iſſue, Pope *Clement* III. pretended to the Right of diſpoſing of the Kingdom of *Sicily*, becauſe it was a Fief of the Church; but *Tancred* having caus'd himſelf to be elected by the People, took poſſeſſion of the Throne. *Celeſtin* III. *Clement*'s Succeſſor had the ſame Pretenſions as his Predeceſſor; and in order to wreſt the Crown

Diſpute about the Succeſſion, &c. in that Kingdom.

To Longchamp.

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from *Tancred*, he gave the Kingdom of *Sicily* to the Emperor *Henry* VI. of the Houſe of *Suabia*, and caus'd him to marry *Conſtantia*, King *Roger*'s Daughter, who was 50 Years of Age, after having order'd that Princeſs to be taken out of a Nunnery at *Palermo*. Of this Marriage a Son was born two Years after, nam'd *Frederick*, notwithſtanding the Age of *Conſtantia*, who for preventing all manner of ſuſpicion wou'd be deliver'd in publick. As *Joan* the Queen Dowager of *Sicily*, and the Siſter of *Richard*, had ſtickled too much in favour of the Pope, *Tancred* had confin'd her in Priſon; but at *Richard*'s Approach he ſet her at liberty.

RICHARD arriving in *Sicily*, and being encamp'd near *Meſſina*, ſent to *Tancred*, who reſided at *Palermo*, for the Jointure which had been ſettled on the Queen his Siſter, by the King her Husband, and for a Legacy which that ſame King had bequeath'd to *Henry* II. his Father-in-Law. But *Tancred* endeavouring to amuſe him by Delays, he ſeiz'd a Caſtle and a Monaſtery near his Camp, which he fortify'd, and furniſh'd with Ammunition. This Action made *Tancred* believe that *Richard*, under pretence of going to the *Holy Land*, was only come into *Sicily* at the Pope's Sollicitation, to take away his Crown from him. Conſequently fearing that he had a Deſign to make himſelf Maſter of *Meſſina*, he contrived it ſo, that the *Engliſh* who went every day to the Town upon their Affairs, were all turn'd out by the Inhabitants. *Richard* being provok'd at this Affront, demanded Satisfaction; and after having waited for it a great while to no purpoſe, he caus'd the Walls to be ſcal'd on a ſudden, and made himſelf Maſter of the Town. As ſoon as he enter'd it, he caus'd his Colours to be pitch'd in all the Quarters of the City, not excepting thoſe that were mark'd out for the *French*, as had been alſo done for the *Engliſh*, for the ſake of preventing Diſorder. *Philip* complain'd of this ſort of Affront, and the two Kings wou'd perhaps have come to a Rupture, if *Richard* had not at laſt ſuffer'd himſelf to be prevail'd on to cauſe his Colours to be taken away, and to give *Philip* ſome Satisfaction. The Surprize of *Meſſina* having convinc'd *Tancred* that it was not ſafe for him to diſoblige *Richard*, he repair'd to him at *Meſſina*, and made a Treaty with him to ſatisfy him on his Pretenſions.

Richard *takes* Meſſina.

His Treaty with King Tancred.

Anno 1191. AFTERWARDS *Tancred* created ſuch a Difference betwixt the two Monarchs, by ſhewing certain Letters to *Richard* written by the Duke of *Burgundy*, and which perhaps were forg'd, that from that time they never ceas'd almoſt to vex each other. *Philip* ſent word to *Richard*, that he cou'd not but look on him as an Enemy if he did not conſummate his Marriage with the Princeſs his Siſter. *Richard* anſwer'd, that he would not marry a Princeſs who had had a Child by the King his Father; and he offer'd to prove it by Witneſſes, then actually in *Sicily*. This Anſwer oblig'd *Philip* to recede from his Demand, and even to conſent that *Richard* ſhould marry elſewhere. But *Richard* had already done it without that Permiſſion, by concluding a Marriage with the Princeſs *Berenquelle* or *Berengeria* of *Navarre*, who was to come to meet him in *Sicily*, in order to conſummate it. Finally, the two Kings were reconcil'd to outward Appearance, but from that time they were never hearty Friends. *Philip* ſet out firſt from *Meſſina*, and repair'd to the Siege of *Acre* or *Ptolemais*, which the *Chriſtians* had form'd for ſome time paſt.

Tancred *creates a Difference betwixt him and the King of* France.

Richard's *Marriage.*

Philip's *Voyage to the Siege of* Acre.

RICHARD did not ſet out 'till after the Arrival of his Mother Queen *Eleanor*, who brought the Princeſs of *Navarre* to him; and having left her with him, return'd to *England*. *Richard* was ſo much importun'd to ſet forward, that he ſail'd before he had conſummated his Marriage, taking with him his Siſter the Queen of *Sicily*, and his Bride *Berenquelle*. When he was arriv'd near to the Iſle of *Cyprus*, a violent Storm diſpers'd his Fleet; and ſome of his Ships being drove upon that Iſland, were plunder'd by order of *Iſaac Comnenius*, who from being Governor of *Cyprus* aſſum'd the Sovereignty of it, and the Title of Emperor. *Richard* took a Revenge for this Outrage, by making himſelf Maſter of the Iſle of *Cyprus*, to the great Satisfaction of the Inhabitants, that were quite tir'd with the Oppreſſion of *Comnenius*, who alſo fell into the hands of the *Engliſh*. After this Expedition *Richard* ſet ſail again, and came before *Acre*, the Siege of which was puſh'd with freſh Vigour, ſo that the Place ſurrender'd by Capitulation. During this Siege, *Leopold* Duke of *Auſtria* having made himſelf Maſter of a Tower, planted his Colours on it; which *Richard* interpreting as an Inſult, ſent Men thither, who took away the Colours and trampled them under their feet: which Affront was ſeverely reveng'd afterwards *.

Richard's *Voyage.*

He takes Cyprus.

Proceeds to Acre, *which ſurrenders.*

AFTER the taking of *Acre*, the Animoſities between the two Kings broke out again, thro' the extreme Jealouſy which they conceiv'd of each other. They were come to conquer the Kingdom of *Jeruſalem*; but *Philip* wou'd have the Conqueſt made for *Conrad* Marquiſs of *Montferrat*, and *Richard* for *Guy* of *Luſignan*; each of thoſe Princes having Pretenſions to this Kingdom, which was in the hands of *Saladin*. Theſe Differences protracted the Deliberations for carrying on the War. After this, the two Kings were ſeiz'd both with one ſort of Diſtemper, which made their Hair fall off; and it was with great difficulty that they got a Cure.

The Miſunderſtanding and Sickneſs of the two Kings.

Anno 1192. AT laſt, *Philip* had a mind to return to *France*; and as the two Monarchs

Philip's *Return to* France.

* The *German* Hiſtorians ſay this happen'd at *Joppa*, and that *Richard* threw the Colours into a Houſe of Office.

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archs had engag'd not to forſake each other, it was with very great difficulty that he obtain'd *Richard*'s Conſent. He left 10,000 Men in *Paleſtine*, under command of the Duke of *Burgundy*, whom he publickly order'd to pay the ſame Obedience to the King of *England* as to himſelf; but 'tis pretended that the Duke had a ſecret Order to thwart him.

PHILIP being gone, *Richard* march'd with the Army of the *Croiſes* to beſiege *Jeruſalem*; but he was firſt of all oblig'd to ſeize the Maritime Towns of *Jaffa*, *Aſcalon* and *Cæſarea*, otherwiſe he could not poſſibly have ſucceeded in that Siege. While he was on the March to thoſe Towns, he met the Sultan *Saladin*, who ſtay'd for him in an advantageous Poſt, with an Army far ſuperior in number to that of the *Chriſtians*. As the *Croiſes* cou'd not approach *Jeruſalem* without falling foul of this Army, *Richard* reſolv'd to attack it; which he did with ſo much Valour and Succeſs, that he entirely routed it. This Overthrow put *Saladin* under a Neceſſity of abandoning the Maritime Towns juſt mention'd, after having raz'd the Walls thereof. But as thoſe Towns were abſolutely neceſſary for ſubſiſting the Army of the *Croiſes* during the Siege of *Jeruſalem*, *Richard* ſtopp'd a while at *Jaffa* to give time for their Repair. This done, he advanc'd towards *Jeruſalem*, and had the good luck on his march to meet a great and rich Caravan, which he ſeiz'd, and made the whole Army ſhare the Booty. At length, he arriv'd upon a Hill, from whence he had the Satisfaction to ſee the City of *Jeruſalem*. But as all the neighbouring Country was deſtitute of Forage, he was oblig'd to defer the Siege 'till the following Spring. During this, the Duke of *Burgundy* quitted the Army of the *Croiſes* with his *French* Troops, in order to return to *Europe*; but he died at *Acre* as his Troops were embarking. On the other hand, the Marquiſs of *Montferrat*, who commanded a Body of *Italian* Troops, gave *Richard* to underſtand that he did not intend to contribute to the Conqueſt of the Kingdom of *Jeruſalem*, which, tho' it lawfully belong'd to him, was deſign'd for his Competitor *Guy* of *Luſignan*. The Duke of *Auſtria* retir'd alſo, very much diſguſted for the Affront he had receiv'd from *Richard* at the Siege of *Acre*. Theſe Diſappointments oblig'd *Richard* to lay aſide his Deſign of beſieging *Jeruſalem*, and to make a Truce of three Years with *Saladin*; after which he reſolv'd to return to *Europe*. Before he ſet out, he caus'd the chief Men of the Army to aſſemble for the Choice of a General to command the Troops that were to ſtay in *Paleſtine*. The Choice fell upon the Marquiſs of *Montferrat*; but this Prince being aſſaſſinated not long after, by order of *Vetus de Monte*, who was a famous Man for ſuch Exploits, *Richard* caus'd *Henry* Count of *Champagne* to be elected, and to marry the Marquiſs's Widow, who brought him for her Portion the titular Crown of *Jeruſalem*. Mean time, as *Richard* had enter'd into Engagements with *Guy* of *Luſignan*, he rewarded him by the Grant of the Iſle of *Cyprus*, which he had ſold to the Knights Templars, but took away from them becauſe they tyranniz'd over the Inhabitants.

RICHARD I.

RICHARD having nothing more to do in that Country, went and embark'd at *Acre*. When he was arriv'd near the Iſle of *Corfu*, he was drove by a Tempeſt to the bottom of the Gulph of *Venice*, where he ſuffer'd Shipwreck juſt by *Aquileia*, his Galliot being daſh'd againſt a Rock. However, he had the good fortune to come ſafe to Land; but being got into the Dominions of the Duke of *Auſtria*, he was known there, and purſued ſo cloſely, that ſeveral Perſons of his Retinue were immediately carried off. At laſt, as he endeavour'd to deceive his Purſuers, he arriv'd at a Village near *Vienna*, where he was arreſted, and deliver'd up by the Duke of *Auſtria* to the Emperor who demanded him. It wou'd be too tedious to enter here into the Detail of all the Hardſhips which the Emperor put upon his Priſoner.

Anno 1193. IT ſhall ſuffice to ſay in a few words, that he kept him 15 Months in Priſon, and caus'd him to be remov'd to *Haguenau*, where the Dyet of the Empire was aſſembled, and where, as if the *German* Princes had been his legal Judges, he accus'd him of ſeveral Crimes contained in ſix Articles. 1. He ſaid that *Richard* had made an Alliance with *Tancred*, to maintain that Uſurper upon the Throne of *Sicily*. 2. He accus'd him of having ſought Opportunities to embroil himſelf with the King of *France*, in order to hinder the Conqueſt of *Jeruſalem*. 3. Of having unjuſtly turn'd a Chriſtian Prince out of the Kingdom of *Cyprus*. 4. Of having put a cruel Affront upon the Duke of *Auſtria* during the Siege of *Ptolemais*. 5. Of having caus'd the Marquiſs of *Montferrat* to be aſſaſſinated. 6. Of having betrayed the Intereſts of the Chriſtians, by making a Truce with *Saladin*. *Richard*, without acknowledging the competent Authority of the Judges, defended himſelf againſt thoſe Accuſations, in a manner with which the Princes of the Dyet were ſatisfy'd. Nevertheleſs he cou'd not obtain his Liberty, without engaging to pay a Ranſom of 150,000 Marks of Silver, *viz.* 100,000 in ready Caſh, and to give ſecurity for the reſt. Moreover, he promis'd to give *Eleanor* of *Bretagne*, his Niece, in Marriage to the Duke of *Auſtria*'s eldeſt Son. To make him ſome ſort of Amends, the Emperor made him a Preſent of the Kingdom of *Arles*, and intended to crown him in that Quality, tho' the Pretenſions of the Emperors to that ancient Kingdom had been for a long time ſuperannuated. At laſt *Richard* return'd to *England* after near 4 Years abſence, of which he had paſs'd 15 Months in Priſon. We muſt now juſt

His Return from the Holy Land.

His Shipwreck.

Deliver'd up to the Emperor.

Accus'd before the Dyet.

His Ranſom.

Return to England.

make

Richard defeats Saladin's Army.

He deſigns the Siege of Jeruſalem.

Duke of Burgundy's Departure from the Army, and Death.

Aſſaſſination of the Marquiſs of Montferrat.

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make mention of what pass'd in *England* during his absence.

Character of Longchamp.

I have already said, that when *Richard* set out from *England*, he left the Regency of the Kingdom to *Longchamp*, who was at the same time Chancellor, Bishop of *Ely*, and the Pope's Legate. This Man behav'd with so much Haughtiness and Pride in his Administration, that the Counsellors appointed by the King to assist him, were oblig'd to complain to Prince *John* Earl of *Morton*, and to put themselves under his Protection. *John* made an advantageous use of this Opportunity to introduce himself into the Government, of which the King his Brother had not left him any share; and uniting with the Barons, he drove *Longchamp* out of the Kingdom. Then he took several Steps to secure the Crown to himself, in case the King shou'd happen to die in his Voyage. He thought this a necessary Precaution, because of the just Pretensions which might be form'd by young *Arthur* Duke of *Bretagne*, Son to his elder Brother *Geoffery*.

He is expell'd the Kingdom.

THE News of *Richard*'s Imprisonment no sooner arriv'd in *England*, than *John* discover'd a strong desire to rob him of the Crown. But by the Care of their Mother *Eleanor*, there was an Association among the Barons to maintain the King's Rights. For this reason, *John* after several vain Efforts to seduce the *English* Nobility, made an Alliance with *Philip Augustus*, who was as impatient as himself to embrace this Opportunity to seize the Provinces which the *English* possess'd in *France*. He even laid siege to *Roan*, but was forc'd to raise it. These two Confederate Princes did every thing they cou'd to hinder *Richard*'s being set at liberty. They offer'd the Emperor Sums of Money, which were so tempting to that covetous Prince, that tho' he had given his Promise, and made a Treaty with *Richard*, he was inclinable to retract it. But the Princes of *Germany* having convinc'd him that it wou'd not be safe for him to violate a Promise, of which they were Guarantees, he did not dare to retain his Prisoner *.

Prince John's Alliance with Philip of France.

Sentence pass'd on him, and his Pardon.

Anno 1194. AS soon as *Richard* was in *England*, he caus'd a Sentence to be pass'd against his Brother, confiscating all his Estate, and declaring him incapable to succeed to the Crown; but afterwards he pardon'd him.

War and Truce with France.

Anno 1195. MEAN time *Richard* burning with Rage to be reveng'd on *Philip*, made great Preparations to carry the War into *France*; but was prevented by his Enemy who besieg'd *Vernueil*, of which nevertheless he cou'd not make himself Master. This War, which continued three or four Years with various Success, the Particulars of which wou'd be very unnecessary here, was interrupted by a Truce of five Years †.

RICHARD I.

Anno 1199. *RICHARD* hearing some time after, that a Gentleman of *Limousin* had found Treasure hid in his Estate, demanded that Treasure, pretending that it belong'd to him as Sovereign of that Country, which was a Dependency on *Guyenne*. The Gentleman being loth to part with it, took Refuge in the Castle of *Chaluz*, belonging to the Viscount of *Limoges*, whither *Richard* march'd to besiege him. While he went round the Place to take a View of it, he was wounded in the Shoulder by an Arrow from a Cross-bow, of which in a few days after he died. He had made a Will in *Sicily* in favour of *Arthur* Duke of *Bretagne* his Nephew; but he made another before his Death, in which he appointed Prince *John* his Brother to be his Heir.

Richard's Death and last Will.

Acts of the Reign of Richard I.

1. A Letter from *Philip Augustus* to *Richard*, to summon him to execute their Conventions touching the Voyage to the *Holy Land*; dated in *October* 1189.

Philip's Letter of Summons to Richard. 63.

2. NEW Conventions betwixt *Philip* and *Richard* on the same head; dated *Dec.* 30. 1189. at *Nonancart*.

Conventions for the Expedition to the Holy Land. 63.

3. CHARTER of *Richard* I. by which he departs from his Sovereignty over the Kingdom of *Scotland*; dated at *Canterbury*, *Dec.* 5. 1189.

Præterea quietavimus omnes pactiones quas bonus Pater noster Henricus Rex Angliæ, per novas cartas & per captionem suam extorsit; Ita videlicet, ut Nobis faciat integrè & plenariè quidquid Rex Scotiæ Malcolmus frater ejus, Antecessoribus nostris de jure fecit & facere debuit.

Charter relating to resigning the Sovereignty of Scotland. 64.

—*Reddidimus etiam ei ligantias hominum suorum quas Pater noster de illo habuit per captionem suam, & quæ forte per oblivionem retentæ & inventæ fuerint, eas penitus carere viribus præcipimus. Sæpedictus vero Gulielmus Rex ligius homo noster deveniat, de omnibus terris, de quibus Antecessores sui, Antecessorum nostrorum ligii homines fuerint, & Nobis atque Hæredibus nostris fidelitatem juravit.*

4. *RICHARD*'s Statutes for the Voyage to the *Holy Land*; dated in 1189.

Statutes for the Voyage to the Holy Land. 65.

"HE that kills a Man aboard a Ship, "shall be tied to the Corpse, and cast with "it into the Sea.

"If

* The *German* Writers say, that the *English* were oblig'd to sell their Church-Plate to pay his Ransom; and that not only *Vienna* was fortify'd and enlarg'd, but the Towns of *Ens*, *Heimburg*, and *Neustad* were wall'd with it.

† Mr. *Rapin* has omitted to take notice of the Offensive and Defensive League, which *Richard* made with *Baldwin* Earl of *Flanders* in 1197. against *France*, and which was to be perpetual. 'Tis observable, that in this Treaty (p. 94. of the first Tome of the *Fœdera*) the Earl talks no longer in the humble Phrase of a Vassal of the King of *France*, as he did formerly, of which the *French* Historians, who have wrote about this Treaty, give an account.

'Tis also observable, that Pope *Innocent* III. labour'd to bring the Kings of *England* and *France* to an Accommodation, as appears by Letters which he wrote with that View in 1198, and which are mention'd in p. 98, and 100, of the *Fœdera*, Tome I.

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" If he kills him aſhore, he ſhall be " ty'd to the Corpſe and bury'd alive " with it.

" HE that draws a Knife, or fetches " Blood of another Perſon, ſhall loſe his " Fiſt.

" HE that ſtrikes with his Hand, ſhall " be duck'd three times in the Sea.

" HE that gives another hard Names " or Curſes, ſhall give an Ounce of Silver " for every ſuch Offence.

" AND a Robber ſhall be ſhav'd, and " boiling Pitch pour'd upon his Head, and " a Cuſhion of Feathers ſhook over it, " that he may be known; and he ſhall " be put aſhore at the firſt Place the " Ship comes to*."

Richard's *Treaty with* Tancred King *of* Sicily. 66.

5. A Treaty between *Richard* I. and *Tancred* King of *Sicily*, in 1190.

Ut autem pax iſta & fraterna dilectio, tam multiplici quam arctiori vinculo convertatur, prædictis Curiæ veſtræ Magnatibus, id ex parte veſtra tractantibus, Domino diſponente, condiximus inter Arthurum egregium ducem Britanniæ, chariſſimum nepotem noſtrum, & Hæredem, ſi fortè ſine prole Nos obire contigerit, & chariſſimam Filiam veſtram, matrimonium in Chriſti nomine contrahendum, ut cum illa ad nubiles annos pervenerit.

——*Aut ſi Celſitudini veſtræ placuerit, eam infra annos nubiles deſponſari, prædictus nepos noſter, juxta beneplacitum veſtrum, id faciat, ſi ſummus Pontifex diſpenſare voluerit* —— *Si autem Nobis ſine Hærede decedentibus, ipſe ad Regnum noſtrum hæreditario jure pervenerit, ei (Filiæ) tale dotarium deſignamus de Regno noſtro, quale antiquum & conſuetum dotarium Reginarum Angliæ.*

" *RICHARD* acknowledg'd that " he had receiv'd 20000 Ounces of Gold " from *Tancred*, and engages to reſtore " them if the Marriage be not accom- " pliſhed; in which he ſubmits to the " Pope's Judgment.

Richard's *Letter to the Pope.* 68.

6. A Letter from *Richard* to Pope *Clement*; dated *Nov.* 11. 1190. near *Meſſina*.

" He gives him an Account of the " Treaty he had made with *Tancred*, and " repeats the Clauſe above-mention'd, " ſpeaking of *Arthur*, *Et Hæredem ſi* " *fortè ſine prole*, &c.

" THIS ſhews that at that time it was " no doubt with him, that if he ſhou'd " happen to die without Children, *Arthur* " ought to have been his Heir; and yet, " when he was on his Death-bed, he " appointed *John* his Brother.

7. THE Treaty made at *Meſſina* between *Philip Auguſtus* and *Richard* I. dated at *Meſſina* in *March* 1191. RICHARD I.

His Treaty with Philip *of* France. 69.

Prædicto Regi (*Ricardo*) *bono corde, & bona voluntate concedimus, quod amodò liberè quamlibet voluerit ducat uxorem, non obſtante illa conventione inter Nos & ipſum facta, de ſorore noſtra Adelais quam debebat ducere in uxorem.*

——*Et ſi Rex Angliæ haberet duos Maſculos aut plures, voluit & conceſſit quod major natu teneat in capite de nobis, totum id quod tenere debet a nobis, citra Mare Angliæ, & alius tenebit a nobis in capite, unam ex tribus Baroniis, videlicet Dominium Normaniæ, aut Dominium Andegaviæ & Cenomaniæ, aut Dominium Aquitaniæ & Pictaviæ.* —— *Ipſe autem conceſſit quod de Terra Sancti Ægidii Comitis† nihil de cætero occupabit, ultra quod diximus, quamdiu Comes S. Ægidii in Curia noſtra ſufferre juſtitiam voluerit aut potuerit.*

——*Conceſſit etiam Nobis Rex Angliæ, quod infra primum Menſem a reditu ſuo, remittet in Franciam ſine contradictione aliqua & impedimento, Adelais ſororem noſtram, ſive vivi, ſive mortui fuerimus.*

Emperor's Letter to the K. *of* France. 70.

8. A Letter from the Emperor *Henry* VI. to *Philip Auguſtus* King of *France*; dated at *Rhetienſe* the 5th of the Calends of *January* 1192.

" HE tells him the News of *Richard*'s " being taken, and of the manner how. " After *Richard* had ſuffer'd Shipwreck in " the *Adriatick* near *Aquileia*, the Count " *de Gortze* purſued him, and took 8 of " his Men. Afterwards *Richard* repair'd " to a Town in the Archbiſhoprick of " *Saltzburg*, where *Frederick* of *Boleſ-* " *vowe* took ſix of his Men. After this, " *Leopold* poſted Guards in all the Roads, " and took *Richard* ‖ in a Village near *Vi-* " *enna*."

THIS may ſerve as one Circumſtance, to ſhew that according to all appearance *Richard* took the road to *Vienna*, on purpoſe to deceive his Purſuers.

Vetus de Monte *to the* D. *of* Auſtria. 71.

9. A Letter from *Vetus de Monte* ‡ to the Duke of *Auſtria*; dated at the Caſtle of *Misfiat*, in the midſt of the Month of *September*, in the 5th Year of Pope *Alexander*.

" HE vindicates *Richard* from the " Murder of the Marquis of *Montferrat*, " and owns that it was himſelf that " cauſed him to be aſſaſſinated in the " midſt of *Tyre*, becauſe the Marquis " had cauſed one of his Brothers that " was drove upon the Coaſt of *Tyre* by

* Theſe Puniſhments indeed kept the common Soldiers and Sailors from quarrelling; but the greateſt Miſchief of all proceeded from the Diviſion of the Princes, which render'd moſt of the Voyages of this kind fruitleſs.

† The County of *Tholouſe*.

‖ This was done by way of Revenge for the Affront he put upon him in the *Holy Land*.

‡ Mr. *Rapin* ſays in his large Hiſtory, that the *old Man of the Mountains* was a Title given to the Head of the *Chaſſins*, a People inhabiting about *Antioch*, whom the *French* call Aſſaſſins; and the Tranſlator of that Hiſtory has a Note upon them, p. 126. Vol. 3. that theſe *Aſſaſſins* were a Sect of *Mahometans*, dwelling in 6 Cities near *Antaradus* in *Syria*, who were ready to aſſaſſinate any Prince whom the *old Man of the Mountains* ſhou'd ſend them to, or to go upon any other deſperate Attempt.

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"a Storm, to be kill'd *." If *de Monte* was not a Christian, which all Authors agree he was not, the Date of this Letter in the 5th Year of *Alexander*'s Pontificate is enough to make the reality of it suspected.

Q. Eleanor *to the Pope.* 72, 74, 76.

9. THREE Letters from Queen *Eleanor* to the Pope †, desiring him to employ his Interest to procure *Richard*'s Liberty; dated in 1193.

THESE Letters are smart and full of Reproaches against the Pope upon his Indifference.

Archdeacon of Bath *to the ABp of* Mentz. 78.

10. ANOTHER from *Peter de Blois* Archdeacon of *Bath* to the Archbishop of *Mentz*, on the same Subject, and of the same Date.

King's to the Queen Mother. 80.

11. A Letter from *Richard* I. while in Prison, to the Queen his Mother, and the Lords Justices of *England*; dated at *Haguenau* the 13th of the Calends of *May* 1193.

HE demands 70000 Marks of Silver to pay his Ransom, and orders an exact account to be kept of the Plate taken from the Churches, as well as of what each Baron gives, to the end that he may be inform'd of every one's Benevolence, and that the Securities be kept ready.

Quem autem in nostra necessitate promptum inveniemus amicum in suis necessitatibus nos reperiet, & remuneratorem, gratiusque nobis erit, si quis in absentia nostra, in aliquo nobis subveniat, quam si in præsentia nostra, in duplo quis nobis subveniret: i. e. The Man that we find a ready Friend in our Necessity, shall find us a Friend in his with Interest; and whosoever in our absence affords us any Assistance, will be more acceptable to us than the Man that helps us to twice the Sum in our presence.

Philip's Agreement with the English *Ambassadors.* 81.

12. An Agreement betwixt *Philip Augustus*, and the Ambassadors of *England*, who were sent into *France* during *Richard*'s Imprisonment; dated at *Meduncs* the 8th of the Ides of *July* 1193.

"THE Ambassadors promise in *Richard*'s Name to pay 20000 Marks to *Philip*, and to put four Castles into his hands for Security of Performance.

"THEY promise that Prince *John* shall not be prosecuted for having broke the Promise which he made to *Richard* not to return to *England*."

THERE is something more with regard to *John*, which I do not understand, *viz. Si Homines Regis Angliæ poterunt monstrare, quod Comes Johannes fuerit ad perquirendam pecuniam ad liberationem Regis Angliæ.*

THE Historians have said, that *Richard* before he went, had stipulated with *John*, that during his absence he should stay in *Normandy* without setting his foot any more in *England*; but afterwards he discharg'd him of this Obligation. RICHARD I.

13. A Letter from *Richard* to *Hubert* Archbishop of *Canterbury*; dated at *Spire*, *Sept.* 22. 1193. *His Letter to Archbishop* Hubert. 83.

HE tells him that the Emperor has fix'd on the *Monday* after *Christmas* to set him at liberty, and that on the *Sunday* following he shall be crowned King of *Provence*.

14. LETTER from the Emperor *Henry* VI. to the *English* Noblemen; dated at *Tholouse* in 1193. the Eve of St. *Thomas* the Apostle. *Letter from the Emperor to the* English. 84.

HE acquaints them that he has fix'd on a Day to set *Richard* at liberty, and on another to have him crown'd King of *Provence*. *Nostræ siquidem est voluntatis præfatum Dominum vestrum, sicut amicum nostrum specialem, promovere & magnificentiùs honorare, i. e.* It being our pleasure to promote, and greatly to honour your said Lord as our special Friend.

15. CONVENTIONS betwixt the Emperor and *Richard* in 1193. *His Conventions with* Richard *for his Liberty.* 84.

"THE Emperor's Ambassadors shall go "into *England* with those of the King. "They shall there receive 100000 Marks "of Silver seal'd up, and the King's Ser"vants shall be charged therewith till "the Money arrives on the Lands of the "Empire; so that if it be lost before "that time, the King shall stand to it. "Afterwards it shall be deliver'd to the "Emperor's Ambassadors, and they only "shall be charg'd with it. Moreover, the "King shall give 50000 Marks of Silver "of the weight of *Cologn* to the Empe"ror and the Duke of *Austria*, and on fai"lure of that Sum he shall give 60 "Hostages to the Emperor for 30000 "Marks, and 7 to the Duke of *Austria* "for 20000 Marks.

"2. IF the King of *England* will per"form what he before stood engag'd in "to the Emperor, with respect to the "Duke of *Saxony*, the Emperor shall "excuse him of the 50000 Marks, and "shall oblige himself to pay 20000 to the "Duke of *Austria*.

"3. THE King shall be set at liberty, "immediately after the Emperor has re"ceived the 100000 Marks, and after "the King has given the Securities.

"4. THE King of *England* obliges "himself by Oath to give his Niece, the "Sister of *Arthur* Duke of *Bretagne*, "in

* He added, that the Marquis did it in order to be Master of his Money, and he protested, that his Clan only caused those to be assassinated, who had done them any Mischief.

† This was Pope *Celestin*, who took part with King *Richard* against his Barons, and engag'd him to the Croisades for the Recovery of the *Holy Land*.

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" in Marriage to the Son of the Duke of " *Auſtria*, and to ſend her to the Territo- " ries of the Empire: And if the Duke re- " fuſe to receive her, the King ſhall be " quit of his Oath.

" 5. If he refuſe to fulfil his Engage- " ment with regard to the Duke of *Saxony*, " he ſhall be obliged to pay the remaining " 50000 Marks, 7 Months after his Arrival " in *England*."

Pope's Letter to the Biſhop of Verona. 88.

16. A Letter from Pope *Celeſtin* to the Biſhop of *Verona*; dated at *Rome* the 8th of the Ides of *June* in the 4th Year of the Pontificate, *A. C.* 1194.

" He gives him a Commiſſion to order " the Duke of *Auſtria* on his part to ſend " home the *Engliſh* Hoſtages, and to make " Reſtitution to *Richard*. After the Duke " has obey'd, he is order'd to go and make " War againſt the Infidels in *Paleſtine*, " for as long time as *Richard* was detain'd " in Priſon.

" It muſt be obſerv'd, that all the time " that *Richard* was in Priſon, the Pope did " not take the leaſt Step in his favour, as " appears by *Eleanor*'s Letters abovemen- " tion'd. But as ſoon as that Prince arriv'd " in *England*, the Pope ſeem'd to have his " Intereſt very much at heart."

Richard's Charter in favour of the Scots *Kings.* 87.

17. A Charter of *Richard* I. in favour of the Kings of *Scotland*; dated *April* 17. 1194. at *Wincheſter*.

This Charter contains certain Privileges granted to the Kings of *Scotland*, when they happen to be in *England*.

Treaty with Philip. 91.

18. A Treaty betwixt *Philip Auguſtus* and *Richard* I. concluded between *Gaillou* and *Val Rodelle* in 1195. on the Eve of St. *Michael*.

Letter to the Biſhop of Durham. 96.

19. Letter from *Richard* I. to the Biſhop of *Durham*; dated *Sept.* 30. 1197. at *Dangu*.

The King acquaints the Biſhop of an Advantage which he has gain'd over the King of *Franec* near *Giſors*. He ſays, that the King of *France* had 300 Knights with him, together with their Eſquires, and ordinary Servants; and that being puſh'd as far as *Giſors*, the Bridge broke under him. He adds, *Rex Franciæ ut audivimus, bibit de riveria, & viginti milites ſubmerſi ſunt. Nos autem ibi cum una lancea proſtravimus Mathæum de Montmorency, & Alanum de Ruſci, & Fulconem de Gilerval, & captos detinuimus, & bene capti ſunt gentes uſque ad centum milites*: i. e. The King of *France*, as we have heard, drank out of the River, and 20 Soldiers are drowned. On the other hand, we with one Spear fell'd to the ground *Matthew* of *Montmorency*, and *Alan* of *Ruſci*, and *Fulk de Gilerval*, and took them Priſoners; and the number of the Soldiers taken amounts to 100.

Richard I.

This Letter may ſerve to rectify the *Engliſh* and *French* Hiſtorians, ſome of whom ſwell this Advantage to a great Victory, while others ſpeak of it as a trifle.

Pope Innocent *to the Duke of* Auſtria. 102.

20. A Letter from Pope *Innocent* III. to the Duke of *Auſtria*; dated the 3d of the Calends of *June*, in the firſt of his Pontificate, *A. D.* 1198.

" *LEOPOLD* Duke of *Auſtria*, " who arreſted *Richard*, was dead, and " had ordered his Son and Succeſſor to re- " turn the Money he had taken from his " Priſoner. The Pope in this Letter en- " joins the Son to execute the Will of his " Father on pain of Excommunication."

To the Archbiſhop of Magdeburgh. 103.

21. Another Letter from the ſaid Pope to the Archbiſhop of *Magdeburgh*; dated the 2d of the Calends of *June* 1198.

He orders him to ſollicit the Duke of *Swabia*, Brother and Heir to the deceaſed Emperor *Henry* VI. to make the like Reſtitution to the King of *England*.

Pope Innocent's *Brief.* 104.

22. A Brief from Pope *Innocent*, whereby he confirms the Statute of *Richard* I. enjoining, that the Succours drawn from the Churches for enlarging him out of Priſon, be not made a Precedent for the future; dated the 15th of the Calends of *October* in 1198. at *Peruſa*.

The REIGN of *JOHN*,

Surnamed *Lackland*.

John.

K. John's *Acceſſion and Title.*

Tho' *Richard* had appointed *John* his Brother Heir to all his Dominions, yet *John*'s Right was not indiſputable. His Nephew *Arthur* Duke of *Bretagne*, Son to *Geoffry* his elder Brother, did not want plauſible Reaſons to diſpute his Title, not only to the Crown of *England*, but to the Provinces of *France* which were in *Richard*'s Inheritance. As for *England*, there had been no Law, nor Regulation, nor Cuſtom, nor Precedent ſince the Conqueſt that cou'd eſtabliſh a Limitation of the Succeſſion of the Crown, as I have already ſhewn. By conſequence, the Rights both of *John* and *Arthur* were equally liable to embarraſſing Objections, and

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and might be equally ſupported by powerful Arguments. As to the Provinces of *France*, viz. *Normandy*, *Guyenne*, *Poictou*, *Saintonge*, *Touraine*, *Anjou*, and *Maine*; 'tis very probable that the Right of Succeſſion to them was better ſettled than that to *England*: but as they were Fiefs of the Crown of *France*, 'tis apparent that *Philip Auguſtus* as Sovereign, would claim a Right to decide the Queſtion between the two Competitors, and that he would regulate himſelf rather by Intereſt than Juſtice. Were this Cauſe to have been decided regularly in a Court of Juſtice, with all the Forms of Proceeding, the Judges wou'd no doubt have found great difficulties in it. But *John* not thinking it fit to commit his Rights to a Trial of this nature, choſe rather to take another Courſe. This Prince being in *France* at the time that his Brother *Richard* died, immediately ſent over to *England*, *Hubert* Archbiſhop of *Canterbury*, and *William Marſhall*, (afterwards Earl of *Pembroke*) who were then with him, to diſpoſe the minds of the *Engliſh* in his favour. Thoſe two Noblemen, who were devoted to his Service, being aſſiſted by the Credit of Queen *Eleanor*, who declar'd for *John*, labour'd with ſo much Zeal to gain the Magiſtrates and the common People, that after vaſt difficulty they ſucceeded in what they had undertaken; not by promoting a Determination of the matter in queſtion between *John* and *Arthur*, by a Decree of the States, or of the Parliament, but by gaining over all thoſe Nobles, one after another, who were in a Capacity of oppoſing *John*'s Advancement to the Throne; which was the ſame Method that *William Rufus*, *Henry* I. and *Stephen* took to ſucceed in their Deſigns.

The Meaſures he took to ſecure the Crown.

The Zeal of his Friends to ſerve him.

He ſeizes the late King's Treaſure.

WHILE *John*'s Friends did him good Service in *England*, he labour'd on his own part to ſecure himſelf of the Poſſeſſion of thoſe Provinces of *France* which were part of the Inheritance of *Richard*. The firſt Step he took for this purpoſe, was to gain *Robert* of *Turnham*, who deliver'd up to him the late King's Treaſures, which he had in his keeping, together with the two important Cities of *Chinon*, and *Saumur*, of which he was Governour: but this was not enough. The Governour of *Angers* had already deliver'd up that Place to the Duke of *Bretagne*; the Lords of *Poictou*, *Touraine*, *Anjou* and *Maine*, were all diſpos'd to recognize this young Prince for their Sovereign; and it was highly probable, that *Philip* wou'd alſo favour him, becauſe it cou'd not but be for the Advantage of *France* that thoſe Provinces ſhou'd be ſeparated from the Crown of *England*. *John* not being able to provide for every thing at once, apply'd to that which was moſt preſſing; namely, to get himſelf recogniz'd in *Normandy*, the Inhabitants of which Province were ſtill uncertain which ſide to eſpouſe. Therefore he made uſe of the Treaſure that was in his power, to gain over the principal *Norman* Lords; and at the ſame time rais'd an Army, amd went and beſieged *Mans*, which had declar'd for *Arthur*. As ſoon as he had made himſelf Maſter of that City, he cauſed the Walls of it to be demoliſh'd, and treated the Inhabitants with very great Severity. This Inſtance effectually determined the *Normans*, who fearing the like Fate, recogniz'd *John* for their Duke without farther delay, and crown'd him at *Roan*. This done, he haſtened over to *England*, where every thing was in a readineſs for his Reception: And in a few days he was crowned, after the Archbiſhop of *Canterbury* had made a Speech to the Aſſembly, in which he gave them to underſtand that *John* came to the Crown only by Election; and that becauſe he was of the Royal Race, he had been thought a fit Perſon to bear rule over the *Engliſh*. No doubt the Reaſon of that Prelate's expreſſing himſelf after this manner, was to poſtpone the Debate about *John*'s Right and Title, which was too uncertain to be a ſolid Foundation for his Advancement to the Throne.

JOHN.

Takes Mans, *and raſes the Walls.*

John's Coronation in Normandy *and* England.

ABp of Canterbury's *Remark on it.*

JOHN made but a ſhort ſtay in *England* after he was crown'd, becauſe he was preſs'd to return to *France*, where *Philip* had broke the Truce of five Years, which he had made with *Richard*. *Conſtantia*, the Mother of *Arthur*, had already delivered up to him all the Places which were in her power to diſpoſe of, and had put herſelf, together with the Prince her Son, under his protection, and in his power. Conſequently, on pretence of acting for *Arthur*, *Philip* had taken up Arms again, and ſeiz'd on *Evreux*, and the whole Province of *Maine*. *John* arriving at *Roan*, rais'd an Army there, which ſoon became very numerous by the Troops that were brought to join him from all parts. But *Philip* made him loſe time, which was very precious to him, by demanding a Truce for only 50 Days, which was eaſily granted to him; *John* having a Notion that the Terror of his Arms had reduc'd his Enemies to take this Step, and that he wou'd ſhortly beg Peace of him. Mean time he ſuffer'd his Army, which conſiſted chiefly of Voluntiers, to diſperſe. But inſtead of the Peace which he expected, *Philip* in an Interview he had with him, demanded for *Arthur* all the Provinces of *France* which *Richard* had poſſeſs'd, and for which he had already received Homage from that young Prince. And this Demand being rejected, the War broke out again immediately.

His Return to France, *where the Dutcheſs of* Bretagne *puts herſelf under his Protection.*

Truce for 50 Days.

War breaks out again.

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Death of the King's Sister.

AT the same time *Joan*, Queen Dowager of *Sicily*, who had the Count *de Tholouse* for her second Husband, died at *Roan*, whither she went to see the King her Brother. While *John* was taken up with his Sister's Funeral, *Philip* made a Progress in *Anjou*, and seiz'd those Places which had declar'd for *John*; but upon some Disgust which he gave to the Duke of *Bretagne*'s Governour, this young Prince, with the Duchess his Mother, and his Governour, went and threw himself into the Arms of the King his Uncle. This unforeseen Stroke was enough to have broke the Measures of the King of *France*; but in a little time after, the Duchess had Suspicions of *John*, which engag'd her to go back with her Son to *Philip*. Notwithstanding all this, *John*'s Affairs were in a happy Situation. He had made an Alliance with the Emperor *Otho* his Nephew, and with the Earl of *Flanders*; and at the same time *Guyenne* declar'd for him: For which Reason *Philip*, who was on the other hand much press'd, sued for a Peace, which was concluded to *John*'s Advantage, to whom *Philip* sacrific'd the Interests of the Duke of *Bretagne*, by engaging to give that Prince no Assistance. In order to bring *Philip* to this Agreement, *John* promis'd to yield *Auvergne* and *Berry*, for a certain time, to Prince *Lewis* his Son, and to give a Dowry of 20000 Marks with his Niece *Blanche* of *Castile*, whom that Prince was to marry. *Arthur* being thus abandon'd by his Protector, was no longer in a Condition to oppose the King his Uncle, who put himself in possession of all *Richard*'s Estate, and only left him *Bretagne*. The Marriage of *Lewis* with *Blanche* was celebrated not long after at *Roan*.

Constance and Arthur return to Philip.

Good State of John's Affairs.

His Treaty with France.

Prince Lewis of France marry'd to John's Niece.

WHILE *John* was making these Acquisitions, he fell in Love with *Isabel* of *Angoulesme*, who had been contracted *per verba de presenti*, to *Hugh le Brun* Earl of *March*. His Passion was so violent, that whatever it cost him he would marry her; tho' in order to bring it about, there was a necessity of dissolving *Isabel*'s Contract, and his own with *Avisa* of *Gloucester*. But the Favour and Authority of the Pope surmounted all Obstacles that oppos'd his Happiness.

John's Divorce and Marriage.

EVERY thing having succeeded to him according to his Wishes, he return'd to *England* where he assembled a Parliament, of which he desir'd a Sum of Money to pay the Dowry he had promis'd to his Niece, *Blanche* of *Castile*. This seem'd a very extraordinary Demand, because no body cou'd conceive what Business *England* had to pay the Dowry of a *Spanish* Princess, in Marriage with a Prince of *France*. But the King gave plain Intimation that he wou'd not be deny'd;

John demands a Subsidy of his Parliament.

JOHN.

and, as it was the first Subsidy he had desir'd, the Parliament granted it, tho' in such a way as shew'd they did it with Reluctance. Mean time, the King having made the Parliament truckle upon this Occasion, became more haughty afterwards. 'Tis even said that he began from that Instant to aim at making himself absolute, and that the great Men being aware that he had such a View, began on their part to consider how they should oppose it. And really he had met with such Mortifications in the first Year of his Reign, as were enough to convince him how difficult it would be for him to succeed in his Designs. *Geoffery*, Archbishop of *York*, his natural Brother, did all he could to oppose the raising of the Money which the Parliament had just granted to the King; and if that turbulent Prelate could have had his Will, the whole Kingdom would have rebelled. On the other hand, *Hubert*, Archbishop of *Canterbury*, having called the Convocation of his Province, without informing the King of it, contrary to the Custom of his Predecessors, the King forbad them to assemble, but notwithstanding his Prohibition they met.

Archbishop of York opposes the raising of it.

Archbishop of Canterbury calls a Synod, notwithstanding the King's Prohibition.

IT was not only the Clergy that *John* was embroil'd with at the beginning of his Reign, for all the Nobility in general were disgusted. They had not plac'd him on the Throne, if he had not positively promis'd that he would restore their Privileges, and yet they did not perceive that he took one Step that had such a Tendency. On the contrary, when he was return'd to *England*, after having succeeded so happily in *France*, he steer'd a Course which was directly opposite. He had already, as I said above, demanded a Subsidy of the Parliament. Moreover, in a Journey which he made Northwards, he had extorted great Sums from some of the Counties, on pretence of punishing certain Misdemeanors which had been committed in his Forests. Finally, he gave his Subjects great cause of Disgust, by debauching their Wives and Daughters, without any regard to the most distinguish'd Families. All this giving the Barons of the Kingdom great suspicion, some of them had secret Meetings, and engag'd to stand by one another. At the same time they resolv'd to take hold of the first Opportunity that should offer, to convince the King that they did not intend to submit to absolute Power.

Discontents of the English.

The Nobles resolve to oppose the King.

THE Inhabitants of the Province of *Poicton* having taken a Step some time after, which gave Cause to suspect that they had a design to revolt, *John* resolv'd to go and punish them, and caus'd all the Vassals of the Crown to be summon'd to *Portsmouth*, in order to accompany him to *France*. But the Barons sent him word that

Refuse to attend him into France.

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that they would not obey the Summons, unleſs he would perform his Engagements with reſpect to their Privileges. *John* looking upon this Refuſal as a Rebellion, immediately put himſelf at the Head of ſome Troops, and without giving them time to look about, ſeiz'd ſome of their Caſtles. As they had not yet taken any Meaſures to oppoſe Force with Force, they were oblig'd to promiſe that they would repair to *Portſmouth*, and to give him their Children for Hoſtages. When they were arriv'd at the Rendezvous, the King excus'd them from the Journey on their paying two Marks of Silver for every (Knight's) Fee; after which he repair'd with a few Troops to *Normandy*.

He attacks and obliges them to ſubmit.

Interview and Careſſes betwixt John *and* Philip.

As ſoon as he was arriv'd at *Roan*, *Philip* deſir'd to have a Conference with him, wherein they confirm'd the laſt Treaty which they had made together. *Philip* careſs'd him to the utmoſt, and even prevail'd on him to go and ſee *Paris*, where he gave him ſo many Proofs of a perfect Eſteem and ſincere Friendſhip, that *John* thought him the beſt Friend he had; in which he was mightily deceiv'd, as we ſhall find hereafter.

HITHERTO I have ſet down with all the Brevity I could, what happen'd in the two firſt Years of the Reign of *John*; but what fell out afterwards was altogether as conſiderable. In the ſequel of this Reign we find three important Events, which took up the whole of it, and of which I ſhall make three ſeparate Articles. The firſt ſhall take in *John*'s Tranſactions with *Philip Auguſtus*. The ſecond his Affairs with Pope *Innocent* III. And the third his Quarrel with his Barons.

The three principal Events in this Reign.

BEFORE I paſs to theſe three Articles, I will here point to the Acts which we meet with in the *Fœdera* for the two firſt Years of this Reign.

John's *Bond to the Merchants of* Placentia. 115.

1. AN Engagement of *John* to pay 2125 Marks, which were lent to *Richard* by the Merchants of *Placentia*; dated at *Roan*, *Aug.* 25. 1199 *.

King John's *Liege Men.* 116, 117.

2. AN Act whereby *Hugh le Brun* Earl of *Marche*, and *Ralph* Count of *Angi*, declare themſelves King *John*'s Liege Men; dated at *Caen*, *Jan.* 28. 1200.

3. ANOTHER of the like nature by the Viſcount *de Thouars*.

His Treaty with Philip *of* France. 117.

4. A Treaty of Peace between *Philip Auguſtus*, and *John*; dated at *Guleton* in *May* 1200. It has theſe Clauſes.

Præterea dedit nobis Rex Angliæ 20 *millia marcarum Sterlingarum, ad pondus & legem in quo fuerint, vid.* 13 *ſolidos & 4 denarios pro marca, propter Rechatum noſtrum & propter feoda Britanniæ quæ Nos ipſi demiſimus. Ipſe vero recipiet Arthurum in hominem, ita quod Arthurus Britanniam tenebit de Rege Angliæ.*

In conventionibus iſtis cum Rege Angliæ, habemus conventionem, quod ipſe Othoni Nepoti ſuo, nullum auxilium faciet, nec per pecuniam, nec per milites, nec per gentem, nec per ſe, nec per alium, niſi per conſilium & conſenſum noſtrum.

—De Arthuro ſic erit, quod Rex Angliæ non minuet eum nec de feudo nec de Dominio Britanniæ citra mare, niſi per rectum judicium Curiæ ſuæ.

Another of King John's *Liege Men.* 123.

5. AN Act whereby *Leolin Ap Jorworth*, Prince of *Wales* declares himſelf King *John*'s Liege Man; dated the 5th of the Ides of *July* 1201. in the 3d Year of King *John*.

His Conventions with Richard's *Queen Dowager.* 124.

6. CONVENTIONS betwixt *John* and the Queen *Berengaria* of *Navarre*, Dowager of *Richard* I. dated *Aug.* 2. 1201. at *Chinon*.

JOHN ſettles a yearly Penſion on her of 1000 Marks, each Mark being 13 Shillings and 4 Pence *Sterling*.

King of Navarre's *with* John. 126.

7. THE Charter of Don *Sancho* King of *Navarre*, whereby he declares that he makes an Alliance with King *John* againſt all Powers except the King of *Morocco*; dated at *Chinon*, *Octob.* 14. 1201.

ARTICLE I.

Affairs of John *with* Philip Auguſtus.

Philip ſpirits up the Earl of Marche *againſt* John.

WHILE *Philip* careſs'd *John* at *Paris*, he ſecretly ſtir'd up the Earl of *Marche* to take Revenge for the Affront he had receiv'd from him, and promis'd to ſupport him. The Earl ſeeing himſelf ſo ſecure of being ſupported, caball'd among the Inhabitants of *Poictou*, to diſpoſe them to a Revolt, in which he ſucceeded with very great Eaſe. *Arthur* Duke of *Bretagne* enter'd into the ſame Conſpiracy, with a view of taking ſomething from the King his Uncle, and *Philip* prepar'd likewiſe to improve ſuch Opportunities as might offer. When the Affairs of the Allies were ready, *Philip* had an Interview with *John*, wherein he publickly maintain'd the Intereſts of *Arthur*, and of the Earl of *Marche*, demanding for the one all the Provinces which *John* poſſeſs'd in *France*, and for the other a reaſonable Satisfaction. *John* having rejected theſe Demands with diſdain, was ſummon'd to the Court of Peers; and not appearing, *Philip* attack'd *Normandy*, and ſeiz'd ſome Places.

Arthur *joins them.*

Second Interview betwixt Philip *and* John.

Philip ſummons him to appear before the Court of Peers, and on his refuſal attacks Normandy.

AFTER this firſt Campaign, in which *John* made no Effort to defend himſelf, *Philip* granted *Mary* his Daughter in Marriage to the Duke of *Bretagne*, and caus'd

Arthur *marries the King of* France's *Daughter.*

* There were ſeveral Acts paſs'd this Year, granting certain Privileges to the Inhabitants of the Iſle of *Oleron*, for which ſee Page 111 of the firſt Tome of the *Fœdera*.

Foedera caus'd the Nuptials to be celebrated at *Paris*. He afterwards ſent this young Prince into *Poictou*, there to command the Rebels of that Province. *Arthur* arriving in it, and hearing that Queen *Eleanor* his Grandmother had ſhut her ſelf up in *Mirabeau*, he went on a ſudden to that Town, and oblig'd the Queen to retire into the Caſtle, where he beſieg'd her. While he was employ'd in that Siege, *John* made long Marches to deliver the Queen his Mother, and with ſuch Diſpatch that he ſurpriz'd *Arthur* in the Town, and took him Priſoner, together with *Eleanor* his Siſter. As ſoon as he had them in his Power, he cauſed the Duke to be conducted to *Falaize*, and the Princeſs to the Caſtle of *Briſtol*, where, after a tedious Impriſonment, ſhe ended her Days. *John* repair'd not long after to *Falaize*, where he endeavour'd by all manner of ways to oblige the Duke his Nephew to quit the Party of *France*, and to be reconcil'd with him: But the young Prince was inflexible, and inſtead of complying with his Sollicitations, he had the Boldneſs to reproach him with the Uſurpation of the Crown of *England*, and of the Provinces of *France*; adding, that he could not but look upon him as his greateſt Enemy, and that he would never ceaſe his Endeavours to wreſt that Right from him, of which he had unjuſtly taken poſſeſſion. After ſo plain a Declaration, *John* deſpairing of gaining him, cauſed him to be conducted to the Caſtle of *Roan*, where, not long after, this young Prince was no more ſeen, and no body knew what became of him; but every body believ'd that the King his Uncle took away his Life: and what confirm'd the Suſpicion was, that *John* took no ſtep to clear himſelf of it, tho' what was ſaid of him, was not unknown to him.

Beſieges Mirabeau. John poſts to its relief.

Arthur is ſent to Falaize, *and* Eleanor *to* Briſtol. *John tries in vain to gain him.*

His haughty Anſwer.

He is ſent to Roan, *where he is made away with, as ſuppoſed, by* John.

John *ſummoned before the Peers. Is ſentenced to forfeit his Dominions in* France.

It was from this Murder, real or pretended, that *Philip* took occaſion to ſummon *John* to the Court of Peers; and upon his Refuſal to appear, he cauſed all the Lands which *John* poſſeſs'd in *France* to be confiſcated, and in the ſpace of two or three Years he took *Normandy*, and all the other Provinces from him, except *Guyenne*. 'Tis by no means neceſſary to give a particular Account of this War, in which *John* made ſo weak a Defence, that he involv'd himſelf in a univerſal Contempt, and was particularly deſpis'd by the *Engliſh*, which was very fatal to him afterwards.

John. *Loſes* Normandy, *&c. by his Indolence.*

At length, *Anno* 1205, *John* ſeem'd to take Courage again, as if he was inclinable to make ſome Effort for the Recovery of *Poictou*, and ſummon'd all the Vaſſals of the Crown to meet him at *Portſmouth*. But as he was going to embark, the Archbiſhop of *Canterbury*, and *William Marſhal* Earl of *Pembroke*, diverted him from it, by repreſenting to him, that he would expoſe himſelf too much, becauſe he had no Place in *Poictou* to receive him. As ſoon as he was return'd to *London*, he repented that he had follow'd this Advice; and upon a groundleſs Suppoſition that thoſe two Noblemen had acted in the Name and on the Behalf of all the others, he puniſh'd this pretended Fault by exacting ſuch Taxes of the Nobility, as they did not think he had a Right to impoſe on them, and with which they were very much diſguſted.

He reſolves to recover them, but is diſſuaded from it.

The next Year, *Anno* 1206, he carry'd an Army into *Poictou*, and recover'd part of that Province. But while he was making a greater Progreſs, he conſented to a Truce of two Years; after which he was no longer able to carry on the War, by reaſon of the Quarrel betwixt him and the Pope, of which I ſhall treat in the next Article.

Recovers part of Poictou, *and makes a Truce.*

The Acts relating to this Article are,

1. A Summons to *Arthur* Duke of *Bretagne*, to come and pay Homage to King *John*; dated at *Andel*, *March* 27. 1202.

Duke of Bretagne *required to do Homage.*

2. The King's Demand upon the Order of the *Ciſtercians*, for a Supply for the War againſt *France*; dated *Dec.* 11. 1202 *.

Demand of a Supply from the Ciſtercians, 132.

3. A Charter ſettling the Dowry of *Iſabella* of *Angouleſme*, Wife to *John*; dated at *Porcheſter*, *May* 5. 1203 †.

* Here are alſo ſeveral Letters from King *John* to the Abbots of the *Ciſtercian* Order, and to his Clergy, wherein he calls upon them for Aſſiſtance, as well againſt the King of *France*, as to ſupport the Emperor *Otho*. For as the beſt part of his Kingdom was given away to Monks and Churches, ſcarce any but the Clergy were able to furniſh the ready Penny. It came at length to that paſs, that Kings were forced to beg Alms as 'twere of thoſe very Perſons who had enrich'd themſelves by no other means than the Alms of Kings and People. "Becauſe 'tis but reaſonable, ſays King *John* in a Letter to the aforeſaid Abbots, dated in 1202, that all the "Members in general ſhould ſupport and defend the Head, we have thought fit to deſire your Society, ſince you "were founded and enrich'd by the Goods and Liberality of our Predeceſſors, to give us free and effectual Aſ"ſiſtance, to repel the Violence of ſo great an Enemy. We ſhall be much obliged to you for it, and ſhall make "the utmoſt Diſpatch in what your Devotion ſhall think fit to aſk of us. Know alſo, that we will not draw "the Supply you ſhall give us into a Precedent." *Quia ad defenſionem capitis æquum eſt univerſalem membrorum ſubventionem accurrere, univerſitatem veſtram rogandam diximus quatenus vos qui de bonis & largitionibus Prædeceſſorum noſtrorum fundati eſtis & ditati, ad tanti hoſtis propulſandam violentiam, gratuitum nobis & efficax conferatis auxilium; ita quod vobis inde debeatis grates condignas impendere, & in his, quæ a nobis duxeritis expetenda, devotionem veſtram benignius expedire.*

History tells us, that King *John* thereby embroil'd himſelf with his Clergy; but he treated the Laity every whit as bad, for he was a covetous ambitious Prince, who aim'd only to enrich himſelf with the Spoils of his Subjects, and obſerv'd no Laws.

† There are certain Acts in 1205, whereby the King took into his Protection the King of *Man*, which is a little Iſland between *England* and *Ireland*. See pages 137, 334, 339 of the firſt Tome of the *Fœdera*.

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JOHN.

ARTICLE II.

John's *Affairs with the Pope.*

Auguſtin *Friars chuſe their Sub-Prior Archbiſhop of* Canterbury.

HUBERT Archbiſhop of *Canterbury* dying in 1205, a few of the Monks of St. *Auguſtin*'s Monaſtery repair'd in the middle of the Night to Church, where they choſe *Reginald* their Sub-Prior; but they kept this Election ſecret, becauſe they deſign'd to get it confirm'd by the Pope, before the King and the other Monks were inform'd of it. For this purpoſe they managed it ſo, that *Reginald* was deputed to go to *Rome*, to ſollicit a certain Affair which concern'd the Society. But this indiſcreet Monk aſſuming the Title of Archbiſhop of *Canterbury* as ſoon as he was got over Sea, the King was inform'd of it, and not doubting but the whole Monaſtery was concern'd in it, he threaten'd the Monks, who had no way to appeaſe his Wrath but by chuſing the Biſhop of *Norwich* Archbiſhop, according to his Recommendation. This Election being over, the King put the Prelate elect in poſſeſſion of the Temporalities of the Archbiſhoprick, and the Monaſtery ſent a Deputation to the Pope to have it confirm'd. But *Innocent* III. thought it more proper to annul the two Elections already made, and to compel the Deputation of Monks to chuſe Cardinal *Langton*, an *Engliſh* Man, who was then at *Rome*. He not only confirm'd this laſt Election, which he had extorted from the Deputies by his Authority, but he even choſe to conſecrate the new Archbiſhop with his own Hand. That was the Reaſon of the great Quarrel betwixt *John* and *Innocent*, which laſted many Years. I do not propoſe to engage my ſelf in giving an exact Narrative here of all that paſs'd during this famous Quarrel, becauſe I think that it will be ſufficient to run over the principal Circumſtances of it, for underſtanding the Acts which relate to it.

John *threatens them.*

A new Election.

Monks ſent to Rome *for the Pope's Confirmation of it, who annuls both Elections, and orders a third.*

Pope's Letter to the King with 4 Rings.

THE Pope, in order to ſupport what he had done, contented himſelf at firſt with a kind Repreſentation to the King of the Danger he was liable to if he ſhould oppoſe it. This he did by ſending a Brief to him, in which he gave him the myſterious Explanation of four Rings which he ſent him, ſet with different Stones, each of which had its particular Explication. But leſt *John* ſhould not fully underſtand his Meaning, he ſent him another Brief, to exhort him without any Evaſion to acknowledge Cardinal *Langton* for Archbiſhop, and at the ſame time order'd the Suffragan Biſhops to receive him in that Quality. *John* being nettled at the Pope's Conduct, and perſuading himſelf that he acted in concert with the Monks of St. *Auguſtin*, he turn'd them all out of their Monaſtery, and baniſh'd them out of the Realm. Then he wrote a reproachful Letter to the Pope, to which the latter return'd an Anſwer mild in appearance, but very mortifying to the King. At laſt *Innocent* perceiving that the King was obſtinately bent againſt acknowledging *Langton*, put the Kingdom under an Interdict, and next Year excommunicated the King, but deferred the publiſhing of the Excommunication. As *John* was neither belov'd nor eſteem'd by his Subjects, the Pope had a fair Field to improve his Authority; the rather becauſe at the ſame time the King exerciſed ſuch acts of Violence as were far from a Tendency to gain the Affections of the Magiſtrates and Populace. Mean time, as the Pope was willing to play a ſure Game, he was reſolv'd, before he proceeded farther, to be ſure whether the King's Obſtinacy was real or feign'd. With this View he ſent two Nuncios into *England*, on pretence of ſolliciting an Accommodation with the King, but it was only to ſound whether he was reſolv'd in good earneſt to maintain the Quarrel. *John* was bubbled by theſe Nuncios. After they had told him that the Pope paſſionately deſired to put an end to this Quarrel by gentle Methods, he ſeem'd to be overjoy'd, and made ſuch large Advances to them, that they eaſily perceiv'd that in the Temper they found him in, the Pope would obtain every thing he had a mind to demand of him. Therefore they rejected his Offers, and having broke off the Negociation, publiſh'd the Excommunication, and retired. Not long after this, the Pope abſolv'd *John*'s Subjects from their Oath of Allegiance. *John* finding himſelf in this ſad ſituation, rais'd an Army under pretence of carrying the War into *Wales*; for he imagin'd that while he had an Army on foot, the Efforts of the Pope would be in vain: but having receiv'd ſecret Intelligence that he would be betray'd by his own Troops, he diſbanded them, and retired to *London*. In a ſhort time after, the Pope ſolemnly depoſed him, and committed the Execution of the Sentence to *Philip Auguſtus*, who accepted the Commiſſion, and made prodigious Preparations for putting it in execution. *John* did the like on his part, and the Sea-Coaſts on both ſides were cover'd with Troops.

The King baniſhes them. His ſharp Letter to the Pope, and his Anſwer.

The Kingdom interdicted, and King excommunicated.

The Pope ſends two Nuncios into England.

John's *Advances towards an Accommodation rejected by them. They publiſh the Excommunication againſt him.*

John's *Deſign againſt* Wales.

He miſtruſts and disbands his Army.

WHILE the Army of *France* was preparing to embark, a Legate from the Pope, named *Pandulph*, arriv'd in *England* by the way of *France*, where he had exhorted *Philip* to behave like a true Champion of the Church. In the Conferences he held with *John*, he repreſented to him that probably he would be overpower'd by the great Force which *France* had on Foot, and that his own Subjects, who pretended a Readineſs to ſerve him, only waited

Pandulph *the Legate's Arrival in* England.

He exhorts him and the Monks to own Cardinal Langton *for Archbiſhop.*

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waited for an Opportunity to deliver him up to his Enemies. This Information, which was agreeable to the Tidings he had already receiv'd, put him into a degree of Confuſion, which it was no hard matter for the Legate to diſcern. *Pandulph* feigning a Compaſſion at that time for his Fate, repreſented to him that he had but one Remedy left, and that was to put himſelf under the Protection of the Pope, who alone was able to ſupport him; but that in order to obtain it, he muſt infallibly engage to do whatever the Pope ſhould command him, who as a tender Father did not deſire his Death, but his Converſion. *John* who had taken Alarm, and ſaw himſelf abſolutely reduc'd to the Neceſſity of ſubmitting either to the Pontiff, or to the King of *France*, choſe rather to yield to the former, and promis'd a blind Obedience to him. *Pandulph* contented himſelf at firſt with hinting to him ſome of the Terms on which his Abſolution depended, ſuch as his owning *Langton* for Archbiſhop, recalling the Exiles, making entire Reſtitution to the Church, and paying 8000 *l. Sterling*, in ready Specie. Conſequently, *John*, who ſuſpected nothing farther, promis'd upon Oath to obey the Pope; imagining that his Oath extended only to the Conditions which had been mention'd to him. But as ſoon as he was bound, the Legate gave him to underſtand that there was another neceſſary Condition for obtaining the Peace of the Church, and that was to reſign his Crown to the Pope. The Step which *John* had taken, and which was known to the whole World, having entirely alienated the Hearts of his Subjects from him, he was no longer in a condition to refuſe what was demanded of him. Therefore the very next Day he went to *Dover* Church with all the Regalia, and ſurrender'd them to *Pandulph*, in preſence of the People, who were Spectators. He afterwards ſign'd a Charter, in which he acknowledg'd that, without being forc'd to it, and with the view only of atoning for his Sins, he reſign'd the Kingdom of *England*, and the Lordſhip of *Ireland* to the Pope; adding, that it was by conſent of the Barons, altho' they had not been conſulted *. The Legate kept the Crown three Days, and then reſtor'd it to the King, as a ſignal Mark of the Pope's Goodneſs. But *John* was fain to own himſelf the Pope's Vaſſal, and to do Homage to him, engaging moreover to pay him an Acknowledgment of 1000 *l. Sterling per Annum*, viz. 700 for *England*, and 300 for *Ireland*. When he had made this Step, he was for ever conſider'd as a Prince unworthy to wear the Crown, which he had ſo ſhamefully reſign'd.

His Offer of the Pope's Protection.

John yields to the Pope's Terms of ſubmiſſion.

Reſigns his Crown to him.

And does Homage to him.

PANDULPH having obtain'd what he wanted, return'd immediately to *France*, and order'd *Philip* in the Pope's Name to lay down his Arms, becauſe the King of *England* was become an obedient Son of the Church. *Philip* ſurpriz'd at this Alteration, refus'd at firſt to obey the Order, and would fain have engag'd his Vaſſals that were with him, to promiſe him upon Oath, that they would not abandon him, even tho' he ſhould be excommunicated. But the Earl of *Flanders* publickly oppos'd it, and ſaid that it would be much more expedient to reſtore to King *John* what had been taken from him in *France*, than to add a freſh Act of Injuſtice by robbing him alſo of his Crown. *Philip* being offended at the Inſolence of the Earl of *Flanders*, reſolv'd to chaſtiſe him; the rather becauſe he hop'd that would be a means to intimidate his other Vaſſals. With this View he caus'd his Army to march into *Flanders*, where it ſoon made a conſiderable Progreſs. But *John* having ſent his Fleet to the Aſſiſtance of the Earl of *Flanders*, the Earl of *Salisbury*, who commanded it, ſurpriz'd *Philip*'s Navy, and entirely deſtroy'd it. 'Tis ſaid that upon this Occaſion,

Pandulph *orders* Philip *to diſband his Army.*

Philip *refuſ'd, and tries to induce his Peers to ſtand by him. E. of* Flanders *oppoſes it.*

Philip *turns his Arms againſt him.*

His Fleet deſtroy'd by the Engliſh.

* The moſt remarkable and ſcandalous thing of all was, the Inſtrument whereby he reſigned *England* and *Ireland* to the Pope, which Mr. *Rymer* has taken from a Manuſcript of the *Cotton* Library. This King, who was as cowardly in Adverſity as he was inſolent in Proſperity, there ſays, "That without "Force or Fear, but of his own Free-Will, and by the common Conſent of his Barons, he offers and "freely gives to God, to the Holy Apoſtles, St. *Peter* and St. *Paul*, to the Holy Roman Church his Mo"ther, to his Lord Pope *Innocent* III. and to all his Catholick Succeſſors, the whole Kingdom of *England*; "and all the Kingdom of *Ireland*, with all their Rights and Appurtenances, for the Remiſſion of all his Sins, "and thoſe of his Family, whether Living or Dead. That from thenceforth he receives and holds "his Kingdoms from God, and from the Roman Church.——That he had publickly perform'd Ho"mage for them to the Church——And that he had oblig'd his Succeſſors to do the like——That for a "Proof of ſuch Conceſſion, he would have a thouſand Marks *Sterling* paid to the Pope out of his Re"venues ariſing from his ſaid Kingdoms, beſides St. *Peter*'s Penny †——And if any of his Succeſſors fail'd "herein, he ſhould forfeit his Right to the Kingdom."

AFTER this there follows a kind of Oath of Fidelity, which he took to the Pope as his Vaſſal. There is no cauſe to wonder if the Pope was extraordinary civil to him afterwards, and took his part againſt the Barons of the Kingdom, who would oblige him to govern according to the Laws, and to whom he was forc'd to grant what they call *Magna Charta*. Mr. *Rymer* has inſerted a great many Briefs from *Innocent* III. in his Favour, which are only owing to that King's mean ſpirited Behaviour. Among other things the Pope granted him as an extraordinary Favour, by a Letter dated in the Year 1214. that he ſhould not be excommunicated but by expreſs Order from his Holineſs.

† See Henry Spelman's *Gloſſary upon* Romeſcot, Sterling, *and that it was much more antient than this where it appears that this Tribute conſiſted of* 300 *Marks Reign.*

ſion,

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sion, *Philip* lost 400 Ships; which unexpected Success oblig'd him to retire, and at the same time to lay aside his Designs, as well with regard to *Flanders*, as to *England*.

John *inclines to carry the War into* France.

BUT on the other Hand, *John* was so puffed up with this Advantage, that he was resolv'd to improve it, and for that end to carry the War into *France*. With this View he caus'd the Barons to be summon'd to *Portsmouth* to attend him, but they refus'd to obey 'till he was releas'd from the Excommunication. Therefore he was forc'd to stay for the arrival of *Langton*, and the banish'd Clergy, to whom the King had sent Letters of Safe Conduct. *Langton* arriving, made the King take an extraordinary Oath, whereby he engag'd to protect Holy Church, to reestablish the Laws of *Edward* the Confessor, to have Justice administer'd by the common Courts, and not by arbitrary Decrees as he had hitherto done; to restore to Corporations, and to private Men, their Liberties and Privileges, and to repair all the Damages he had been the occasion of, before the ensuing Festival of *Easter*. After this, the King confirm'd the Charter of Resignation, which he had given to *Pandulph*, and receiv'd his Absolution.

The Barons refuse to follow before he is absolv'd.

Langton arrives, and gives the King an Oath.

Absolves him.

JOHN being now secure of the Pope's Protection, thought he had nothing more to fear; but a little time convinc'd him that it was of no great Service to him. He was soon after embroil'd with his Barons, as we shall find in the next Article: and the Barons having made an Association against him, he was under the necessity of imploring the Pope's Assistance, who immediately sent a Legate into *England*. But this Legate would do nothing in the King's Favour, 'till he had resign'd his Crown to the Pope a second time, and dispatch'd a new Charter more extensive than the former. After this, he took off the Interdict, which the Kingdom had 'till then lain under, and discharg'd the King for a very moderate Sum, from the Restitution which he was bound to make.

Barons Association against the King.

Arrival of another Legate from the Pope to whom the King resigns the Crown a second time.

The Interdict on the Kingdom taken off.

The Acts which relate to the second Article are,

Pope Innocent's *Letter to King* John. 139.

1. *INNOCENT* the Third's Brief to King *John*, when he sent him the 4 Rings; inserted in the Year 1205.

Truce with Philip. 141.

2. A Treaty of Truce for 2 Years betwixt *Philip* and *John*; dated *Octob.* 26. 1206. at *Thoars*.

Other Letters from the Pope to the King. 142, 143.

3. ANOTHER Letter from *Innocent* III. to *John*; dated at *Viterbo*, the 3d of the Nones of *September* 1207.

JOHN.

"HE exhorts him to do Justice to the "Queen *Berengaria*, his Sister-in-Law.

4. ANOTHER from the Pope to the King, relating to the Election of *Stephen Langton*, dated at *St. John Lateran*, in the 10th Year of the Pontificate, *A. D.* 1207 *.

5. ANOTHER from the Pope to the *English* Nobility on the same Subject; dated *Anno* 1208. at St. *Peter's* at *Rome*. It has these Clauses. *To the* English *Nobility.* 147.

Vos igitur quorum fidem atque prudentiam, Regis & Regni necessitates debent efficaciter experiri, sic in articulo mali hujus, intentioni præfati Regis occurratis fideliter & prudenter, ut non patiamini Vos & Regnum ejus in illam perturbationem induci, quâ (quod absit) de facili nequeat expediri.

Nos enim qui pro justitia causæ hujus, si forsitan expediret, certare usque ad mortem nullatenus vitaremus, à defensione libertatis Ecclesiasticæ manum Apostolicam retrahere non disponimus, quæ profecto abbreviata non est, imo per Dei gratiam, sic extenta quod in quem fuerit aggravata, spiritualiter & temporaliter, ingens pondus oppressionis inducere valebit in ipsum.

6. A Brief of *Innocent* III. to *John*, in favour of the Queen *Berengaria*; dated at the *Lateran* the 12th of the Calends of *Feb.* 1209. and the 11th of the Pontificate †. *To the King in favour of Queen* Berengaria. 152.

7. AN Engagement of the King of *Scotland* to pay *John* 15000 Marks, and to give him his two Daughters in Hostage; dated at *Northampton August* 7. 1209. *King of* Scotland's *Bond to K.* John. 155.

"*JOHN* being desirous to put him-"self into a Warlike Posture during his "Broil with the Pope, pick'd a Quarrel "with the King of *Scotland*, and rais'd "an Army to make War upon him; "which was the thing that produced this "Engagement on the part of the King of "*Scotland*."

8. *INNOCENT* IIId's menacing Brief to *John*, relating to his Excommunication; dated in 1213. *Pope's menacing Letter to* John. 165.

9. THE Conditions of Accommodation propos'd by the Pope; dated in the Calends of *March* 1213. the 15th of the Pontificate, at the *Lateran*. *His Proposal to him of the Terms of Accommodation,* 166.

I. THAT *John* shall bind himself by Oath to obey the Pope in all the Articles for which he stands excommunicated.

II. THAT he shall receive to favour Archbishop *Langton*, and all the other Exiles.

III. IF he forfeit his Word, he shall lose the Custody of the vacant Churches,

* He complains against the King for his Disobedience.

† This was the Queen *Dowager* of *England*, and the Pope wrote this, which was a menacing Letter to oblige him to restore her Estate. There are many other Pieces on this Subject among the Acts of this Reign and Volume. See p. 142, 194, 208, 210, 213.

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and the Right of Patronage to all the Churches of *England*.

IV. HE ſhall ſend a Safe Conduct in form of Letters Patent to the Archbiſhop, and to all the other Exiles, before they return to *England*.

V. HE ſhall make entire Satisfaction for all Damage without Exception.

VI. HE ſhall pay 8000 *l. Sterling* immediately after the Arrival of the Perſon who ſhall come to abſolve him in the Name of the Pope; which Sum is to be divided betwixt him and ſeveral other Biſhops.

VII. HE ſhall reſtore all the Eſtate, Real and Perſonal, taken from the Biſhops, Clergy, and Churches.

VIII. HE ſhall revoke all the Outlawries granted, as well againſt the Laity, as againſt the Clergy.

Pope's Inſtructions to his Legates, 167.

10. THE Pope's Inſtructions to *Pandulph* and *Durand*; dated the ſame Year.

" THESE Inſtructions are agreeable to " the Terms of the foregoing Act: But " there being not a Word in them of the " Reſignation of the Crown, 'tis probable " that this Article was reſerv'd for ſecret " Inſtructions.

John's Agreement with the Earl of Holland, 168.

11. CONVENTIONS betwixt *John* and the Earl of *Holland*; dated at *London, March* 29. 1213.

" THE Earl declares himſelf the King's " Liege-man, and promiſes to ſupport " him.

John's Reconciliation to the Church, 170.

12. THE Form of the Peace betwixt *John* and the Church; dated *May* 13. 1213. at *Dover*.

" THIS is agreeable with the Terms " above-mention'd.

Paſs for the Exiles, 171.

13. A ſafe Conduct for the Cardinal, Archbiſhop, *&c.* dated at the Church of *Ewel, May* 24. 1213.

His Reſignation of the Crown, 176.

14. THE Act by which *John* reſign'd his Crown to the Pope; dated at St. *Paul's* Church *London, Oct.* 3. 1213.

" THIS is the ſecond Reſignation, the " firſt having been made at *Dover*.

Pope orders the Letters againſt John to be burnt, 180.

15. THE Pope's Order to his Legate the Cardinal *de Tuſculum*, to burn all the Letters obtain'd againſt King *John*; dated from the *Lateran* at *Rome* the 11th of the Calends of *November*, in the 16th of the Pontificate, *A. D.* 1213.

Truce with France, 191.

16. A Treaty of Truce betwixt *Philip* and *John*, at *Chinon*, in *September* 1214.

" IT was to continue 'till *Eaſter* 1215. " and from thence forward for 5 Years.

Letter to John from his Ambaſſador at Rome. 184.

17. LETTER from *William Mauclere*, Ambaſſador from *John* to the Pope; inſerted in 1214.

" HE acquaints him, that the Barons " complain to the Pope.

John's Bond to the Archbiſhop, 187.

18. *JOHN's* Engagement to pay 12000 Marks every Year to the Archbiſhop 'till the Reſtitution is compleated; dated at *Angers June* 17. 1214.

His Order for extirpating Hereticks. 195.

19. ORDER from the King to the Seneſchal of *Guyenne*, to extirpate certain Hereticks; dated *Nov.* 20. 1214. at *London*.

ARTICLE III.

John's *Quarrel with his Barons.*

Reaſons of the Barons Diſcontent with King John.

WHEN the Barons of *England* conſented to the Advancement of *John* to the Throne, in oppoſition to the Pretenſions of the Duke of *Bretagne*, it was owing only to the Aſſurances that had been given them on his part, that he would reſtore them to their Privileges, for which the Kings his Predeceſſors ſince the Conqueſt had ſhewn little Regard. But when he was ſeated on the Throne, he did not diſcover the leaſt Care to keep his Promiſes. This bred Suſpicions in the Breaſts of the great Men, which became as it were certain, when he was ſeen, upon ſeveral Occaſions, to exerciſe an Arbitrary Power, from which all the great Men paſſionately deſired to be deliver'd. On the other hand, his Conduct did not contribute to procure him the Love and Eſteem of his Subjects. The Diſſolution of his Marriage with *Aviſa* of *Gloucester*, the Indolence with which he ſuffer'd the Provinces of *France* to be taken from him, the Murder of his Nephew the Duke of *Bretagne*, the Reſignation of his Crown twice to the Pope, and the Servitude to which he had ſubmitted it; finally, the Arrogance with which he treated the Nobility, as well as the reſt of his Subjects, had render'd him odious and contemptible both to the Nobles and Commons. The Barons thought this a favourable Juncture to be reſtor'd to their Privileges, and reſolved to improve it. 'Tis highly probable that Cardinal *Langton*, before he ſet out from *Rome*, was enter'd into the Conſpiracy, if he was not himſelf the Author of it. Otherwiſe, 'tis hardly to be imagin'd, that before he gave the Abſolution to the King, he ſhould try to make him take the Oath I mention'd above, in which there were ſeveral Things that had no relation to his Quarrel with the Pope. 'Tis not at all likely that he receiv'd any ſuch Order from the Pontiff, who being become Sovereign Lord of *England*, could not reap any Advantage from enlarging the Privileges of the *Engliſh*. Be this as it will, the Deſign of the Barons broke out immediately after *John* receiv'd the Abſolution. They had already refuſed to accompany him to *France*, on pretence that he was excommunicated; and when that Pretence was taken away by his Abſolution, they had another ready, which was, that by their long ſtay at *Portſmouth* they had ſpent the Money

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Money which they had design'd for the Campaign. The King being disgusted at this Denial, was resolv'd to punish them; but *Langton* publickly oppos'd it, and threaten'd to excommunicate all that should take up Arms before the Interdict was removed. This Menace obliged *John* to desist from his Undertaking.

John resolves to punish the Barons, for which Langton threatens him.

The King desists.

LANGTON having not long after recover'd an authentick Copy of the Charter which *Henry* I. had formerly granted to his Subjects, assembled the chief Barons; and having shewn it to them, strenuously exhorted them to lay hold of it, and to take Advantage of the King's Folly for the Re-establishment of their ancient Privileges. The Barons were pleas'd to see this Charter, which confirm'd the Liberties the *English* had enjoy'd under the Dominion of the *Saxon* Kings, and made a Confederacy in order to obtain a Confirmation of it, and for their mutual Defence. *John* being inform'd of it, and dreading the Consequences, implor'd the Pope's Protection, and took the Cross as if he had a design to go and fight the Infidels. It was upon this occasion that the Pope sent a Legate into *England*, who oblig'd the King to resign his Crown to the Pope a second time, but did nothing in his favour except taking off the Interdict, under which the Kingdom had groan'd for many Years. But *John* thought this was enough to let the Barons see that the Pope's Favour would not fail him in case of need. Consequently, thinking he had sufficiently provided for his own Safety, he went to *Rochel* with a numerous Army, and recover'd *Poicton* with great ease, because the King of *France* was employ'd elsewhere. From thence he march'd into *Anjou*; but Prince *Lewis*, Son to *Philip*, stopp'd him in his Career, so that *John* was afraid to give him Battle, because he found himself abandon'd by the Inhabitants of *Poicton*. After this, the News of the Victory at *Bovines*, which *Philip* had just gain'd over the Emperor and the Earl of *Flanders*, convincing *John* that he should soon have this Enemy upon his Back, he desir'd a Truce, which was granted him for five Years.

Langton gives the Barons a sight of the Charter of Henry I.

Barons League against the King.

John sues to the Pope for Protection.

Carries the War into France, *and subdues* Poicton.

Prince Lewis *stops his Progress.*

Philip's Victory at Bovines.

John obtains a Truce.

THIS Truce only procur'd *John* a little Respit, in order to cast him into greater Troubles. He had domestick Enemies about him, who were as much to be fear'd as the King of *France*. The Barons, as I have said, were resolv'd to improve the favourable Conjuncture arising from the universal Contempt of the People for the King, and from the Situation he stood in with regard to the Powers abroad. They knew well that *John* would not find many Friends in *England*, and that he could hope for no Assistance either from *France* or *Scotland*, much less from the Emperor his Nephew, and from the Earl of *Flanders*, who were quite ruin'd by the Loss of the Battle of *Bovines*. In pursuance of this Design they assembled at *St. Edmondsbury*, and after having renew'd their Association, went in a Body to the King, and presented him a very respectful Petition, whereby they desir'd the Confirmation of the Charter granted by *Henry*, and the Re-establishment of the *Saxon* Laws. The King, who only sought to amuse them, desir'd time to consider of it, and promis'd to answer their Petition at the ensuing Feast of *Easter*. During this, the Barons made ready to compel the King, if it was necessary, to grant them their Demands; and the King wrote to the Pope to desire his Protection against the Barons. As this is an Affair of vast Importance, and what was attended with great Consequences, the Reader will not be sorry to see here in a few Words, wherein consisted the Rights of the Barons, and the Reasons which the King had for rejecting their Demand.

JOHN.

The Barons Association for the Restoration of their Liberties.

Examination of the Pretensions of the King, and of the Barons.

'TIS very certain, whatever some Historians may say of it, that *William* the Conqueror oppress'd the *English* very much; whether it was from political Reasons, or to punish them for the frequent Rebellions which they were guilty of in his Reign, this is not a Place to examine: But it cannot be deny'd that he depriv'd the *English* Noblemen of the Fiefs which they held of the Crown, in order to give them to the Natives of *Normandy*, *Bretagne*, and others who had serv'd him in his Conquest. This Violence was strain'd to such a Point, that at last there was scarce an *English* Nobleman that possess'd a Fief, was it ever so inconsiderable. The *Saxon* Laws reduc'd into a Body by *Edward* the Confessor, were not mention'd at that time without Ridicule. If *William* the Conqueror did not expressly repeal them, at least no regard was had to them in his Trials. At that time the new Possessors of the Fiefs did not think it a Grievance that the King made use of a despotick Power, because it was in their favour. But when at last they saw themselves in quiet possession of the Estates which had belong'd to the *English*, they began to think that the same Royal Authority which had granted them those Estates, had also a Right to take them away. Then it was that they wish'd to be incorporated with the *English*, and to enjoy the same Privileges which the *English* had enjoy'd under the *Saxon* Kings. Opportunities naturally presented for their improving this Claim; for the three first Kings who succeeded *William* the Conqueror, having no Right to the Crown, were oblig'd to promise whatever the Barons had a mind to require of them, before they could ascend the Throne. This Promise was ill observ'd by *William Rufus*. *Henry* I. who had so much reason to dread the Attacks

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tacks of his elder Brother *Robert*, liſted the Barons in his Intereſt, by granting them a very advantagious Charter; but when he found he was well eſtabliſh'd, he diſpens'd with himſelf from obſerving it. *Stephen* behav'd after the ſame manner; and the War which he was engag'd in againſt *Maud*, proceeded only from the Diſcontent of the Barons, who complain'd that he did not perform his Promiſes. Mean time theſe Engagements of thoſe Kings, tho' ill obſerv'd, did nevertheleſs give the Barons a Right, which otherwiſe they could not have legally claimed. For it was in the Breaſt of the Conqueror whether he would give them the Lands he had taken from the *Engliſh*, without thereto annexing the Privileges which the old Poſſeſſors enjoy'd, and which the new ones had no right to demand of him, or his Succeſſors. All the Right of the Barons was therefore only founded upon the repeated Promiſes, and upon the Charters of ſome of the Kings who were the Conqueror's Succeſſors. But as thoſe Charters, and thoſe Promiſes were never duly obſerv'd, *John* did not intend to be any more bound than his Predeceſſors. From the non-performance of their Promiſes, he deriv'd an Argument which he thought very plauſible for refuſing them Privileges they had never enjoy'd, tho' they had offer'd to extort them from the preceding Kings. That was the true Foundation of *John*'s Quarrel with the Barons, of which I ſhall now briefly proſecute the Narrative.

King John cauſes the Barons to renew their Fealty and Homage They preſs the King for his Anſwer to their Petition.

BEFORE the Expiration of the Term fix'd by the King for returning his Anſwer, he caus'd all the Barons to renew their Homage, and Oath of Allegiance. But this did not hinder their repairing to *Stamford*, to the number of about 1000 Knights well arm'd and mounted, beſides Eſquires and Domeſticks. *John* who ſtay'd for them at *Oxford* to give them an Anſwer from his own Mouth, not thinking it fit to ſtand to their Mercy, ſent *William Marſhal* Earl of *Pembroke* to demand of them what were thoſe Laws and Liberties which they talk'd of in their Petition. They anſwer'd this Queſtion by a long Memorial, in which they inſerted all the Articles contain'd in the Charter of *Henry* I. and ſent Word to the King that that was what they deſir'd, and that if they could not obtain it by fair means, they were reſolv'd to make uſe of Force. *John* having read this Memorial, haughtily rejected it, ſaying that he would not make himſelf the Slave of his Subjects. Hereupon the Barons rais'd Troops, choſe a General, and commenc'd Hoſtilities.

He rejects it.

They chuſe a General, and begin Hoſtilities.

During this, the King retir'd to the *Tower* of *London*, from whence he did not dare to ſtir, becauſe he had not had time to aſſemble his Troops, and becauſe moreover he had few Friends in the Kingdom. But not long after, the Barons being introduc'd into *London* by the Citizens, beſieg'd the King in the *Tower*, and caus'd it to be publiſh'd throughout the Realm, that they would not ſuffer a Neutrality, and that ſuch as did not join with them ſhould be treated as Enemies. As they were in a capacity to execute their Menaces, and as the King was beſieg'd in the *Tower*, their Party grew ſo ſtrong, that the King finding himſelf abandon'd by every body, ſubmitted at laſt to all the Conditions they were pleas'd to require of him. For this purpoſe he went with all the Barons to a Place call'd *Runnemede*, between *Staines* and *Windſor*, where he ſign'd two Charters drawn up by the Barons, who had therein inſerted what they had a mind to. The firſt of theſe Charters was call'd the Charter of Liberties, or the Great Charter, and the other the Charter of the Foreſts. The former has been ſince that time regarded as the Baſis of the Liberties of *Engliſhmen*, and from which they have never departed, whatſoever Efforts *John* and ſome of his Succeſſors have made uſe of to free themſelves from this Yoke.

They beſiege the King in the Tower of London.

He ſubmits.

And ſigns Magna Charta *and the Charter of Foreſts.*

JOHN had no ſooner ſign'd theſe two Charters, than he ſought for Means to revoke them. But finding almoſt the whole Kingdom ſet againſt him, he ſent Perſons into foreign Countries, there to raiſe Troops, with a Power to engage in his Name, that he would give to thoſe who would come and ſerve him, the forfeited Eſtates of the rebellious Barons: At the ſame time he wrote to the Pope to beg his Aſſiſtance and Protection. While he waited the Iſſue of theſe Precautions, he retir'd to the *Iſle of Wight* with a very ſmall Retinue, leſt if he took too much Company with him, his Secret ſhould be found out. Not long after, *Innocent* III. ſent a thundring Brief to the Barons, in which he commanded them to give up the Charters they had extorted from the King, if they would not draw down upon their Heads the Indignation of the Holy See *. But the Barons, without regarding this Order, ſtill went on as they had begun, and put themſelves in poſſeſſion of *Rocheſter*, which was deliver'd up to them by Cardinal *Langton*. It was in this Place that *John* had erected a great Magazine of Ammunition and Proviſion for his Service in caſe of need. Mean time the Pope, being

He repents the ſigning of thoſe Charters, and ſollicites Levies of Troops abroad.

Demands the Pope's Aſſiſtance.

Retires to the Iſle of Wight.

Pope threatens the Barons.

They deſpiſe him, and ſeize Rocheſter.

* THE Pope did not care how much the King tyranniz'd over his Subjects, provided he was but ſubmiſſive to the Church, which had conſequently the greateſt ſhare in that Arbitrary Power which the King pretended to claim.

HERE therefore we have, 1. A Letter of the ſame Year 1215, wherein the Pope entirely diſapproves of the Agreement which had been made between the King and the Barons.

to the laſt degree provok'd at the Diſobedience of the Barons, repeal'd the two Charters by his ſingle Authority, and loos'd the King from the Oath he had taken to obſerve them. At the ſame time, the King being inform'd that the Agents, whom he had ſent into Foreign Countries, had ſucceeded perfectly well, repair'd to *Dover*, there to wait for the Troops which were brought to him in great numbers. As ſoon as they were arriv'd, he put himſelf at the Head of them; and after having retaken *Rocheſter*, he ravag'd the Lands of his Enemies without Mercy. Not long after this, the Pope fulminated againſt the Barons a Bull of Excommunication, which was publiſh'd by *Pandulph*, and the Biſhop of *Norwich*, upon the refuſal of *Langton*, who had receiv'd an Order to publiſh it, but excus'd himſelf from obeying it, on pretence that the Pope was ſurpriz'd into it. But the Barons did not value this Excommunication, becauſe none of them in particular was nam'd in the Bull. This was the Reaſon that the Pope ſent a ſecond, wherein all, and every one in particular were excommunicated by Name, and moreover their Lands, and the City of *London*, were put under an Interdict. But this was not more effectual than the former. The Barons hinder'd it from being publiſh'd in *London*, maintaining that the Pope exceeded his Power, by meddling with Affairs which did not concern him.

Pope annuls the Charters, and abſolves the King from his Oath.

Foreign Troops come over to John *in great numbers, with which the King retakes* Rochester, *and ravages the Kingdom.*

Pope's Excommunication of the Barons.

His Interdict of the City of London, *hinder'd from being publiſh'd there.*

MEAN time, the King ſtill continuing to ravage the whole Kingdom with his Army of Foreigners, the Barons at length choſe the deſperate Expedient to call to their aſſiſtance Prince *Lewis*, Son to *Philip Auguſtus*, by promiſing to own him for their King; and this Prince, by the Conſent of the King his Father, accepted of the Invitation. Immediately after this, great Preparations were made in *France*, notwithſtanding the Pope's Menaces, to which *Philip* had no regard; and *Lewis* went over to *England* with a good Body of *French* Troops. Then the Barons Affairs began to look with a new Face. *Lewis* beſieg'd and took *Rocheſter*; and tho' the Abbot of St. *Auguſtin* by the Pope's Order had ſolemnly declar'd him excommunicate, the Barons own'd him as King of *England*, and took the Oath of Allegiance to him. The King of *Scotland* alſo went to pay him Homage for the Lands which he held of the Crown of *England*. Finally, *Lewis* brought all the Southern Counties under his Subjection in a little time; and *Dover*, of which *Hubert de Burgh* was Governour, was the only Place that he beſieg'd in vain.

John continues his Ravages, and the Barons offer the Crown to Prince Lewis *of* France.

Philip *promiſes to aſſiſt them.*

His Preparations for it notwithſtanding the Pope's Menaces.

Rochester *taken.*

THO' *John* had a conſiderable Army, yet as it was compos'd for the moſt part of *French* Officers and Soldiers, he was afraid to truſt to his Troops, or to offer the Enemy Battle. On the contrary, he endeavour'd to avoid it by marching into the Eaſtern Counties, where he committed great Ravages. But hearing that *Lewis* and the Barons were preparing to follow him, he reſolv'd to retire into *Lincolnſhire*. He narrowly miſs'd periſhing with his whole Army as he paſs'd over a large Moraſs, by ſtaying ſo long 'till the Tide overtook him. But he could not ſave his Baggage, his Money, nor his Crown, which he caus'd to be carry'd with him. His Grief for this Loſs threw him into a violent Fever, which in a few Days carry'd him to his Tomb, after he had made a Will, whereby he appointed his eldeſt Son *Henry*, who was twelve Years of Age, to be his Heir. He had alſo a ſecond Son nam'd *Richard*, who was Earl of *Cornwal*.

His victorious Progreſs.

John's *Ravages.*

He loſes all his Baggage, in which was his Treaſure and Crown.

His Sickneſs and Death.

Lewis *is excommunicated, but receives the Allegiance of the* English, *and the Homage of the King of* Scotland.

The Acts which relate to the third Article, are,

1. A Brief from *Innocent* III. to Cardinal *Langton*, for accommodating the Diſpute betwixt King *John* and the Barons; dated at *Rome* the 14th of the Calends of *April* 1215.

Pope's Letters about the Barons Confederacy againſt King John. 196, 197.

2. ANOTHER from the ſame Pope to the Barons, of the ſame Date.

3. A Letter from *John* to the Pope; dated at *Odiam*, *May* 29. 1215.

From John *to the Pope.* 200.

" HE ſays, that the Revolt of the Ba-
" rons hinder'd him from performing his
" Vow with relation to the Voyage to the
" *Holy Land*.

4. AN Agreement betwixt the King and Barons, inſerted *Anno* 1215.

Agreement between the King and Barons. 201.

'TIS ſaid that the Barons ſhall keep the City of *London*, and that the Archbiſhop ſhall keep the *Tower* *.

5. A Letter from the King to the Pope without a Date: It has this Clauſe,

King's Letter to the Pope. 202.

Pro certo habentes, quod poſt Deum, perſonam veſtram & auctoritatem Apoſtolicæ Sedis habemus unicum & ſingulare

* By this Act the King gives a Leaſe of the City of *London* to the Earls and Barons of his Kingdom, 'till the Day of the Aſſumption of the Virgin *Mary*, in the 17th Year of his Reign. He alſo reſigns the Tower of *London* to the Archbiſhop of *Canterbury*, to keep it 'till the Term aforeſaid; and neither the City nor Tower was oblig'd to receive any of the King's Forces. Mean time the whole Kingdom was to take an Oath to the Barons, to be obedient and aſſiſting to the 25 Barons choſe out of their Body, on purpoſe to take care of the Obſervation of the Peace and Privileges granted them by the King, and confirm'd by his Charter. And all that the King and the Barons thought fit, was to be reſtor'd. If Reſtitution was made in this Term, or if the King did not oppoſe it, the City and Tower were to be deliver'd up to him without delay. But if it was not perform'd in the time prefix'd, the Barons were to keep the City, and the Archbiſhop the Tower of *London*, 'till it was done; and in the mean time every one was to recover the Caſtles and Lands which he held before the War betwixt the King and the Barons.

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præsidium, ac sub vestri confidentia patrocinii respiramus.

Bull dissolving the King's agreement with the Barons. 205.

6. A Bull which dissolves the Agreement made betwixt the King and the Barons; dated at *Anagni* the 8th of the Calends of *Sept.* 1215.

"HE exhorts them to depart from the "Agreement they have made with the "King.

King's Letter to the Pope. 207.

7. THE King's Letter to the Pope, dated *Sept.* 13. 1215. at *Dover*.

"HE tells him, that the Barons are re- "volted, because he has resign'd his Crown "to him*.

JOHN.

Barons excommunicated. 208. 211.

8. A Bull containing a general Excommunication of the Barons; it has no Date.

9. ANOTHER containing a particular Excommunication; dated at *Rome* the 17th of the Calends of *January* 1216 †.

The REIGN of *HENRY* III.

ANNO 1216.

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IN order to give a tolerable Idea of this Reign, which lasted 56 Years, I find my self oblig'd to divide it into two Parts; the first of which shall contain what pass'd in *England* from the Death of King *John* to the Year 1254. This first Part shall be divided into five Articles, *viz.* 1. The Domestick Affairs. 2. *Henry* IIId's Affairs with *France*. 3. The Affairs with *Scotland*. 4. His Affairs with the *Welsh*. 5. The Behaviour of the Popes towards *England*.

THE second Part shall contain what passed from the Year 1254, to the Death of *Henry* III. which happen'd in 1272, and shall be divided into three Articles, *viz.* 1. What relates to the Grant of *Sicily* made by the Pope to *Henry*, for *Edmund* his second Son. 2. The War of the Barons. 3. The Remainder of this Reign, from the end of the Civil War to the Death of the King.

PART I.

ARTICLE I.

Of Domestick Affairs.

UNDER this Article we find a great Crowd of Facts, which, tho' of little importance in themselves, and independent on one another, serve however to discover the Temper and Character of *Henry* III. and his Ministers, and to give an Idea of the Government of this Prince, which at last produced a Civil War. Among these Facts, I shall single out some of the most considerable, and especially those relating to the Efforts made by the King and the Barons severally, to annul or to maintain the Charters granted by King *John*. Throughout the whole History of this Reign, we see a King of very mean Merit, who was inconstant, capricious, and imprudent; Ministers who were insolent and haughty, kept no Measures with the Subjects, and shew'd no Regard to the Welfare of the Kingdom; and on the other hand, a Class of stubborn Lords, who would not suffer themselves to be stripp'd of what they had gain'd in the preceding Reign, nor let go the Opportunity which a weak King, who was not of a martial Temper, offer'd them to maintain themselves in their Privileges. Finally, we see the Popes exercising a barefaced Tyranny over the Clergy of *England*, and treating that Kingdom as a conquer'd Country. To this may be referr'd almost all the Events of the Reign of *Henry* III. of which I shall only run over some of the chief, for fear of making this Extract too long.

HENRY III.

General Character of his Reign.

Anno 1216. As soon as *John*'s Eyes were clos'd, the Earl of *Pembroke* who had always been attach'd to the Service of that Prince, assembled the few Lords who adher'd to his Party, and with their Approbation, caus'd *Henry*, *John*'s eldest Son, who was but in the 12th Year of his Age, to be crown'd; and by the same Lords he himself was declared Regent. The Coronation of the new King being notify'd to the whole Kingdom, several Barons fell off from *Lewis*'s Interest, their Aversion to *John* being extinct with his Death. Besides, they were not pleas'd with a Foreign Prince, who mistrusting the Fidelity of the *English*, committed the

His Coronation.

Earl of Pembroke *declared Regent.*

Defection of the Barons from Lewis.

* To be more particular; the King complain'd that the Barons were not so submissive to him since he was become the Pope's Feudatory, and that they blam'd him for it in an especial Manner; wherefore he intreats the Pope to take care of a Kingdom which was his.

† The Reason given for all this Thunder was, because they disturbed a Kingdom that belonged to the Church of *Rome*.

IN this manner did the Court of *Rome* favour the Tyranny of a very wicked King, when the Laity only were to be the Sufferers by it; but she oppos'd some Attempts which he had made, as she pretended, against the Rights of the Church, with that Violence, as to excommunicate him. If we compare these Acts with *Polydore Virgil*, and other Writers of the History of *England*, it will evidently appear, That the same may be of great Service to correct and supply many Errors and Defects, which 'tis not so material to mention here.

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Custody of Places to none but *Frenchmen*. This Discontent, the Death of *John*, the tender Age of *Henry*, who was not guilty of the Faults of the King his Father, the Abilities of the Earl of *Pembroke* who knew how to make a good use of those Dispositions, the Favour and Protection of the Pope, which was at that time a very considerable Support, fram'd a Party for the young King, which put him in a Capacity to resist his Enemy.

Lewis begs and obtains a Peace.

Anno 1217. As the Detail of this War would be very needless in this place, I shall only say in one word, that *Lewis* was at length reduc'd to the Extremity of desiring Peace, that he might return to *France* with Safety. This Peace was very soon concluded. *Lewis* who was block'd up in *London*, only study'd by what means to free himself from the Danger to which he was render'd liable by the Revolt of the *English*, who were visibly inclin'd to favour the new King. The Regent on his part desir'd nothing so much as to see the Kingdom clear'd of the *French*, and almost all the Barons were of the same mind; and tho' they still reserv'd a seeming Attachment to Prince *Lewis's* Party, it was only in hopes of finding their Security in a general Treaty. For *Lewis* protested that he would not sign a Treaty, which did not secure his Friends against all manner of Prosecution. The Regent did not think fit to refuse this Condition, because his View was to restore Tranquillity to the Kingdom, and to cause his young Pupil to be recogniz'd in all places. Yet 'tis pretended, and perhaps not without some Foundation, that *Lewis*, in order to obtain this Point, with the Liberty of returning home, made a Promise, that when he was upon the Throne of *France*, he would restore the Provinces which *Philip* his Father had taken from King *John*. Indeed the Treaty I have been speaking of, made no mention of such Engagement: but the Historians of both Nations have asserted it very positively, and we discover some Traces of it in the Scruples which were afterwards made upon this Head by St. *Lewis*, that Prince's Son.

It block'd up in London.

The View of the Barons in his Party.

LEWIS being withdrawn, *Henry* made his Entry into *London*, and swore to observe the two Charters of the King his Father. Thus the whole Kingdom was reconcil'd to the Obedience of young *Henry*, and Peace was entirely restor'd.

Henry's *Entry into* London *upon the withdrawing of* Lewis.

Anno 1218. THERE were indeed some turbulent Spirits who still endeavour'd to excite Disturbances, but they were reduc'd to their Duty. As the Efforts which *John* had made to deliver himself from the Yoke of the two Charters, had been the sole Cause of the preceding War, the Earl of *Pembroke* took care to let the Barons know that it was his Intention to have them punctually observ'd, by giving several Orders diverse times upon that Head.

Earl of Pembroke's *regard to King* John's *two Charters.*

HENRY III.

Anno 1219. BUT this great Man, who had the welfare of his King and Country so much at Heart, dying not long after, the Bishop of *Winchester*, a Native of *Poicton*, who was made Regent in his place, and *Hubert de Burgh*, who had the Post of Chief Justice, happen'd to be of a very different Character; and were the cause of all the Misfortunes with which *England* was oppress'd in this Reign. These two Men, who govern'd the Kingdom during the Minority, inspired the young King with Principles directly contrary to the Liberties establish'd by the two Charters; and during their Administration, they continually infring'd them. *Henry* being come to Age, and having imbib'd the same Principles, try'd all possible Efforts to free himself from the Yoke of those Charters; and the Barons continually sought ways and means to maintain them. This is the principal Subject of the Domestick Affairs of this Reign, of which I shall now run over the most considerable Events, according to the Order of Years in which they happen'd.

His Death.

The contrary Principles of the Bishop of Winchester *his Successor.*

Henry *aims to set aside the Charters, and the Barons to maintain them.*

Anno 1220. *HENRY* was crown'd a second time with more solemnity than he was before. Next Year a Nobleman nam'd *William* of *Albemarle* rebell'd, and gave the Regent some Disturbance.

He is crown'd a second time.

Earl of Albemarle's *Revolt.*

A Quarrel which happen'd in 1222, betwixt the Inhabitants of *Westminster*, and the Citizens of *London*, upon a trifling Account, occasion'd a violent Tumult in *London*. A Citizen thereof, whose Name was *Constantine*, march'd at the Head of the Populace to *Westminster*, crying out as they pass'd, *Montjoye St. Denis*, which was the Military Shout of the *French*; and reveng'd an Affront which the Citizens of *London* pretended to have receiv'd from the Neighbours. The Tumult being over, *Hubert de Burgh* the Chief Justice, went to the *Tower*, of which he was Governour; and by good Cunning wheedled the principal Rioters thither, of which number was *Constantine*, whom he detain'd and hang'd upon the Spot. Next Day he caus'd others of the most noted Rioters to be taken out of their Houses, and had their Feet and Hands cut off.

Quarrel betwixt London *and* Westminster.

The Rioters punish'd arbitrarily.

Anno 1223. THO' the Punishment of the guilty Persons was just, yet as it was inflicted by Arbitrary Power, the Parliament which assembled soon after, was very much dissatisfy'd with it, and demanded of the King that he would take care to have *Magna Charta* strictly observ'd, as he

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was bound by Oath. When this Addreſs was preſented to the King, the Biſhop of *Wincheſter* anſwered, that the ſaid Charter having been extorted from the late King, there was no Juſtice in ſuch Demand. But the Archbiſhop of *Canterbury* reply'd very ſharply, and reproach'd him, that he only wanted to plunge the Kingdom into freſh Troubles. The King, who was then in his 16th Year, took the Archbiſhop's part, and ſaid, without conſulting the Regent, that he agreed to the Parliament's Demand; and in purſuance thereof, he ſent Orders over all the Kingdom to have the two Charters executed.

Parliament complain of it by Addreſs. Diſpute about it, betwixt the Archbiſhop of Canterbury *and the Biſhop of* Wincheſter.

King's Order for the Obſervation of the Charters.

THIS was a Mortification to the Regent, but it was not long before he met with a worſe. *Hubert de Burgh* who engroſs'd all the King's Favour, finding himſelf incommoded by the Regent's Authority, got the Pope to declare the King to be of Age, tho' he was not yet attain'd to the Year preſcrib'd by the Laws. The Lords indeed ſtrenuouſly oppos'd it; but *Hubert*, who had engag'd the King in his Deſign, brought it about by mere Artifice. As it was to no purpoſe to have had the King declar'd to have been of Age, becauſe the great Men would not agree to it, and becauſe it was a matter of too great difficulty to extort their Conſent, while the ſtrong Places were in their Hands, he got the King to demand of him thoſe that were in his keeping; and accordingly he deliver'd up *Dover* and the *Tower* of *London* to him. Some of the Barons follow'd his Example; and when once the King was in poſſeſſion of their Places, he reſtor'd thoſe he had receiv'd from *Hubert*. The Nobility were very much diſpleas'd at being thus over-reach'd. Many of thoſe who had Offices, reſign'd their Commiſſions to the King; and they who had not deliver'd up their Places, reſolv'd to keep them, notwithſtanding the Excommunication with which *Hubert* threaten'd the them. In general, the Step which King had now taken, gave the Lords a bad Opinion of him, and all the People a mortal enmity to *Hubert*.

Hubert de Burgh's *Stratagem to deprive the Regent of his Authority.*

The King and Hubert *hated for it.*

Anno 1224. THE King of *France* having made himſelf Maſter of *Rochel*, *Henry* demanded a Subſidy of the Parliament, to enable him to recover it. The Parliament granted it, with this Condition however, that the two Charters ſhould be ſtrictly obſerv'd, to which the King agreed; and even ſent Orders for that purpoſe throughout the Kingdom; by which, it appear'd that there had been ſome remiſsneſs in the Execution of thoſe Charters.

Parliament grants a Supply for the recovery of Rochel.

King declared of Age. His falſe Step at firſt ſetting out.

Anno 1226. THE Parliament having declar'd the King of Age, he began his Majority by a Step which diſpleas'd every body. For, in order to raiſe Money, he oblig'd all that had Offices or Patents, to get them renew'd, and impos'd a Tax upon every one of them.

HENRY III.

Anno 1227. THE Biſhop of *Wincheſter* being no longer neceſſary to the King, *Hubert* order'd it ſo that he was ſent to his See, and thereby he enjoy'd the King's Favour ſolely. As ſoon as this Miniſter ſaw himſelf without a Rival, he put it into the King's head, that it was unworthy of a Prince to live a Slave to Charters which had been extorted from the King his Father; and he found him a very apt Scholar to learn his Leſſons. Soon after this, the King demanded a Loan of 5000 *l. Sterling* of the Citizens of *London*, on pretence of their having lent the like Sum to Prince *Lewis* when he left *England*. The Town of *Northampton* was alſo compell'd to give him 1200 *l.* Nor were the very Monaſteries exempt, for they were forced to give the King whatever he thought fit to demand of them, and it was in vain for them to appeal to the Pope. Finally, *Henry* annull'd King *John*'s two Charters, on pretence that they had been extorted, and that he was not bound to ſtand to what he had ſeveral times promis'd upon Oath during his Minority. But not long after, the Lords enter'd into a Confederacy for the maintenance of the Charters; and *Richard* Earl of *Cornwall*, the King's Brother, who was at variance with him, put himſelf at the head of the League, which nevertheleſs came to nothing, becauſe by *Hubert*'s Counſel the King took care to make the Chief eaſy, by gratifying his private Views.

Biſhop of Wincheſter *ſent to his Dioceſe.*

Hubert *prejudices the King againſt the Charters, and adviſes him to become abſolute.*

The King demands 5000 l. *of the City of* London.

His Exaction upon Northampton *and the Monaſteries.*

He makes void the Charters.

Confederacy of the Barons to maintain them.

It proves abortive.

Anno 1228. *HENRY* having rais'd an Army to carry the War into *France*, when his Troops were juſt ready to embark, there were no Ships to tranſport them, by which means he was forced to put off his Expedition to the following Spring. He was in ſuch a Paſſion upon it, that he offer'd to kill *Hubert* with his own Hands, but *Hubert* found a way to pacify him.

Henry's *Wrath againſt* Hubert, *becauſe no Ships were ready to carry his Troops to* France.

WHILE he waited for a fit time to paſs over to *France*, he demanded Money of the City of *London*, and the Clergy, and compell'd the *Jews*, *Anno* 1229, to pay him a Tax of one third of their Eſtates. I ſhall ſay nothing here of his Expedition to *France*, becauſe I am to treat of it in another place.

His Demand upon London, *the Clergy, and the* Jews.

Anno 1231. PRINCE *Richard* married the Counteſs Dowager of *Glouceſter*, Siſter to the Earl of *Pembroke*. The ſaid Earl dying not long after, and having made the ſaid *Richard* his Heir, the King ſeiz'd his Inheritance, and refus'd to reſtore it to the Heir, on pretence of certain imaginary Crimes of which he accuſed him. But *Richard* retiring to *Ireland*, invaded the King's Lands there by way of Repriſal for the Eſtate which was kept from him in *England*. At laſt the King was forced to recall

Prince Richard's *Marriage.*

King ſeizes his Eſtate.

Richard *goes and makes Repriſals in* Ireland, *from whence he is recall'd and reſtor'd.*

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recall him, and to reſtore his Eſtate and Offices, after having manifeſted his Ingratitude to the Son of a Man who had done ſuch great Service both to himſelf, and the King his Father.

Parliament will not grant the King Money.

Anno 1232. NEXT Year the King demanded Money of the Parliament, which bluntly refuſed him, becauſe he had made a very ill Uſe of what had been granted him before. Moreover, all the Subjects were diſſatisfied, as well with the Repeal of the Charters, as with the Favour which the King openly ſhew'd to the Exactions of the Court of *Rome*, and his Connivance at the Intruſion of a very great number of Foreigners into Benefices.

Biſhop of Wincheſter *recall'd to Court.*

THE Enemies of *Hubert de Burgh* having made way for the Biſhop of *Wincheſter*'s Recall to Court, the ſaid Prelate was no ſooner there, but he made uſe of all his Power to ruin *Hubert*, and at length he ſucceeded. The Particulars of the King's Conduct throughout this whole Affair, his Inconſtancy, his Acts of Injuſtice and Violence towards this diſgraced Favourite, would be of great uſe to diſcover his Temper and Character. But my Fear of being too prolix, makes me paſs over all thoſe things, to ſay in one word, that *Hubert de Burgh* was not only diſgraced and turn'd out of all his Offices, and the greateſt part of his Eſtate, but actually oppreſs'd, perſecuted and impriſon'd, and that it was with very great difficulty that he eſcap'd with his Life.

Hubert's Ruin.

Anno 1233. THE People of *England* got nothing by the Change of the Miniſter. The Biſhop of *Wincheſter*, who ſucceeded him, and was as fond as he for eſtabliſhing a deſpotick Government, endeavour'd immediately to reduce the too great Power of the Nobility; for it appears that of them and the Clergy the Parliament did then conſiſt. At leaſt I have never ſeen any Proof ſtrong enough to convince me that the Commons ſent any Members thither at that time. Be this as it will, the new Miniſter perſuaded the King that the *Engliſh* Barons were not very well affected to him, that they aim'd to keep him in a ſort of Dependency, under colour of their pretended Liberties, by not granting him Money 'till ſuch time as they thought fit; that in order to reſtrain their Inſolence, it was abſolutely neceſſary to remove them by degrees from thoſe Offices and Governments which ſerv'd to feed their Pride; and that this might eaſily be done by giving the Lucrative Offices, and the Cuſtody of the ſtrong Places to Foreigners, who might grow rich and powerful enough in time to check the *Engliſh* Barons. *Henry* approving of this Advice, a ſwarm of People came into *England* on a ſudden from *Poictou*, to whom the Biſhop of *Wincheſter*, their Countryman, gave the beſt Employments. The Barons murmur'd ſadly to ſee Foreigners ſo well provided for; and the Earl of *Pembroke* made a ſtrong and publick Remonſtrance to the King, of the Inconveniencies with which it might be attended: But the Biſhop of *Wincheſter* anſwer'd for the King, That if the Number of Foreigners already in *England* was not ſufficient to tame the Rebels, he would ſend for more. From that time the *Engliſh* Barons withdrew from Court, and began to form a Confederacy for maintaining themſelves in their Privileges.

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Earl of Pembroke *remonſtrates againſt it.*

Biſhop of Wincheſter *inflames the King againſt the Barons, and attempts to make him abſolute.*

Perſuades him to prefer Foreigners.

SOME time after this, the King having call'd a Parliament, the Barons refus'd to repair to it, tho' they were ſeveral times ſummon'd. At length hearing that another great Tribe of People was arriv'd from *Poictou*, they met together on ſome Pretence, and ſent word to the King, that if he did not remove the Biſhop of *Wincheſter* and the other Foreigners from his Perſon and Councils, they were reſolv'd to chuſe another King that ſhould be more obſervant of the Laws of the Realm. The Biſhop of *Wincheſter* finding he had ſo fair an Opportunity to exaſperate the King againſt the Barons, gave him to underſtand that it was high time to uſe Force to puniſh them; and the King actually began to proceed againſt ſome of them. Afterwards he call'd a Parliament, on a Suppoſition that the greateſt number of the Barons would not venture to go to the Houſe, and that this would give him a good handle to proſecute them: But, contrary to his Expectation, the Barons went to Parliament ſo well accompany'd, that they had nothing to fear, either from the King or his Miniſter. The Earl of *Pembroke*, who was at the Head of the Confederacy, was upon the Road to *London*; but hearing that the Miniſter was brewing ſome Miſchief againſt him, he turn'd back and retir'd to *Wales*, where he obtain'd the Protection of *Lleolyn* Prince of that Country, and made an Alliance with him. The Withdrawing of the Earl of *Pembroke* and ſome others, having furniſh'd the King with the Pretence which he wanted, he cauſed their Eſtates to be plunder'd, and gave the Spoil to the Inhabitants of *Poictou*. This he did with the more eaſe, becauſe a Difference ariſing among the Barons, they had not taken any Meaſures for their Defence. The King purſuing his Point, beſieg'd a Caſtle belonging to the Earl of *Pembroke*; and finding it too difficult to make himſelf Maſter of it, he made as if he was willing to refer the Quarrel he had with the abſent Barons, to the Deciſion of the Parliament, which was to meet in *October*. But he demanded, that for his Honour, the Place which he beſieg'd might be deliver'd up to him, promiſing to give it back again to the Earl in a Fortnight after. This being granted

The Barons threaten the King to chuſe another if he does not put away the Foreigners.

Earl of Pembroke *flies to* Wales, *and makes a League with the Prince.*

The King beſieges one of his Caſtles in vain.

Propoſes an Accommodation, and breaks it.

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granted him, he would not reſtore the Caſtle when once he had it in his Power, tho' ſeveral Biſhops were Sureties for him.

Parliament's Remonſtrance to him.

THE Parliament, which met in *October*, made a ſerious Remonſtrance to the King upon his Conduct in general, and more particularly for his repoſing all his Confidence in Foreigners, and aſſuming to himſelf the Power of declaring and treating Perſons as Traitors and Rebels who had not been legally condemn'd. The Biſhop of *Wincheſter*, who upon theſe Occaſions was always Spokeſman for the King, anſwer'd this Remonſtrance after a manner ſo harſh and haughty, that the Biſhops threatned to excommunicate him. Mean time the Earl of *Pembroke* having retaken his Caſtle, which the King had refus'd to reſtore to him, the King march'd with a Deſign to go and chaſtiſe him; but to his Misfortune the Earl ſurpriz'd him in the Night, put his Army to the rout, and forced him to return to *Glouceſter*. After that time, the Earl growing more and more formidable, the Biſhop of *Wincheſter* contriv'd to have his Eſtate in *Ireland* ravag'd, and to draw him by that means into that Iſland, where he cauſed him to be aſſaſſinated.

Biſhops threaten to excommunicate the Biſhop of Wincheſter *for his impudent Anſwer.*

Earl of Pembroke *ſurprizes and defeats the King's Army.*

Is drawn into Ireland *and murder'd.*

AT length the Archbiſhop of *Canterbury* having remonſtrated to the King what Dangers he expos'd himſelf to by following the violent Counſels of the Biſhop of *Wincheſter*, prevail'd ſo, that this hateful Miniſter was diſcarded, together with *Peter de Rivaux* his Son, who paſs'd for his Nephew, *Segrave*, *Paſſelew*, and the other Natives of *Poictou*, on whom the King had conferr'd the moſt important Offices of State.

Foreigners remov'd from their places.

Anno 1236. THEY were actually proſecuted at Law, to give an Account of their Management, but they found Means to obtain their Pardon.

Proſecuted and pardon'd.

THIS ſame Year, *Iſabel* the King's Siſter was ſent to the Emperor *Frederick* II. who had demanded her in Marriage; and the King marry'd *Eleanor* of *Provence*, after having attempted to match elſewhere for many Years to no purpoſe. The new Queen brought into *England Athelmar*, one of her Brothers, who had been elected Biſhop of *Valence*, and afterwards became a Favourite of the King. So that the *Engliſh* Barons were no great Gainers by the Expulſion of the *Poictovin* Miniſters. The Parliament made ſuch a ſmart Complaint to the King of his continuing ſtill to repoſe all his Confidence in Foreigners, that the King fearing ſome Inſult from that Quarter, would fain have remov'd to the *Tower*; but the Barons refuſing to go thither, the King was obliged to return to *Weſtminſter*, and to promiſe them ſome Satisfaction of their Grievances. Not long after, inſtead of keeping his Word with the Barons, he recall'd his old Miniſters from *Poictou*, except the Biſhop of *Wincheſter*, who was gone to *Rome*. He was alſo inclinable to revoke all the Grants which he had made during his Nonage, on pretence that the Pope had not confirm'd them: But the Parliament refus'd their Conſent to ſuch Revocation, and chiefly on account of the Bull which the King founded his Plea upon.

Marriages of the Emperor Frederick, *and of King* Henry.

Parliament complains againſt Foreigners.

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Old Miniſters recall'd from Poictou.

Parliament will not let him revoke his old Grants.

Anno 1237. THE King having a great occaſion for Money, and finding the Parliament not diſpos'd to give him any, promis'd upon his Honour to cauſe King *John*'s two Charters to be obſerv'd; and on this Condition his Demand was granted.

Obtains Money of Parliament on promiſe of a regard to King John's *Charters.*

AT that time, *Simon de Montfort* began to be in the King's Favour. He marry'd the Counteſs of *Pembroke*, Siſter to the King, and was made Earl of *Leiceſter*. He was Son to the famous *Simon de Montfort*, General of the Cruſado againſt the *Albigenſes*. Prince *Richard* complain'd ſharply to the King againſt this Marriage, not only by reaſon of the Inequality of their Conditions, but becauſe *Montfort* had had the boldneſs to debauch their Siſter, who was big with Child when he marry'd her, and becauſe the King, without ſhewing any Reſentment, had cauſed the Marriage to be ſolemniz'd in his Chapel. *Richard*'s Complaints oblig'd *Montfort* to go to *Rome*, there to get his Marriage confirm'd by the Pope. At his Return he was very well receiv'd by the King, who afterwards indeed was inclinable at one time to puniſh him for debauching his Siſter, but at laſt he reſtor'd him to his Favour and Confidence.

Simon de Montfort's *Origin and Marriage.*

The latter confirm'd by the Pope.

Anno 1238. FOREIGNERS ſtill encreaſing in Favour and Credit, Prince *Richard*, who was no leſs diſguſted than the Barons, put himſelf at the Head of 'em; and they all in a Body ſent to deſire the King, that he would pleaſe to remember what he had promis'd. The King choſe to amuſe them by a general Anſwer; but as 'twas not long e'er they all repair'd to *London* well accompany'd, the King was forced to comply, and to give his Conſent to a Regulation which was made for the Government of the Kingdom, tho' it was very ill obſerv'd.

The King's variable Diſpoſition towards him.

Barons enter into a League with Prince Richard, *and demand Redreſs of their Grievances.*

The King is forc'd to comply.

Anno 1239. *HENRY* had a Son born, to whom he gave the Name of *Edward*.

Prince Edward's *Birth.*

Anno 1240. IN the Year following, the King ſent Itinerant Juſtices into the Counties, on pretence of reforming certain Abuſes; but it was only to get a lump of Money by Fines and Forfeitures, which thoſe Judges inflicted for ſmall Faults, and by arbitrary Sentences. Prince *Richard*

Fines and Forfeitures illegally inflicted to raiſe Money for the King.

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HENRY III.

Richard ſet out this ſame Year to make a Voyage to the *Holy Land*.

Henry ſqueezes Money out of the Jews to entertain the Earl of Savoy.

THOMAS Earl of *Savoy*, Uncle to the Queen, arriving in *England*, in 1241, and the King wanting Money to give him a ſumptuous reception, he forc'd the *Jews* to raiſe him 20000 Marks, threatning otherwiſe to drive them out of the Kingdom.

Anno 1242. *HENRY* being engag'd in a War againſt *France*, demanded an Aid of the Parliament, but had the Mortification to meet with a flat Denial, accompany'd with tart Reproaches for the Non-obſervance of the Charters, and the Breach of his Promiſe. As he ſaw that he could get nothing of the Parliament, he had recourſe to diverſe unjuſtifiable and violent Methods of extorting Money from private Men; after which he went to *Poictou*. He had very ill Succeſs in this War. He was twice defeated, and forc'd to fly to *Bourdeaux*, where he obtain'd a truce for five Years. He ſpent the Winter there, but was ſo bare of Money that he had not wherewithal to defray the Expences of his Houſhold, inſtead of being able to pay his Troops, which ſuffer'd extremely for want of Proviſions, the *Gaſcons* refuſing to let them have ſubſiſtence. At laſt he wrote to the Archbiſhop of *York*, whom he had left Regent in *England*, to confiſcate the Eſtates of ſome of the Barons who had left the Army without Leave. But the Regent refus'd to execute this Order, for fear of kindling a Fire too difficult to quench. This Method failing, he gave Orders to the Archbiſhop to borrow of the *Ciſtercian* Friars one Year's Revenue of their Wool; but he could obtain nothing, and the Regent was ſenſible that to uſe Violence would be very dangerous. At laſt the Archbiſhop hearing that the King was in a poor plight, aſſembled the Parliament, who granted the King ſome Money, which came to him in a very good Seaſon; but it was ſoon conſum'd, and the Regent receiv'd a freſh Order to demand a Loan of Money of ſuch private Men as were reckon'd the moſt able to ſpare it. This Order was executed in part; but the Regent acquainted the King that this was the laſt ſhift he could make, and conjur'd him to return forthwith to his Kingdom. Theſe Intreaties oblig'd *Henry* to ſet out homewards, where he was no ſooner arriv'd, but he demanded a great Sum of the *Jews*.

His unjuſtifiable Methods of raiſing Money.

Truce with France.

He paſſes the Winter at Bourdeaux, and ſends for Money from England.

Parliament grants him an Aid.

Regent borrows Money for him of private Perſons.

He raiſes another Contribution on the Jews.

THE Counteſs of *Provence*, Mother-in-Law to the King, arriv'd in *England* not long after, bringing with her *Sanche* her ſecond Daughter, to be marry'd to Prince *Richard*, whoſe firſt Wife was dead. The King was at the Expence of this Wedding, and 'tis ſaid that 30000 Diſhes were ſerv'd up at the Marriage Feaſt.

Marriage of Prince Richard.

Anno 1244. THE King conven'd the Parliament, and deſir'd a ſupply of Money; but he found the two Bodies of the Clergy, and the Nobility, ſo united together, that he not only foreſaw he ſhould obtain nothing, but that it was even dangerous to keep the Parliament ſitting any longer. For meaſures were already taken in it to deprive him of the Adminiſtration of the Government. For this Reaſon he prorogued them, after having made them a poſitive Promiſe, that at the next Seſſion he would give them all the Satisfaction they could wiſh for. When the Parliament met again, the King renew'd his Demand, and promis'd upon Oath to cauſe the two Charters to be executed; and he even conſented that the Biſhops ſhould excommunicate him if he broke his Promiſe. Which Declaration of his was the very thing that put him in poſſeſſion of what he deſir'd.

Parliament is prorogued becauſe they will not grant the King an Aid.

He obtains it at laſt on a promiſe to keep the Charters.

Anno 1245. *HENRY* had another Son born, to whom he gave the Name of Prince *Edmund*.

Prince Edmund born.

Anno 1247. Two Years after this, arriv'd in *England* three of the King's Brothers by the Mother's ſide, who were Sons to the Earl of *Marche*, and of the Queen Dowager, who after the Death of King *John*, marry'd that Earl to whom ſhe had formerly been contracted.

Arrival of the King's 3 half Brothers.

Anno 1248. THO' the King had promis'd upon Oath to have the two Charters obſerv'd, he had not perform'd his Promiſe. Notwithſtanding this, he again demanded a Supply of the Parliament, which met in the beginning of the Year 1248. but he receiv'd ſo ſharp an Anſwer from it, that he prorogued it inſtantly. At the next Seſſion he ſpoke very roughly to the Lords, and they anſwer'd him in the ſame Tone; which was the reaſon that the Parliament was diſſolv'd.

His Parliament prorogued and diſſolved, for taxing him with breach of his Promiſe.

Anno 1249. *HENRY* not being able to obtain any thing of the Parliament, and having a preſſing occaſion for Money, becauſe his Brothers, and the Queen's Relations ſpent a vaſt deal, ſold his Plate; and moreover, he demanded a great Sum of the City of *London*. He would alſo have fain borrow'd Money of ſome private Men; but as he was not belov'd, nor much confided in, this Method fail'd him.

The King ſells his Plate, and tries other vile means to raiſe Money.

Demands a Sum from London.

Anno 1250. THE next Year *Henry* being inform'd that the *Gaſcons* were upon the point of revolting, ſent *Simon de Montfort* Earl of *Leiceſter* into *Guyenne*, who found means to reconcile them to their Duty.

Earl of Leiceſter ſent into Guyenne.

AT laſt the King finding no Remedy left to raiſe Money, thought fit to take up the Croſs, and to engage himſelf to make War againſt the *Saracens*, after the Example

Henry takes the Croſs.

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ample of the King of *France*, who was already set out upon the like Design. Not that *Henry* intended to perform such Engagement, but he thought it was a sure way to bring Money into his Coffers, and that the Parliament would not venture to refuse him any Sum when he demanded it upon this pretence. A multitude of People follow'd his Example, and prepar'd to make a Voyage to *Palestine*. But when they were ready to set out, the King, who had made no Preparation on his part, obtain'd a Prohibition from the Pope to the *Croises*, to set out without him, and by that means the Expence they had been at became of no effect. Mean time, tho' the King of *France*'s Expedition was attended with ill Success, because that Prince fell into the hands of the Infidels, *Henry* still pretended an Inclination to set out forthwith. But as he wanted Money, and did not dare to ask it of the Parliament, after he had so ill executed his Promises, he appointed Commissioners to go into the Counties, to inquire into the Misdemeanors committed in the Forests. This Commission procur'd the King a great deal of Money; but the Vexations exercis'd by the Commissioners occasion'd a universal murmuring.

Pope forbids the Croises to set out before him.

Inquisitions touching the Forests.

Anno 1251. THE Earl of *Leicester* being return'd to give an account to the King of the Command which he had in *Guyenne*, he brought *Guy de Lusignan*, one of his Brothers by the Mother's side, whom the King mightily caress'd and loaded with Presents. His Brothers, and the Queen's Kindred swallowed up all his Revenues, and every Penny that he could raise elsewhere by such ways and means as were not always lawful.

Return of Guy de Lusignan the King's half Brother, whom he loads with Presents.

Anno 1252. THE *Gascons* were so dissatisfy'd with the Earl of *Leicester*, that they made great Complaints against him to the King, and accus'd him of having tyranniz'd over them in an extraordinary manner. Hereupon the King sent Commissioners into *Guyenne* to know the Truth of it. But tho' those Commissioners at their Return fully discharg'd the Earl, yet the *Gascons* renew'd their Complaints; and the Archbishop of *Bourdeaux* came to Court to plead against him, in quality of Deputy from the whole Province of *Guyenne*. This Prelate so artfully turn'd the King's Mind, by possessing him with the Fear that he would lose all *Guyenne* if the Earl was not punish'd, that the King took up a Resolution to make a Sacrifice of that Nobleman to the *Gascons*. But the Earl found so many Friends among the Lords before whom he was oblig'd to make his Appearance, and defended himself with such good Arguments, that he render'd the Archbishop's Complaints of no effect. The King perceiving that he could not accomplish what he had undertaken, fell into a violent Passion, and told the Earl of *Leicester* that he was a Traitor. The Earl being stung with this Reproach, and forgetting that he spoke to his Sovereign, told him to his Face that he ly'd, in presence of all the Peers. One would have thought that an Insult of this nature would not have been easily pardon'd; but the King did not dare either to take Revenge himself, or to cause the Earl to be apprehended, because he observ'd that all the Peers were in a disposition to espouse this Nobleman's Quarrel. He was actually oblig'd in a manner to be reconcil'd to him, tho' it was only in outward appearance, and to send him back to *Guyenne*. But not long after, that he might have a pretence to take that Government from him, he invested his eldest Son Prince *Edward* in the Duchy of *Guyenne*.

Gascons complain of the Earl of Leicester.

King sends Commissioners to 'em.

King resolves to sacrifice him.

HENRY III.

Calls him Traitor.

Earl gives him the Lye.

King durst not apprehend him, and is reconcil'd to him.

He sends him to Guyenne, *but invests Prince* Edward *in the Government.*

THIS Affair being ended, the King attempted to obtain an extraordinary Subsidy of the Clergy, to enable him to support the Charges of his pretended Voyage to the *Holy Land*, but the Clergy were inflexible.

He demands a Subsidy of the Clergy.

Anno 1253. *HENRY* imagin'd that he had prevented the Revolt of the *Gascons*, by removing the Earl of *Leicester* from the Government of *Guyenne*, but he was ignorant how Things stood in that Country. The *Gascons* had only acted against the Earl to remove too vigilant a Governour, and that they might have the better Success in the Conspiracy they had form'd to deliver up *Guyenne* to the King of *Castille*, who began immediately after this Earl's Departure, to declare openly that he had Pretensions to this Duchy. *Henry* perceiving himself in danger of losing *Guyenne*, resolv'd to go into that Country himself, in order to secure it: But foreseeing that it would be a hard matter for him to get the Money from the Parliament, which was necessary for that Voyage, he made the Expedition to the *Holy Land* his Pretence, and demanded a Supply proportionable to his Necessities. The Parliament readily granted it, but it was upon condition that sufficient Security should be given for the Observation of the two Charters, and the King was willing to consent to it. The Security was, that all the Lords Spiritual and Temporal went into the Great Hall at *Westminster*, where the Archbishop denounc'd a Curse upon those that for the future, directly or indirectly, oppos'd the Execution of the two Charters. This done, the Lords, who had each of 'em a Wax Taper in his Hand, threw their Tapers on the Ground, wishing that they who should violate the Charters, might smoke after the same manner in Hell. The King did not care to carry a

Secret Practices of the Gascons.

King of Castille *pretends to* Guyenne.

Henry *demands an Aid to go to the* Holy Land, *which was granted, on Condition the Charters are kept.*

Excommunication solemnly denounc'd against the Violaters of the Charters.

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Taper, but he always held his Hand to his Heart during the whole Ceremony, as a Mark of the ſincere Approbation which he gave to the Anathema. Mean time the Parliament was no ſooner diſſolv'd, but he deſir'd the Pope to give him a Diſpenſation from his Oath.

Henry's Departure for Guyenne.

HENRY being ſet out for *Guyenne*, made ſome Progreſs there at firſt againſt the Rebels, who were Friends to the King of *Caſtille*; but as he knew himſelf to be in no condition to maintain an Army in that Country as long as it would be neceſſary, he found Means to rid himſelf of that Difficulty, by ſending to the King of *Caſtille*, to deſire one of his Daughters in Marriage for *Edward* his eldeſt Son. This Propoſal being accepted, the King of *Caſtille* yielded up his Pretenſions to *Guyenne* to his future Son-in-Law, and the Marriage was conſummated next Year.

The King of Caſtille's *Daughter marry'd to Prince* Edward.

Henry tries to get Money from the Parliament, on pretence of the War in Guyenne.

As this Negotiation had been kept ſecret, *Henry* was willing to make a Trial if he could force the Parliament to do ſomething more for him, under pretence of the Danger which *Guyenne* was in of being invaded by the *Caſtillians*. But when the Queen, who was Regent in the King's Abſence, went to make this Demand, the Lords, who knew more of the matter than ſhe imagin'd, made anſwer, that they would hold themſelves in a readineſs to ſerve the King with their Perſons, upon the firſt Advice they ſhould have that the *Caſtillians* were enter'd into *Guyenne*. The King not being able to get any thing from the Parliament, return'd to *England* thro' *France*, where *Lewis* being lately come back from his Slavery among the Infidels, paid him all the Honours due to his Rank. He was ſcarce arriv'd at *London*, but upon ſome Pretence or other he demanded a Preſent from that City.

He exacts Money from London.

The Acts which refer to this firſt Article are theſe, *

Henry's *Treaty with Prince* Lewis. 221.

1. A Treaty betwixt *Henry* III. and Prince *Lewis*, Son to *Philip Auguſtus*; dated at *Lambeth*, *Sept.* 11. 1217.

" THIS Treaty contains eighteen Arti-
" cles, but there's not one that makes men-
" tion of the Reſtitution of the Provinces
" of *France*. If *Lewis* enter'd into any
" ſuch Engagement, it muſt have been
" *viva voce*, or elſe by ſome ſecret Article.

Trials by Ordeal *interdicted.* 228.

2. THE Prohibition of Trials by *Ordeal*; dated *Jan.* 26. 1219. at *Weſtminſter*.

" THESE Trials, which had been very
" common among the *Saxons*, were made
" ſeveral ways, but generally with a hot
" Iron, or boiling Water. †

HENRY III.

Pope's Decree about the Poſſeſſors of the King's Caſtles. 240.

3. A Decree of the Pope, that no Perſon in *England* ſhall keep in his hands more than two of the King's Caſtles; dated at *Viterbo* the 5th of the Calends of *June* 1220.

4. A Letter from *Henry* III. to the Pope; dated *June* 20. 1220. at *Nottingham*.

" IT was to deſire the Pope to give Or-
" ders to *Hugh de Luſignan*, Count of
" *Marche*, to ſend back to him his Siſter
" *Joanna*, who was promis'd to the King
" of *Scotland*.

Berengaria's *Jointure continu'd.* 242.

5. THE Act whereby *Henry* continues to *Berengaria* of *Navarre*, Dowager to *Richard* I. the Jointure which had been ſettled on her; dated in *July* 1220. at *London*.

Legate's Order againſt Tournaments. 245.

6. THE Legate's Ordinance forbidding Tournaments; dated the 8th of the Calends of *Sept.* 1220. at *Cery*.

" IT was becauſe under this Pretence the
Barons met to conſpire againſt the King.

Letter from Bayonne *about* Rochel. 269.

7. A Letter from the Inhabitants of *Bayonne* to the King; dated *Anno* 1224.

" THEY ſay that *Rochel* has been given
" up to the King of *France*, tho' it was
" ſtill in a Capacity to hold out a Siege.

Archdeacon of Litchfield *to the Biſhop of* Cheſter. 271.

8. A Letter from the Archdeacon of *Litchfield* to the Biſhop of *Cheſter*.

" HE tells him of the Diſpenſation which
" the Pope grants to the King, to mar-
" ry the Daughter of the Count of *Bre-*
" *tagne*.

Henry *to the Duke of* Auſtria. 275.

9. A Letter from *Henry* III. to the Duke of *Auſtria*; dated *Jan.* 3, 1225. at *Weſtminſter*.

" 'TIS concerning the Marriage which
" had been propos'd betwixt the King, and
" a Daughter of the Duke of *Auſtria*.

His Marriage Contract with the Daughter of the Duke of Bretagne. 283.

10. LETTERS Patent of *Henry* III. whereby he declares, that he is engaged by Oath to marry *Yolante*, Daughter to *Peter* Duke of *Bretagne*, provided he can obtain a Diſpenſation from the Pope; dated *Octob.* 19. 1225. at *Weſtminſter*.

His Letter to the Archbiſhop of Cologne. 293.

11. A Letter from *Henry* III. to the Archbiſhop of *Cologne*; dated *April* 13. 1227. at *Weſtminſter*.

" HE propoſes to him his Marriage with
" a Daughter of the King of *Bohemia*.

Pope's Letter againſt Tournaments. 301.

12. POPE *Gregory* the IXth's Brief to the Biſhops of *England*; dated the 3d of the Calends of *March*, *Anno* 1228. at the *Lateran*.

" HE orders them to excommunicate the
" Barons who ſhall be ſeen at Tourna-
" ments, for the reaſon above mention'd.

Barons not allow'd to ſit at the Round-Table. 314.

13. THE King's Order, forbidding the Barons to come to the Round-Table; dated *July* 20. 1232. at *Weſtminſter*.

14. THE

* THE firſt Act is a Letter dated *Anno* 1216, in which *Henry* acquaints his Chief Juſtice of *Ireland* of the Death of his Father, and his Acceſſion to the Crown. There is a great number of Acts here relating to both publick and private Affairs, which are of vaſt Service to thoſe who are to write a Hiſtory of that Reign.

† 'Tis ſaid this Cuſtom ſtill prevails in ſome Provinces of *Sweden*, where 'tis as antient as their oldeſt Records. Theſe Trials were always manag'd with great Solemnity by the Clergy. That by Fire was perform'd either by a red hot Iron put into the Hands of the Perſon accus'd, or by his walking bare-foot and blind-fold over 9 red hot Plowſhares plac'd at proper diſtances, as Queen *Emma*, Mother to *Edward* the Confeſſor, did: And if the Perſon

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14. THE Pope's Letter to the King; dated the 5th of the Nones of *May* 1234. at the *Lateran*.

Pope's Intercession for Hubert de Burgh. 330.

" 'Tis an Interceſſion for *Hubert de* " *Burgh*.

King's Letter to the Count de Ponthieu. 338.

15. A Letter from the King to the Count *de Ponthieu*; dated *April* 8. 1235. at *Havering*.

" 'Tis concerning the Marriage propoſed betwixt the King and the Count's " Daughter.

Letter from the Count de Ponthieu's *Daughter to the Pope.* 339.

16. ANOTHER from *Joan*, Daughter of the Count *de Ponthieu*, to the Pope, on the ſame Subject.

17. LETTER from the King to *Thomas* Count of *Savoy*; dated *June* 2. 1235. at *Windſor*.

" 'Tis concerning a Deſign which he " has to marry *Eleanor* of *Provence* his " Niece.

Henry ſuſpends the Solicitation of a Diſpenſation for his Marriage. 342.

18. LETTERS Patent, whereby *Henry* ſuſpends the Power given to his Ambaſſadors at *Rome*, to ſollicit the Diſpenſation of his Marriage with the Count *de Ponthieu*'s Daughter; dated *July* 16. 1235. at *Weſtminſter*.

His Letter to the Count and Counteſs of Provence. 343.

19. LETTER from the King to the Count and Counteſs of *Provence*; dated *Oct.* 10. 1235. at *Windſor*.

" 'Tis concerning his Marriage with *E-* " *leanor* their Daughter.

His Marriage Articles. 344.

20. ARTICLES agreed upon for the King's Marriage to *Eleanor* of *Provence*; dated *Oct.* 15. 1235. at *Weſtminſter*.

His Bride's Portion. 346.

21. A Power given by the King to his Ambaſſadors, to receive 20000 Marks from the Count of *Provence*, for *Eleanor*'s Portion; dated *Oct.* 19. 1235. at *Windſor*.

His Siſter's Marriage-Treaty with the Emperor. 353.

22. A Treaty concerning the Marriage of *Iſabel*, Siſter of *Henry* III. to the Emperor *Frederick* II. dated *Feb.* 22. 1236. at *Weſtminſter* *.

His Reference about her Portion. 361.

23. An Act whereby the King ſubmits to the Pope's Judgment, touching the Payment of the Portion of his Siſter *Iſabel*; dated *May* 3. 1236. at *Weſtminſter*.

Letters from the King to the Emperor. 365, 366.

24. LETTER from the King to the Emperor.

" HE excuſes himſelf, becauſe he was " not able to ſend *Richard* his Brother to " him.

25. ANOTHER from the King to the Emperor.

" He deſires a ſafe Conduct of him for " *Richard*.

Abſolution of Henry *from his Oath of Marriage.* 371.

26. A Bull from *Gregory* IX. by which he abſolves *Henry* from the Oath he had taken to marry the Daughter of the Earl of *Ponthieu*; dated at *Viterbo* the 5th of the Calends of *May*, the Tenth of the Pontificate.

Pope's Letter to the Archbiſhop of Canterbury. 372.

27. A Letter from that Pope to the Archbiſhop of *Canterbury*, on the ſame Head; dated at *Interamnium* the 3d of the Calends of *June*, 1237.

Emperor to Henry, 374.

28. A Letter from the Emperor *Frederick* II. to *Henry* III.

" He acquaints him of the Birth of a " Son, whom he has had by *Iſabel*, to " whom he has given the Name of *Henry*, " and ſays, that he has made him Viceroy " of the Kingdom of *Sicily* †.

Another. 383.

29. ANOTHER Letter from *Frederick* II. to the King.

" He chides him for permitting the Ex- " communication fulminated againſt him " by the Pope, to be publiſh'd in the Chur- " ches of *England*, and for ſuffering Mo- " ney to be rais'd in his Kingdom to make " War upon him.

To the Barons. 385.

30. ANOTHER from *Frederick* to the Barons of *England*, on the ſame Head; dated the 3d of the Calends of *November* 1238. in the Camp before *Piacenza*.

To Henry III. 399.

31. A Letter from *Frederick* II. to *Henry* III. dated *Jan.* 30. 1242. at *Coronatum* ‡.

This was King Henry's *Siſter.*

" He acquaints him of the Death of the " Empreſs *Iſabel* his Wife, which hap- " pen'd in *December* 1241.

King's Order to raiſe Money. 404.

32. AN Order from the King to raiſe Money in *England*; dated *June* 8. 1242. at *Saintonge*. It has this Clauſe;

Et quod idem Archiepiſcopus Eborum, & Gulielmus de Cantilupo ſciant, quod Dominus Rex incidit in talem neceſſita-

ſon had the good Luck to come off unhurt, he was declar'd innocent; but if burnt, he was pronounc'd guilty. The Trial by Water *Ordeal* was either by cold or ſcalding hot Water, which was the Puniſhment for the meaner ſort. In that of cold Water, the Party accus'd was thrown with his Hands and Feet ty'd, into ſome River or Pond, and if he ſunk, was adjudg'd innocent, and if he ſwam guilty; like the old Cuſtom which ſtill prevails in ſome parts of *England* of trying Witches. When the trial was by ſcalding Water, the ſuppos'd Delinquent was to plunge his Arm or Feet into it. *Ordeal* is a *Saxon* Word which ſignifies great or impartial Judgment

* IT appears by the Acts, that the Perſon ſent over hither on this Errand was one *Peter de Vinea* †, alias *des Vignes*. King *Henry* promis'd his Siſter 30,000 Marks *Sterling* in Marriage, and wrote to Pope *Gregory* IX. to intreat him to engage for him to the Emperor for that Sum, ſubmitting himſelf to the Eccleſiaſtical Cenſures if he did not pay it within the Terms ſtipulated; and it appears by the Sequel, that he actually paid the whole Sum.

† *The Emperor's Chancellor and moſt familiar Counſellor, who afterwards with others of the Emperor's Servants was ſuborn'd to murder him, and had accordingly provided a Phyſician and a Doſe; but the matter being diſcover'd, the Doctor was hang'd, and* Peter *had his Eyes put out, and was carry'd up and down, by the Emperor's Command, thro' moſt of the Cities of* Italy, *to make known the Deſign, 'till he came to* Piſa, *where, in Deſpair he daſh'd out his own Brains. See* Lib. 8. cap. 14 *of* Albert Krantz, *Doctor of Laws and Divinity, and Dean of the Church of* Hamburgh, *who liv'd in the fifteenth and ſixteenth Centuries, was a Man of great Piety, as well as Learning, and wrote ſeveral Books.*

† Mr. *Rymer* complains in his Preface, of ſome Hiſtorians who have not vouchſafed to make mention of this Marriage of *Frederic*, or of his Son *Henry*; tho' he was a Youth of the moſt promiſing Genius and Perſon, according to *Matth. Paris*, and three *Italian* Writers, the only Hiſtorians, according to *Rymer*, who have taken notice of him.

‡ There are other Letters from the ſame Emperor, acquainting *Henry* of his Succeſs in the War that he carry'd on in *Italy*.

tem,

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tem, quod victria modum indiget pecunia, quia ad præsens recuperaturus est honorem ejus in partibus transmarinis, vel ignominiam, quod absit, incurret in perpetuum.

i. e. "AND that the aforesaid Archbishop of *York*, and *William de Cantilupe*, may know that the Lord the King "is in such necessity that he is in extreme "want of Money, because he is now about "to recover his Honour in Parts beyond "the Sea, or, which God forbid, to fall "under perpetual Ignominy.

Henry's Treaty with the Count de Tholouse. 410.

33. A Treaty of Alliance betwixt *Henry* III. and the Count *de Tholouse*, against all Persons, except the Pope and the Emperor; dated at *Bourdeaux Aug.* 28. 1242.

Order for the Festival of St. Edward. 418.

34. A Bull from *Innocent* IV. which orders, that the Festival of St. *Edward* shall be observ'd throughout all *Christendom*; dated the 4th of the Calends of *June*, 1243. at the *Lateran*.

Henry's agreement with his Brother Richard. 421.

35. AN Agreement betwixt *Henry* III. and Prince *Richard* his Brother; dated *in Crastino Sancti Andreæ Apostoli*, 1243.

"*RICHARD* recedes from the "Grant which had been made to him of "*Gascoigne*, and from all his other Pretensions.

"THE King grants him the Earldom of "*Cornwall*, a Pension, and some other "Favours.

Innocent's Leiter to Henry III. 423.

36. A Letter from *Innocent* IV. to *Henry* III. dated the 10th of the Calends of *Feb.* 1244. at *Lyons*.

"HE exhorts the King to take up the "Cross for the War in the *Holy Land*.

Count of Savoy's *Pension.* 441.

37. GRANT of a Pension of 1000 *l. Sterling* to *Amadeus* Count of *Savoy*, for certain Lands which the Count acknowledg'd he held in Fee of the Crown of *England*; dated *Jan.* 16. 1246. at *Westminster*.

Laws of England *to be observ'd in* Ireland. 442.

38. LETTERS Patent of *Henry* III. confirming those of King *John*, relating to the Laws of *England* to be observ'd in *Ireland*; dated *Sept.* 9. 1246. at *Woodstock*.

Countess of Flanders's *Homage and Pension.* 445.

39. A Commission from the King to *Thomas* of *Savoy*, to receive Homage from the Countess of *Flanders*, for the Pension which she receiv'd of the King; dated *Feb.* 15. 1248. at *Westminster*. It has these words: *Quanquam inusitatum in Regno nostro*, *i. e.* tho' a thing unusual in our Realm.

Pope's Brief to the King 451.

40. A Brief from the Pope to the King; dated the 3d of the Ides of *April* 1250. at *Lyons*.

"HE endeavours to dissuade him from "undertaking the Voyage to the *Holy* "*Land*.

Order to observe the Anniversary of the Queen's Death. 448.

41. THE King's Orders to all his Subjects in *Normandy*, to observe the Anniversary of the Death of the Queen his Mother; dated *Oct.* 7. 1250. at *Westminster*.

Henry's Oath of Marriage annull'd. 464.

42. THE Sentence pass'd by the Bishop of *Hereford*, and the Archbishop of *York*, Judges delegated from the Pope, annulling the Oath which *Henry* III. had taken to marry the Count *de Ponthieu's* Daughter; dated the *Wednesday* before *Palm-Sunday*, 1251. HENRY III.

"THE Reason alledg'd for this Sentence "is, because the two Parties were related "in the Fourth Degree of Consanguinity. "*Gregory* IX. had already made the same "Oath void in 1237, therefore 'tis not easy "to conceive what necessity there was for "this last Sentence.

Infringers of King John's *Charters to be excommunicated.* 489.

43. AN Act whereby the King consents that the Infringers of King *John's* two Charters be excommunicated; dated *May* 13. 1253.

Prince Edward's *Marriage.* 491.

44. INSTRUCTIONS relating to the Marriage of *Henry* the Third's Son, Prince *Edward*, with *Eleanor* of *Castille*; dated *May* 24. 1253. at *London*.

The Queen is made Regent in the King's Absence. 491.

45. LETTERS Patent for establishing the Queen Regent in the absence of the King, and for committing the Custody of the Great Seal to the Queen and Prince *Richard*; dated *June* 22. 1253. at *Winchester*.

"THE King was going at that time to "*Guyenne*.

Order against the Invasion of the King of Castille. 497.

46. AN Order from the Queen and Prince *Richard*, to all the Subjects to be in a readiness to repulse the King of *Castille*; dated *Dec.* 29. 1253. at *Westminster*.

"'TIS pretended in it, that the King of "*Castille* had a Design to invade *Guyenne*, "*England* and *Ireland*, in order that "*Henry* might have a Colour to get Money from the Parliament. Mean time "there was a Peace made with the King "of *Castille*, and Prince *Edward's* Marriage was concluded.

Queen's Letter to the King. 499.

47. A Letter from the Queen to the King.

"SHE acquaints him with the Barons "Answer, that they were ready to serve "him as soon as they heard that the King "of *Castille* was enter'd into *Guyenne*; "and, that the Clergy would give him "nothing.

Grants to Prince Edward. 500.

48. LETTERS Patent by which the King makes a Grant to Prince *Edward* of all the Lands in *France*, seiz'd by the Kings of *France*; dated *Feb.* 18. 1254. at *Bazas*.

"HE had before made him a Transfer "of the Duchy of *Guyenne*.

501.

49. OTHERS by which the King grants *Ireland* to Prince *Edward* his Son; dated *Feb.* 14. 1254. at *Bazas*.

Henry's *Confederacy with* Alphonsus. 503.

50. CONFEDERACY betwixt *Henry* III. and *Alphonsus* King of *Castille*; dated at *Toledo* the Day before the Calends of *April* 1254.

"'TIS a Confederacy against all Man-"kind, *Salva fide Ecclesiæ Romanæ*; "*i. e.* saving our Allegiance to the Church "of *Rome*.

King of Castille *quits* Guyenne. 509.

51. LETTER from the King of *Castille* to the Barons of *Guyenne*, by which he acquaints

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acquaints them that he has quit his Pretensions to *Guyenne** in favour of King *Henry*, and his Son Prince *Edward*; dated the 10th of the Calends of *May*, and in the *Æra* of 1292, at *Toledo*.

THE Epocha made use of in *Spain*, was different from that us'd over all the rest of Christendom.

Henry *makes over all the* Jews *to* Richard *for the Payment of his Debt.* 543.

52. AN Act whereby *Henry* delivers up to *Richard* his Brother, all the *Jews* of his Kingdom, for payment of the Sum he owes him; dated *Anno* 1255, at *Westminster*.

Rex omnibus, &c. *Noveritis Nos mutuo accepisse a dilecto Fratre & fideli nostro Ricardo Comite Cornubiæ*, 5000 *marcarum Sterling* —— *ad quarum solutionem assignavimus & tradidimus ei omnes Judæos nostros Angliæ*, &c.

i. e. "To all Persons the King send-"eth Greeting, *&c.*

"KNOW all Men that we have bor-"row'd 5000 Marks *Sterling*, of our "Trusty and Well-beloved Brother *Rich-"ard* Earl of *Cornwal*— for the Pay-"ment whereof we have made over, and "deliver'd to him all our *Jews* of *Eng-"land*, &c." †

ARTICLE II.

Affairs of Henry III. *with* France.

Philip *of* France *his Death and Successor, who refuses to perform his Oath.*

PHILIP Augustus dy'd in 1223 and was succeeded by *Lewis* VIII. his Son. As soon as this Prince was upon the Throne, *Henry* sent Ambassadors to challenge the performance of the Engagement he had enter'd into when he left *England*, to restore to him those Provinces which *Philip* his Father had taken from King *John*. But whether the Promise he made was not so positive as *Henry* pretended, or whatever else was the reason, he made answer that he would submit it to the Judgment of the Court of Peers; which was the same thing as a Denial.

NEXT Year *Lewis* caus'd all *Henry*'s Territories in *France* to be confiscated. His pretence for it was, that *Henry* had not assisted at his Consecration; but according to all appearance, the true reason was, that he had a mind to take the Advantage of *Henry*'s Minority to rob him of his Domains.

He attacks Saintonge *and* Rochel.

IN pursuance of that Confiscation he march'd into *Saintonge*, and after having made himself Master of some little Places, he besieg'd *Rochel*, which was surrender'd to him in a few Days, by *Savary de Mauleon* the Governour of it, who enter'd into his Service. This unexpected Attack having convinc'd *Henry*'s Council of the necessity of opposing the Designs of the King of *France* betimes, the Parliament was conven'd, and it was therein resolv'd to raise an Army, and Prince *Richard* the King's Brother was sent into *Guyenne* to command it, having under him the Earl of *Salisbury*, who was Bastard Brother of King *John*. *Richard* presently took possession of the Town of *St. Macaire* which revolted, and then besieg'd *Reole*, of which the Earl of *Marche* caus'd him to raise the Siege. The *French* Historians say that this Prince retir'd on the other side of the *Dourdogne*, and that soon after he return'd to *England*. But 'tis certain that he was still in *Guyenne Anno* 1227. The Detail of this War, concerning which the Historians of the two Nations are not agreed, would be of no Service here. It will be sufficient to mention, that before it was ended, *Lewis* being declar'd General of the Crusado against the *Albigenses*, obtain'd an Order from the Pope to *Henry* to suspend Hostilities, while he was taken up in this Expedition. *Lewis* dy'd at *Perpignan* in 1226, leaving for his Successor his Son *Lewis* IX. a Minor, under the Government of *Blanche* of *Castile* his Mother.

An Army sent into Guyenne *under Prince* Richard.

Lewis VIII. *Head of the Crusado against the* Albigenses.

His Death and Successor. 457.

Troubles in France.

Anno 1228. THE Regency of this foreign Queen bred Discontents in *France*, that at length rose to a Civil War, of which *Henry* might have made great Advantage, if he had taken Time by the Forelock. But whether it was owing to his extreme Blindness, or to the Treachery of his Ministers, he let the fair Opportunity slip; and it was upon this occasion that he was going to lay violent Hands upon *Hubert de Burgh*.

Anno 1229. AT last when it was too late, he went and landed at *St. Malo*, where the Duke of *Bretagne* receiv'd

* SEE the Letters Patent, of which Mr. *Rymer* has caus'd a part to be engrav'd. There's a Gold Seal, of the Weight of about a Mark *Sterling*, fix'd to this Patent, of which *Matth. Paris* makes special mention: There are likewise other very particular Ornaments. Mr. *Rymer* was of Opinion, that this is an Act not unlike those Privileges which are call'd in *Spanish*, *Privilleios Rodados*, from the Mark of a Wheel in the Royal Signature.

† IT appears by some *Acts*, that the Jews then in *England* endeavour'd, according to Custom, to make an Interest at Court. For certain Services which two Jew Brothers *Cresse*, and *Hagen*, had perform'd to *Richard* his Brother, the King discharg'd them in 1257 from all Taxes, *&c.* for five Years, on paying down a Mark and a half of Gold, of which the said *Cresse*, who was Son to Mr. *Moses* a Jew at *London*, was to pay the Mark, and *Hagen* the half. By a *Patent* of this Year, the King deposed a Jew nam'd *Elias*, whom he calls a Bishop and Sacrificer of the Jews, which is as much as to say a Rabbi, for a Fault he had committed against his Majesty, and against *Richard* King of the *Romans*. The two Jews above-mention'd gave the King three Marks of Gold, to obtain Leave for the Society of *Jews* in *England* to chuse whom they pleas'd for Rabbi.

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him, and put his ſtrongeſt Places into his Hands. The *French* having had all the Winter to make their Preparations, were poſted in *Anjou*, where *Henry* gave them all the time that was neceſſary to fortify themſelves, and to hinder his Paſſage into *Poictou*. Mean time, the Malecontents of *France* taking freſh Courage when they heard that the King of *England* was in *Bretagne*, the Army of *France* was oblig'd to quit *Anjou*, in order to go and oppoſe their Deſigns. Then was the time for *Henry* to have acted vigorouſly, the rather, becauſe the *Normans* offer'd to receive him in their Country. But inſtead of improving this opportunity, he went to *Guyenne*, there to receive the Oath of Allegiance of the *Gaſcons*. Afterwards he return'd to *Bretagne*, where he trifled away his time, and embark'd at laſt for *England*, when he heard that the Army of *France* was coming down upon him, after having reduc'd the Malecontents to their Duty. This Conduct gave the People of *England* ſo bad an Opinion of him, that from that time the Parliament would grant him no more Money for ſuch Expeditions. This War was determin'd without any Treaty either of Peace or Truce. The King of *France* who had attack'd the Duke of *Bretagne*, forc'd him at laſt to ſubmit to his own Terms, and *Henry* did nothing to ſupport the Duke, who put himſelf under his Protection.

Marches into Guyenne, and returns to Bretagne *and* England.

Anno 1241. THERE was a new War betwixt *Lewis* IX. and *Henry*, from which the latter, according to Cuſtom, came off very badly. *Henry* having inveſted his Brother Prince *Richard* in the Earldom of *Poictou*, *Lewis* who poſſeſs'd part of that Province, made a Preſent to *Alphonſus* his Brother, of that part which was in his Power, and gave him the Inveſtiture of it. *Hugh de Luſignan* Earl of *Marche*, who had marry'd *Henry*'s Mother, and whoſe Eſtate lay in that part of *Poictou* which had been juſt given to the Prince *Alphonſus*, had always perform'd Homage for it to the King of *France*; but the Pride of the Queen his Wife would not ſuffer her to ſee her Husband bend the Knee to *Alphonſus*. Therefore ſhe teaz'd him to ſuch a degree, that at laſt ſhe perſuaded him to refuſe paying Homage to the new Earl of *Poictou*. But as he plainly foreſaw that the King of *France* would not let ſuch a Neglect paſs unpuniſh'd, he engag'd *Henry* to make War upon *France*, and promis'd him a Force ſufficient to drive the *French* out of all *Poictou*, provided he would defray the Expence of the War. *Henry* accepted of his Offers, and repair'd to *Poictou*, but he found things there far ſhort of what he had been made to expect. His Army was very weak, and much inferior to that of *Lewis*, which was already enter'd into the Province, and beſieging *Fontenay*. Tho' *Henry* was in no condition to force him to raiſe the Siege, yet he ſent Ambaſſadors to him to demand of him all the Provinces which the King his Father had engag'd to reſtore, and in caſe of refuſal, to declare War againſt him. *Lewis*, who was canoniz'd after his Death, had a tender Conſcience, and in all appearance had ſome ſcruple of Mind concerning the Engagement of the King his Father. He offer'd therefore to reſtore to *Henry* part of *Poictou* and *Normandy*, and to conſent to a Truce of three Years, provided he would deſiſt from protecting the Earl of *Marche*. But *Henry* rejected theſe Offers, how advantagious ſoever they were as things then ſtood with him. Mean time, *Lewis* having made himſelf Maſter of *Fontenay*, advanc'd towards *Henry*, who had retir'd behind the *Charente*; but *Lewis* having gain'd the Bridge of *Taillebourg*, and being got over to the other ſide, gave him ſuch a terrible ſhock, that he forc'd him to fly to *Xaintes*, where he again defeated great part of his Army. Theſe two Loſſes one upon the Neck of another, oblig'd *Henry* to go and ſhut himſelf up in *Bourdeaux*. Mean time the Earl of *Marche* made his ſeparate Peace with *Lewis*, and left the King of *England* to ſhift for himſelf as well as he could. Nothing could have hinder'd *Lewis* from carrying his victorious Arms into *Guyenne*, but the Plague in his Army, which made him willing to grant *Henry* a Truce of five Years.

HENRY III.

Lewis *beſieges* Fontenay.

He makes advantagious Offers, which are rejected.

Takes Fontenay.

Defeats the Engliſh.

Earl of Marche *makes his Peace with* Lewis.

Lewis *grants a Truce.*

Grounds of a freſh War in France.

Earl of Marche *engages* Henry *to carry the War into* Poictou.

The Acts which relate to the ſecond Article are, viz.

1. A Letter from *Henry* III. to the Pope; dated *Febr.* 25, 1235, at *Weſtminſter*.

" HE complains that the Duke of *Bre-*
" *tagne* has abandon'd him; that he has
" made his ſeparate Peace with the King
" of *France*, and perform'd Liege Homage
" to him. This Duke of *Bretagne* was
" *Peter* I. to whom, upon account of this
" Homage, the Natives of *Bretagne* gave
" the Surname of *Mauclerc*; but he was
" forced to do as he did, becauſe he could
" no longer expect any Aſſiſtance from the
" King of *England*.

Henry's Complaint to the Pope againſt the Duke of Bretagne. 335.

2. HERE are ſeveral Pieces inſerted in this Year's Collection, by which it appears that *Henry* was the firſt that broke the Truce with *France*, tho' he complain'd ſadly of St. *Lewis*.

He breaks the Truce with France.

3. A Treaty of Truce between the two Kings of *France* and *England*, to the Feaſt of

Copy of the Truce. 416.

of St. *Michael* enſuing, and from thence forwards for five Years; dated at *Bourdeaux*, *April* 7, 1243.

The King marries again, and refuſes Homage to Henry.

ARTICLE III.

Affairs of Henry III. *with* Scotland.

THE Affairs which paſs'd betwixt *England* and *Scotland* during the Reign of *Henry* III. were of no great Conſequence; ſo that this Article will not be long.

King of Scotland's *Homage to* Henry.

THE King of *Scotland*, who had perform'd Homage to *Lewis*, when that Prince was call'd into *England* by the Barons, embraced the Offer made to him to be compriz'd in the Treaty which was concluded betwixt *Henry* and *Lewis* in 1217. As ſoon as he heard that *Lewis* was return'd into *France*, he repair'd to *England*, where he perform'd Homage to *Henry* for the Lands he held in that Kingdom, and reſtor'd *Carliſle* to him, which he had taken during the Civil War.

His Marriage to Henry's *Siſter.*

Anno 1221. *HENRY* made a Progreſs to *York*, where he agreed to the Marriage of *Joanna* his Siſter with *Alexander* II. King of *Scotland*. This Princeſs, who had been contracted to the Son of the Earl of *Marche*, being in the hands of her intended Father-in-Law, it was no eaſy matter to get her away: But at length the Earl ſent her back to the King her Brother, and her Nuptials with the King of *Scotland* were celebrated.

Anno 1236. *HENRY* being not much dreaded by his Neighbours, by reaſon of the Miſunderſtanding that prevail'd between him and the Barons, *Alexander* renew'd his Pretenſions to *Northumberland*, and demanded that Province with an air of Bully, which the Kings of *Scotland* did not uſe to ſhew to the Kings of *England*. *Henry*, far from repaying him the ſame Language, took a Journey to *York*, there to negotiate a Treaty with him, and made no ſcruple to purchaſe a Peace, by granting him a Penſion of 80 Marks of Silver.

Henry's diſhonourable Treaty with him.

Death of the Queen of Scotland.

HENRY's Siſter *Joanna* Queen of *Scotland* dying in 1238, and *Alexander* having marry'd a *French* Woman to his ſecond Wife, ſignified to *Henry* that he would pay him Homage no longer. He expected that *Henry*, as he had done before, would decide this Affair by a Negotiation, in which he hoped to be a Gainer: But the Parliament was ſo incens'd at this Bravado, that a War with *Scotland* was reſolv'd on, and an Army immediately rais'd, which march'd as far as *Newcaſtle*. When *Alexander* ſaw the *Engliſh* ſo near him, he deſir'd a Peace, which *Henry* readily granted him, on condition that he would perform the ſame Homage as his Predeceſſors.

He ſues for Peace.

His Death and Succeſſor.

THIS Prince dy'd in 1249, leaving for his Succeſſor his Son *Alexander* III. a Minor, who in 1251 marry'd *Margaret* the Daughter of *Henry* III. The two Kings repairing to *York*, where the Nuptials were to be celebrated, *Henry* would fain have engag'd the young King his Son-in-Law to perform Homage to him for the whole Kingdom of *Scotland*. But *Alexander*, tho' earneſtly preſs'd to it, made a handſome Excuſe, and only pay'd the ſame Homage as his Predeceſſors had done for the Lands he held of *England*. And with this *Henry* was ſatisfied; either becauſe he did not think he was right in his Demand, or becauſe he had not a mind to diſturb the Feaſt. We ſhall find hereafter that *Henry*'s Son *Edward* I. left no Stone unturn'd, but made it his Buſineſs to improve his pretended Right; for the Eſtabliſhment of which the King his Father had only made a ſlight Attempt.

His Marriage.

Henry *preſſes him to do Homage for* Scotland, *which he refuſes.*

The Acts relating to Scotland *are,*

1. **HENRY* IIId's Letter to the Pope; dated *June* 20, 1220, at *Nottingham*.

Henry's *Letter to the Pope.* 241.

" HE begs him to imploy his Authori-
" ty for compelling the Earl of *Marche*
" to ſend home to him *Joanna* his Siſter,
" who was contracted to the King of *Scot-*
" *land*.

2. ANOTHER to the Cardinals on the ſame Subject, and of the ſame Date.

To the Cardinals. 242.

3. ANOTHER from the King to the Earl of *Marche*, on the ſame Affair; dated *Sept.* 16, 1220, at *Wincheſter*.

To the Earl of Marche. 248.

4. THE King of *Scotland*'s Letters Patent for ſettling a Jointure on Queen *Joanna* his Wife; dated at *York*, *June* 18, 1221.

Jointure of the Queen of Scotland. 252.

3. A

Pope's Bull in favour of Scotland. p. 227.

* ANNO 1218, Pope † *Honorius* III. ſent a Bull to *Scotland*, in which he grants diverſe Privileges to that Kingdom, *viz.* That no Perſon ſhould put it under an Interdict, except the Pope and his Legates; that none but a Native of *Scotland* ſhould act there as a Legate, unleſs he was one choſe by the Apoſtolical See; that if Quarrels happen'd in the Kingdom about the Right to the Crown, no Foreigner ſhould judge thereof, without Appeal to the Pope; and, that the Immunities and Privileges granted by the preceding Popes, ſhould always ſubſiſt. 'Tis evident that in the main, the Pope, according to the Cuſtom of that Age, took more for himſelf than he gave to the *Scots*, and at the ſame time he would have it all eſteem'd as ſpecial Favour. This is one of thoſe Bulls, of which, as we ſaid before, Mr. *Rymer* has caus'd the Beginning and End to be engrav'd, to ſhew the Form thereof to thoſe who never ſaw them.

† *This Pope excommunicated the Emperor* Frederick II. *and ordered Kneeling at the Elevation of the Hoſt.*

He

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Pope's Letters to the King of Scotland. 334. 371.

5. A Brief from *Gregory* IX. to the King of *Scotland*; dated the 2d of the Nones of *January* 1235, at *Perusa*.

"HE exhorts him to perform Homage "to the King of *England*.

6. ANOTHER from the said Pope to the same King; dated the 5th of the Calends of *May* 1237, at *Viterbo*.

"HE blames him for not having per-"form'd his Homage to the King of "*England*.

Treaty with Scotland. 374.

7. TREATY of Peace betwixt the Kings of *England* and *Scotland*. On the *Friday* preceding, the Feast of St. *Michael*, 1237.

"THE King of *Scotland* gives up, 1. His "Pretensions to *Northumberland*, *Cum-*"*berland*, and *Westmoreland*. 2. His "Claim to the Sum of 15000 Marks, "which his Father had paid to King "*John*, on Conditions which the latter "had not perform'd. 3. He recedes from "the Engagement which *Henry* and Prince "*Richard* his Brother had enter'd into, "to marry *Margaret* and *Isabel* his Sisters. "4. And from *Henry*'s particular Engage-"ment with his Sister *Margaret*.

"*HENRY* gives him in recompense "200 *Libratas terræ* * in the County of "*Cumberland*, to hold of the Crown of "*England*, on his sending a Gosshawk "every Year to the King and his Heirs.

Ratification of it by the King of Scots. 428.

8. THE King of *Scotland*'s Ratification of the Treaty concluded with *Henry* in 1237. The Ratification is dated in 1244.

Pope's Letter to Henry III. 463.

9. *INNOCENT* IVth's Letter to *Henry* III. dated the 8th of the Ides of *April* 1251, at *Lyons*.

"HE refuses him two things which he "had desir'd of him, *viz.* that the King "of *Scotland* as his Vassal might not be "crown'd without his Permission, and the "Power of levying the Clergy's Tithes in "*Scotland*.

King of Scotland's Marriage. 467.

10. AN Act relating to the Marriage of *Alexander* III. with *Margaret* the Daughter of *Henry* III. dated at *York*, *Dec.* 27, 1251.

ARTICLE IV. HENRY III.

Affairs of Henry III. *with the Princes of* Wales.

THE *Welsh* were the Descendants from the ancient *Britons*, who having been drove out of their Country by the *English Saxons*, retir'd to a mountainous Country situate on the West of the *Severn*. The *Saxons* call'd that Country the Country of the *Gauls*, because they suppos'd that the *Britons* were of *Gallish* Extract. Therefore when they gave that Country the Name of the *Gauls* Country, they thereby intended to denote that it was the Country to which the *Britons* were retir'd, in order to distinguish it from the rest of *Britain*, which they themselves had conquer'd. As to the *Britons* or *Welsh*, they call'd themselves *Cambri*, and the Country situate on the West side of the *Severn*, to which they retir'd, retain'd among them the Name of *Cambria*. This was probably the Name they gave to the Country which they inhabited in the Isle of *Great Britain*, tho' the *Greeks* and *Romans* had only known it by the Name of *Britannia*, which was the Appellation given to the Island by Foreigners.

Origin of the Welsh.

AFTER the *English Saxons* had made themselves Masters of *Britain*, there were continual Wars betwixt them and the *Welsh*, who inhabited on the other side of the *Severn*, but the former could never make themselves Masters of *Wales*. After the Dissolution of the Heptarchy, the *Saxon* Kings made several Attempts to conquer it; but all that they could do was to keep it in some sort of Dependance on their Crown. The *Norman* and *Angevin* Kings who reign'd in *England* after the Conquest, very often attempted likewise to make themselves Masters of it, but always in vain. Indeed they frequently compell'd the Princes of *Wales* to pay them Homage, but this Dependance lasted no longer than while it was exacted by force of Arms. Whenever the Kings of

Their History.

A Mistake of Buchanan in the History of this King rectify'd. p. 278, 327.

HE observes also in his Preface, that *George Buchanan*, in the seventh Book of his History of *Scotland*, was in the wrong to charge *Henry* III. King of *England*, with Breach of his Promise to match the two Sisters of *Alexander* King of *Scotland*, his Brother-in-Law, within a certain time, because it appears by two Acts in this Collection, that they were actually marry'd. There is first of all a Declaration of King *Henry*, dated *June* 15, 1220, by which he promises to give his eldest Sister *Joan*, when she came into his Hands (for she was then with the Earl of *Marche* in *France*) to *Alexander* King of *Scotland*, by *Michaelmas* Day following; or if he could not get her over, that then he would match his youngest Sister *Isabel* to the said King *Alexander* in the space of a Fortnight after; and that he would match the two Sisters of the said Prince, who were *Margaret* and *Isabel*, in *England*, within a Year, reckoning from St. *Dennis*'s Day, 1220. If *Henry* broke his Word, it was only in point of Time; because it appears by an Act of *May* 12, 1225, that the said *Isabel* was then marry'd to the Son of the Count *le Bigod*; and by another, dated *November* 13, 1252, that the other Sister, *Margaret*, was marry'd to *Hubert du Burgo*. p. 278. p. 327.

IT appears likewise by the Acts of the Year 1221, that the Earl of *Marche*, who marry'd the Mother of *Henry* King of *England*, after the Death of his Father, sent him his Sister *Joan*, and that she was marry'd to the King of *Scotland*. This seems to have been the Motive of King *Henry*'s restoring to his Mother the Lands that were assign'd to her in *England* for her Dowry, as appears by two Acts of the Year 1222. Nevertheless they had Disputes afterwards, in which the Pope intermeddled, as may be seen by other Acts. p. 253.

* ACCORDING to *Skene de verb. signif. verbo Bovatæ terræ*, *Librata terræ* contains four Ox-gangs, and every Ox-gang 13 Acres. In the Regist. Orig. fol. 1. B. *Librata terræ* is suppos'd to amount to twelve score Acres. And in the same Regist. fol. 94. A. and fol. 248. B. it seems that *Librata terræ* is so much Land as yieldeth 20 *s. per Annum*.

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England were involv'd in Civil Wars or Foreign ones, the Princes of *Wales* generally ſhook off the Yoke; which was a continual Cauſe of Quarrel betwixt the *Engliſh* and the *Welſh*. The Church of *Wales* ſtood as it were upon the very ſame Terms; for ſometimes ſhe acknowledg'd the Juriſdiction of the Archbiſhop of *Canterbury*, and at other times rejected it, according to the Changes which happen'd in the State.

Prince of Wales makes Peace with the King.

UNDER the Reign of King *John*, *Lewellyn* * Prince of *Wales* taking advantage of the Difference which happen'd betwixt the King and the Barons, ſeiz'd ſeveral Places which the *Engliſh* had taken from his Predeceſſors, and was excommunicated by the Legate who was ſent over to *England* to favour the King's Party. Peace being reſtor'd in the Kingdom by the Treaty which was concluded in 1217, betwixt *Henry* III. and Prince *Lewis*, the Regent, whoſe Aim was to eſtabliſh the young King firmly on the Throne, did not think it adviſable to undertake a new War for the ſake of diſpoſſeſſing *Lewellyn* of thoſe Places which he had taken. He choſe rather to grant him an honourable and advantagious Peace, on condition that he ſhould perform Homage to the Crown of *England*. *Lewellyn* preceiving the Troubles of *England* at an end, accepted the Peace, and after having perform'd his Homage, receiv'd Abſolution from the Legate.

War with the Welſh.

TEN Years after, *viz.* *Anno* 1228, the *Welſh* being deſirous to take Advantage of the univerſal Diſguſt in *England* occaſion'd by the Revocation of the Charters, made Incurſions into the Counties that lay near theirs, and by ſo doing engag'd *Henry* to bring an Army upon their Frontiers. But as he was not a Prince of a warlike Genius, he had ill Succeſs in his Expedition, and return'd without having done any thing conſiderable.

The Prince makes a League with the Earl of Pembroke *againſt* Henry.

AFTERWARDS, *Anno* 1233, *Lewellyn* eſpous'd the Intereſt of the Earl of *Pembroke*, and made a League with him againſt the King. Had it not been for the Prince of *Wales*'s Aſſiſtance, the Earl of *Pembroke* could not have ſtood his Ground. After the Death of this Nobleman, who was kill'd in *Ireland*, *Henry* ſent the Archbiſhop of *Canterbury*, and the Biſhop of *Cheſter*, to the Prince of *Wales*, with whom they concluded a Peace.

Another Peace with the Welſh.

Anno 1237, *Lewellyn* who was grown old and infirm, finding himſelf perſecuted by *Griffin* his Son, put himſelf under the Protection of the King of *England*, and paid him that Homage voluntarily which his Predeceſſors never did without being forc'd to it.

Prince of Wales *does Homage to* Henry.

THIS Prince died in 1241, leaving his Dominions to *David* and *Griffin* his Sons, who were to ſhare them equally, but *David* ſeiz'd his Brother's Portion, and ſhut him up in a Priſon. *Griffin*'s Wife finding her Husband robb'd and impriſon'd, made Application to the King of *England*, and promis'd him in her Husband's Name a Preſent of 600 Marks, and a yearly Tribute of 300, if he would releaſe him from Priſon, and put him in Poſſeſſion of his Rights. *Henry* accepted of this Offer, and ſent a Summons to *David* to ſet his Brother at Liberty. *David* finding himſelf preſs'd, determin'd with himſelf to gain the King of *England*'s good Will, by making him Offers which were much more advantagious than thoſe of his Brother; and *Henry* accepted them without Heſitation. He actually took upon him to ſee that *Griffin* ſhould be remov'd under a Guard to the *Tower* of *London*, to which this Prince was committed; and as he attempted three Years after to make his Eſcape out at a Window, he fell into the Ditch and broke his Neck.

HENRY III.

Hit Death and Diſpute betwixt his Sons.

Anno 1244. *DAVID* was no ſooner rid of his Brother, but he fell out with *Henry*; and upon ſome very far-fetch'd Pretence, made Incurſions upon the *Engliſh* Frontiers. *Henry* making no Stir to repel this Inſult, the Country People themſelves took Arms in their own Defence, but were always beaten. This was juſt at the time that an *Engliſh* Army was on the march towards *Scotland*, which having no occaſion to act, by reaſon of the Peace which was concluded betwixt *Henry* and *Alexander*, the Prince of *Wales* did not doubt but it would be turn'd againſt him. On this Suppoſition, as he was in no condition to make Reſiſtance againſt ſo ſtrong a Force, he wrote word to the Pope, that he had been compell'd to perform Homage to the King of *England*, and to pay him a Tribute of 5000 Marks, by a Treaty which had been extorted from him. Therefore he deſir'd the Pope to diſcharge him from his Oath, and to annul the Treaty, upon his Offer to perform Homage to the Holy See, and to pay it the ſame Tribute as he paid to the King of *England*. *Innocent* IV. who was then in the Papal Chair, was far from refuſing this Offer. Yet to give ſome Colour to the Undertaking, he gave Commiſſion to two Abbots of *Wales* to enquire into the Affair; and if they ſhould find that *David* had been forc'd, he gave them a Power to abſolve him from his Oath, and to make the Treaty void. Theſe two Abbots having had the Inſolence to ſummon the King before them, the Parliament was ſo enrag'd at it, that

Prince of Wales *offers to become Vaſſal to the Pope.*

* This Prince had marry'd King *Henry*'s Siſter.

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War with Wales.

a War with *Wales* was resolv'd on in the Year 1245, but it was faintly carry'd on by the *English*, who were always beaten: At last in 1246, *Henry* going to put himself at the Head of his Army, the *Welsh* retir'd to their Mountains, where it was not possible to overtake them; for which Reason *Henry*, after having caus'd a Castle to be built in an advantagious Place, retir'd. *David* dying a little while after without Issue, was succeeded by his Nephew *Lewellyn*, *Griffin*'s Son.

FROM that time, the *English* and *Welsh* liv'd in a good Understanding for ten Years. But in 1256, *Henry* having given the *Welsh* some Cause of Disgust, they took up Arms and made Incursions into *England*. Prince *Edward*, who was then about 17 Years of Age, was very eager for repulsing them; but he could not accomplish it, because for want of Money he was very ill serv'd by his Troops.

Anno 1257. AT length the Progress of the *Welsh* oblig'd the King to march in Person into their Country. But as at his approach they laid waste their own Lands, and then retir'd to their Mountains, he was forc'd to halt. Mean time, while he thought his Enemies at a great distance from him, they surpriz'd him on a sudden, and put his Army to the Rout. After that time, other Affairs hinder'd the *English* from continuing the War.

Henry *is defeated.*

The Acts relating to Wales *are*,

Homage requir'd of the Prince of Wales. 225.

1. A Summons to *Lewellyn* Prince of *Wales*, to come and perform his Homage; dated *Feb.* 12, 1218, at *Exeter*.

David *protected*, 239.

2. LETTERS Patent by which *Henry* takes *David* the Son of *Lewellyn* into his Protection; dated *May* 5, 1220, at *Shrewsbury*.

His Absolution from Allegiance to England. 4250.

* 3. A Bull from *Innocent* IV. which makes void the Absolution given to *David* Prince of *Wales*, on pretence that the Oath he had taken to *Henry* had been extorted; dated the 7th of the Ides of *April*, 1244, at *Lyons*.

Henry's *agreement with two* Welsh *Princes*. 443.

4. An Agreement betwixt *Henry* III. and the two Princes, *Owen* and *Lewellyn*, Sons to *Griffin*; dated *April* 30, 1247, at *Woodstock*.

"THE King pardons them for their "Rebellion, and leaves them a part "of North *Wales*, on condition of "their paying him Homage, and furnish-"ing him with a certain number of Sol-"diers.

HENRY III.

ARTICLE V.

Henry IIId's *Affairs with the Court of* Rome.

Henry's *Homage to the Pope's Legate.*

Anno 1216. IMMEDIATELY after his Coronation, *Henry* III. perform'd Homage to the Pope before the Legate; the Regent who thought fit to engage the Court of *Rome* in the Interests of the young King, confirming by this Homage what had been done by the King his Father. He wrote to the Pope at the same time to acquaint him with the Death of *John*, and the Coronation of *Henry*, and to desire his Protection for this young Prince. The Pope was far from neglecting his own Interests on such an occasion as this, when the Point in Question was the Preservation of *England*, which was become the Patrimony of St. *Peter*. Therefore in order to favour *Henry* all that lay in his Power, he sent a new Legate to *England*, who renew'd and aggravated the Excommunication against *Lewis* and all his Adherents: And *Lewis* on his part solemnly protested against every thing that the Legate should do to his Prejudice.

Pope's Legate proceeds against the Clergy that adher'd to Lewis.

THE Treaty which was concluded the Year following, *viz.* 1217, betwixt *Henry* and *Lewis*, was not strong enough to shelter those Clergymen who had adher'd to a foreign Prince, from the Resentment of the Pope. Tho' it provided in express Terms, that no Person should be call'd to account for having espous'd *Lewis*'s Party; yet the Legate pretended that the Clergy could not be included in this Article, because as they had disobey'd the Pope by not observing the Interdict, it was an Affair which related to Religion, and with which the two Princes had no Concern. Therefore they who were guilty of this Crime, were forc'd to purchase their Pardons with great Sums of Money, the Regent refusing to protect them, for fear of drawing down the Pope's Anger upon the King, at a time when he was scarce settled on the Throne.

Pope's Bull declaring the King of Age.

INNOCENT III. dy'd in the Year 1218, and *Honorius* III. succeeded him. Some Years after this, the Pope pass'd an Act of Sovereign Authority, declaring by a Bull that the King was of Age, tho' he was not yet attain'd to the Years prescrib'd by the Laws; and ordering all that had Places belonging to the Crown in their

* Here is a Bull, whereby Pope *Honorius* excommunicates *Lewellyn* in 1223, in case he did not satisfy the King of *England*. See p. 261 of the first Tome of the *Fœdera*. As the Popes were always for weaving themselves as far as possible into the Concerns of Temporal Princes, so this Pope took *Henry*'s part very often, probably because of the Submission which he paid to the See of *Rome*. Of this there are numerous Instances in the Acts of his Reign.

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keeping, to ſurrender them immediately to the King. But this Bull, which was obtain'd by *Hubert de Burgh*, in order to be rid of the Regent, who made him uneaſy, was not punctually obey'd, as we obſerv'd under the firſt Article.

HENRY III.

He demands the promis'd Tenths.

An extraordinary demand of the Pope.

Anno 1226. THE Pope ſent a new Legate to *England*, who demanded at his Arrival that the Parliament might be called, to conſider of a Propoſal which he had to make from the Pope. His Demand being granted him, he propos'd, that by the Authority of Parliament two Prebends might be ſet apart for the Pope in every Cathedral, and two Monks Portions in every Monaſtery. He back'd his Propoſal with theſe Reaſons: That it had been publickly complain'd for a long time that the Court of *Rome* granted no Favour without Money; that to wipe off this Scandal, there was an abſolute neceſſity of removing the Cauſe that produced it, *viz.* the extreme Poverty of the Holy See, and to provide for its Neceſſities after another manner. The Parliament having ſeparated without returning any Anſwer to this Propoſition, the Legate took a Journey into the Northern Counties, where he ſo oppreſs'd the Churches, that they were forced to complain to the Pope, who recall'd him for fear of exaſperating the *Engliſh*, and prejudicing his Demand; from which the Pope was ſo far from receding, that on the contrary he enjoin'd the Archbiſhop of *Canterbury* to get the Parliament conven'd again, and to inſiſt ſtrenuouſly upon the Demand which had been made by his Legate; but he could not obtain any thing.

Pope inſiſts upon it, but in vain.

Gregory IX. *Pope.*

IN 1227. *Honorius* III. was ſucceeded by *Gregory* IX.

Death of Archbiſhop Langton, *and the Election of another, whom the King refuſes to confirm.*

CARDINAL *Langton*, Archbiſhop of *Canterbury*, dying next Year, the Monks of St. *Auſtin* immediately choſe one of their Brethren, without any Leave had from the King. But the King refuſing to acknowledge him, and the Suffragan Biſhops denying their Conſent to the Election, there was a neceſſity of carrying this Affair to *Rome*. As the Pope was in no great haſte to determine it, the King, without conſulting the Parliament, made an Offer to him of the tenth Part of the Moveables of *England* and *Ireland*, provided he would vacate the Election. This Offer ſo weaken'd the Title of the Archbiſhop elect, that the Pope annull'd his Election, and at the ſame time with his own Authority, confer'd the Archbiſhoprick of *Canterbury* on *Richard le Grand*, a Canon of *Lincoln*, who probably had been recommended to him by the King. Tho' this was a manifeſt Injuſtice, the King was far from complaining of it, and the Suffragan Biſhops were content, after they had ſeen the Election by the Monks of St. *Auſtin* made void. Not long after, the Pope ſent a Nuncio into *England* to receive what had been promis'd to him. The King having aſſembled a Parliament upon this occaſion, the Lords ſtrenuouſly oppos'd the Pope's Demand: But ſome of them having been gain'd over by Promiſes, and others frighten'd by Threats, the Nuncio at length obtain'd his Ends: Afterwards, in purſuance of a Power which he had from the Pope, he himſelf levy'd that Tax with ſo much Rigour, that he compelled the People to pay him the Tenth of the Fruits which were not yet gather'd. Moreover, he forced the Biſhops to advance the Money for the reſt of the Clergy, and left them a Power to reimburſe themſelves afterwards. As to thoſe who had no Money ready, the Nuncio had a Remedy at hand, for he carried with him *Italian* Uſurers, who lent it to them at extravagant Intereſt.

His Nuncio raiſes them with Rigour.

Pope nominates another.

THE Archbiſhop of *Canterbury* having ſome Difference with the King, ſet out in 1231, to carry his Complaints to the Pope. That Prelate dying this very Year at *Rome*, the Friars of St. *Auguſtin* choſe the Biſhop of *Chicheſter* in his place, and the King put him in poſſeſſion of the Temporalities of the Archbiſhoprick. But the Pope being inform'd that the Archbiſhop elect was too much a Dependant on the Court, made the Election void, and order'd the Monks to proceed to another. The ſecond Election, which was in 1232, not being to the Pope's liking, he would needs have a third, which fell upon *Richard Bland*, a Profeſſor of Divinity at *Oxford*, whom the Pope did not like neither. But at laſt, for fear that the Monks ſhould miſtake again, he gave them a Power to elect *Edmund* a Canon of *Salisbury*, who was actually choſe, and confirm'd by the Pope.

Archbiſhop of Canterbury *goes to* Rome *to complain of the King. His Death and ſucceſſor.*

Pope makes void the Election.

And a ſecond.

And a third.

THIS ſame Pope publiſh'd a Cruſado in 1236, becauſe the Truce which *Frederick* II. had made with the *Saracens* was on the point of expiration: A multitude of People took up the Croſs on ſuppoſition that a War would now be made upon the Infidels in good earneſt; but while Preparations were making for the Voyage, the Pope iſſued a Bull, whereby he excuſed the Croiſes from their Vow, on paying a Tax which he impos'd on each of them.

A Cruſado publiſh'd.

IN 1237 the Pope ſent a new Legate named *Otho* into *England*, tho' there did not ſeem to be any neceſſity for one then; but it appear'd afterwards that the King had requir'd one, that he might make uſe of his Power and Protection againſt the Barons who threaten'd him.

Arrival of Otho *the Legate.*

BUT next Year, the King was ſo embroil'd with the Court of *Rome*, by ſending

Cold reception of the Engliſh *Clergy at* Rome.

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ing a Body of *Engliſh* Troops to the Emperor's Service, that for ſome time the *Engliſh* Clergy there were very ill receiv'd. But the King and the Pope ſtood too much in need of one another to continue long at variance. The Biſhop of *Wincheſter* dying this ſame Year, the King recommended the Biſhop of *Valence* to the Chapter of that Church, who was the Queen's Brother: But without Regard to ſuch Recommendation, the Chapter elected the Biſhop of *Chicheſter*; which Election not being agreeable to the King, he made Advances towards a *Reconciliation with the Pope, and at length got it to be annull'd.

Death of the Biſhop of Wincheſter. *Henry recommends the Queen's Brother to that See.*

Anno 1239. AFTER the Legate *Otho* came to *England*, he never ceas'd extorting Money from the Clergy, on various Pretences. His Exactions were puſh'd to ſuch a degree, that the Clergy complain'd of him to the Pope, who had a great mind to recall him, but the King ſtill oppos'd it. At laſt, the Clergy ſeeing that there was no End of the Oppreſſions which they ſuffer'd from the Legate, had an extraordinary Aſſembly to conſider of ſome Remedy for that Evil, and were no ſooner met, but the Legate demanded of them a Supply of Money for the preſſing Neceſſities of the Holy See: But he was told in plain Terms, that the Clergy were reſolv'd to bear his Oppreſſions no longer: And then the Aſſembly ſeparated, for fear of giving the Legate an Opportunity to inſiſt upon his Demand. However, the Pope was no Loſer by it, becauſe the Legate made the Monaſteries pay what he had thought fit to demand of the Clergy.

The Legate's Exactions.

He demands a Subſidy of the Biſhops, who deny him.

THIS Legate, who was always inſatiable, not content with having pillag'd *England* with Impunity, had a mind to do the ſame in *Scotland*: But when he came upon the Frontier, he there found the King of *Scotland*, who ſtay'd to prevent his Entrance into that Kingdom, and actually gave him to underſtand, that his Perſon would not be ſafe among a People who were not accuſtom'd to ſee the Pope's Legates. The Legate inſiſted on his Entrance, and even threaten'd to excommunicate the King of *Scotland*, who did not ſeem to be much concern'd at it. At laſt, ſome Lords interpoſing to accommodate them, the King conſented he ſhould enter *Scotland* as a private Perſon, on condition that he would by a Writing ſign'd with his own Hand, acknowledge that when he had that Permiſſion granted him, it was not in regard to his Dignity, but only to his Perſon. Notwithſtanding this, when he came to *Edinburgh*, he extorted ſome Money from the Clergy of *Scotland*; and that was the only Buſineſs of his Journey.

The Legate makes a freſh Attempt upon Scotland.

HENRY III.

Extorts Money from the Clergy there.

THE King favour'd the Court of *Rome* upon all Occaſions, becauſe the Pope's Protection was the only Remedy he had againſt the Diſcontent of his Subjects. In order not to diſoblige the Pope, he had given Leave that the Excommunication of the Emperor his Brother-in-Law ſhould be publiſh'd in all the Churches of *England*; and when the Emperor † thought fit to complain of it, he told him, that as he was a Vaſſal of the Holy See, he could not diſpenſe with his Obedience to the Pope's Orders. After this, 'tis no Wonder that the Legate continued to oppreſs the Clergy of *England* with all the Severity imaginable, becauſe he was ſure of being ſupported by the King. But the Clergy was not the only Body that ſuffer'd; for in the Year 1240, the Legate made Proclamation throughout the Kingdom, that he had not only a Power to excuſe the Croiſes from their Vow, but alſo to compel them on pain of Excommunication, to compound for their Abſolution by Money.

IMMEDIATELY after this, the ſaid Legate demanded of the Clergy the Fifth Part of all their Goods, to go towards the Defence of the Church againſt the Attacks of the Emperor. The Biſhops at firſt loudly refus'd what was demanded of them; but at laſt the Archbiſhop of *Canterbury*, who was willing to live in Peace, made the Clergy conſent to give the Fifth Part of their Revenues. The Legate accepted of the Gift, but with as much Difficulty as if he had been giving his Maſter's Money to the Clergy. The Archbiſhop ſeeing there was no way to turn the Heart either of the King or the Pope, and deſiring to ſpend the remainder of his Life in quiet, retir'd to the Monaſtery of *Pontigny* in *France*, where he dy'd that ſame Year with the Character

Demands of the Pope upon the Clergy.

Retirement and Death of the Archbiſhop of Canterbury.

* THIS Reconciliation was made in Preſence of the Pope's Legate, and was ſign'd, according to Cuſtom, by many Biſhops and Barons of *England*. What is ſurprizing here, is, that the very next Piece is a Letter from the King of *Scotland* to the Pope, whom he calls *Innocent*, tho' the then Pope's Name was *Gregory*, and *Innocent* was his Succeſſor.

† IT is pity that there were not more Facts in the Emperor's Writings, and leſs of the Rhetoric of that time, which is by no means pleaſant to read. It appears by the Emperor's Complaint, that his Brother-in-Law, the King of *England*, was very much inclin'd to favour the Pope, who perhaps, to reward him, wrote over into *England* the next Year, which was 1239, to order that no Perſons diſagreeable to the King, ſhould be elected to the Sees of *Wincheſter* and *Durham*; for at that time of day, the King did not dare to nominate to Biſhopricks.

* *Dr.* Nelſon *ſays, That this Emperor was Maſter of the* Greek, Latin, German, Italian, *and the* Turkiſh *Languages; and underſtood moſt Arts and Sciences; that he was equally wiſe and brave, and ſtood out no leſs than five of the Pope's Excommunications. The Story of this noble Emperor, and of his Controverſy with the Pope, whom he deſcribed to be the* Antichriſt, *is at large in the firſt Volume of the* Book of Martyrs.

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of a Saint, and was afterwards canoniz'd at the Council of *Lyons*.

300 Italians nominated to vacant Benefices.

THIS Prelate was no ſooner gone, but a new Nuncio came, one *Peter Roſſi*, who brought a Liſt of Three hundred *Italians*, on whom the Pope order'd the firſt vacant Benefices ſhould be conferr'd, notwithſtanding all Right of Election, Patronage, or any other whatſoever. But that was not the only Motive of his Voyage: He had a more important Commiſſion, which was, to ſqueeze Money from all the Religious Houſes, in a way that it might not ſeem as if they were forced to give it. For this end he engaged ſome Abbots to ſign a Writing, whereby they promis'd to give a certain Sum to the Pope. He afterwards made uſe of this promiſſory Note, to induce others to follow the Example, by telling them how dangerous it would be for them to diſtinguiſh themſelves from the others by a Refuſal: But this Trick being too ſoon diſcover'd, he could not ſucceed in his Project. Mean time the Legate made a new Demand upon the Clergy, ſtill upon pretence of defending the Church againſt the Emperor. The Clergy publickly refus'd to ſubmit to that Exaction, and parted without granting any thing: But the King and the Legate having found Means to intimidate ſome of the Members, the latter ſuffer'd themſelves to be prevail'd on, and the others were in a manner forced to do as they did: So that every one did for himſelf what they had refus'd in a Body.

Pope's Nuncio tries to extort Money from the Monaſteries.

Legate demands a freſh Subſidy of the Clergy.

He returns to Rome.

AT laſt *Otho* the Legate ſet out for *Rome*, in 1241, carrying immenſe Sums with him, which he had amaſs'd in *England*: But as he enter'd *Italy*, he had the Misfortune to fall into the hands of the Emperor's Troops, who ſtripp'd him of all his Riches. *Gregory* IX. dy'd while the Legate was upon the Road. This Pope, who had in a manner exhauſted *England*, was not yet ſatisfied; for a little before his Death he had made a Propoſal to the Abbot of *Peterborough*, that if he would give him a certain Benefice of 200 *l. Sterling* a Year, he would let it out to him again for 100 *l.* and conſequently they ſhould ſhare the Benefice between them: But the Abbot was ſo honeſt a Man as to reject this Simoniacal Propoſition. Probably if the Pope had ſucceeded, he would have try'd the ſame Thing with all the other Abbots. The Death of *Gregory* IX. produced a Schiſm which laſted eighteen Years.

Is rifled by the Emperor's Forces.

Death of Gregory IX. His Simoniacal Propoſal.

Schiſm after his Death.

IN that ſame Year, *Henry* contriv'd to have *Boniface* the Queen's Brother elected Archbiſhop of *Canterbury*, tho' he was a young Man, and did not underſtand the *Engliſh* Language.

Queen's Brother choſen Archbiſhop.

THE Papal Throne was fill'd in 1243 by *Innocent* IV. This new Pope ſent a Nuncio to *England* nam'd *Martin*, who was authoriz'd to fill up all the vacant Benefices. Moreover, he had a Power to ſuſpend, excommunicate, and depoſe all Eccleſiaſticks that ſhould prove refractory; that is to ſay, ſuch as refus'd to give whatever Money was demanded of them. This Nuncio, after having committed an infinite number of private Extortions by vertue of his Power, demanded alſo an extraordinary Subſidy of the Clergy, to pay the Debts which *Gregory* IX. had contracted in the War againſt the Emperor, but he could not obtain any thing.

HENRY III.

Innocent IV. *Pope.*

He vexes the Clergy.

AT length, in 1245, the Barons perceiving that the Court of *Rome* drain'd the Kingdom of Money, and that the Clergy always relax'd, when they ſhould have withſtood the Pope, reſolv'd to oppoſe thoſe Extortions with their own Authority. For this purpoſe they order'd the Governours of the Sea-Ports to arreſt all Perſons that came into the Realm from the Pope. Not long after this, a Courier from *Rome* was apprehended, who came furniſh'd with ſeveral Bulls to demand Money of the Clergy: Upon Complaint made of it by the Nuncio, the King caus'd every thing that had been taken from the Courier to be reſtor'd; but the Nobility made a ſmart Remonſtrance to him on that Head, and ſhew'd him by an exact Calculation, that the Revenues of the *Italian* Benefices far exceeded thoſe of the Crown. The King was ſurpriz'd at it, and permitted the Nobility to make their Complaints to the General Council which was aſſembled at *Lyons*. They therefore wrote a long Letter to the Council, by Ambaſſadors ſent on purpoſe, to repreſent their Grievances to it: But as the Nobility apprehended that this Affair might be ſpun out to a greater length than they would have had it, they met, notwithſtanding the King's Prohibition, and ſent a Knight to the Nuncio, who commanded him in their Name to quit the Kingdom immediately, unleſs he had a mind to be cut in pieces. It ſignify'd nothing for the Nuncio to apply to the King, who was not then in a condition to protect him. He was forced to obey, and all that he could obtain was a Paſsport that he might retire with Safety.

Reſolves of the Barons againſt him.

His Courier ſtop'd.

Barons ſend a Letter to the General Council.

WHEN the Ambaſſadors came to the Council, they deliver'd in their Letter, which was publickly read. Then they gave a more particular Narrative of all the Grievances complain'd of by the *Engliſh*; and after having proteſted againſt the Tribute of 1000 Marks granted to the Pope by King *John*, they retir'd without one Word of Anſwer from the Pope to their

The Ambaſſadors lay open the Nation's Grievances.

Proteſt againſt the Tribute promis'd by King John.

FOEDERA Tom. I.

Complaints: But when they were gone, he endeavour'd to make the Council believe that he intended to remedy those Abuses. For this purpose he publish'd two Bulls, the first of which granted it as a Favour to such *English* as had the Right of Patronage, to nominate whomsoever they pleas'd to those Benefices which belong'd to them. The second order'd, that when a benefic'd *Italian* dy'd, or quitted his Benefice, the *English* should not be oblig'd to put another *Italian* in his Place. He made a great flourish with these two Bulls, as if he had thereby entirely redress'd all the Injuries which *England* complain'd of: But as soon as the Council was broke up, he compell'd all the Bishops of *England*, on pain of Excommunication, to subscribe the Charter of King *John*'s Resignation, and *Henry* suffer'd it without opposing it.

Pope pretends to satisfy the English.

He forces the Bishops to sign John's *Charter of Resignation.*

Anno 1246. THE Complaints of the Barons were not effectual to put a stop to the Exactions of the Court of *Rome*. Next Year, the Pope impos'd an intolerable Tax upon the Clergy of *England*, and the Bishops did not dare to stir: But it was not so with the Temporal Lords, who got the Parliament to pass a Resolution to have the Grievances of the Nation committed to Writing, and to demand Satisfaction from the Pope, by a Letter which was sign'd by all the Lords both Spiritual and Temporal. This Letter, as vigorous as it was, produced an Effect contrary to what was expected. The Pope being resolute, whatever was the Consequence, compell'd the Clergy to subscribe the Excommunication which he had fulminated against the Emperor; after which, pretending that all the Churches, and more especially that of *England*, were equally concern'd to support him in his War with that Monarch, he oblig'd every Member of the Clergy to supply him with Money for raising and maintaining his Troops. Moreover, by a Bull he appropriated to himself the Estates of all the Clergy that dy'd without a Will. And finally, to compleat his Oppression, he offer'd to lay a Tax upon the Clergy of *England* of One third of the Moveables of those who resided at their Benefices, and of One half of those who were Non-Residents: But the King could not help prohibiting the Clergy from submitting to that Imposition.

Fresh Exactions of the Court of Rome.

Pope claims the Goods of the Clergy dying intestate, and lays a heavy Tax on them.

IN the beginning of the Year 1247, a new Legate arriv'd, who immediately demanded a Present of One thousand Marks from the Bishops and Abbots of *England*, and Five hundred from those of *Ireland*. In order to compensate the King for his ordinary Complaisance, with regard to the Exactions of the Court of *Rome*, the Pope sent him a Bull, whereby he order'd that no *Italian*, not even a Nephew of any of the Cardinals, or of the Pope himself, should be put in possession of any Benefice in *England* without the King's Consent: But he well knew that such Consent would very easily be obtain'd.

HENRY III.

IN the Year 1250, *Henry* caus'd *Athelmar*, his Brother by the Mother's side, to be chose Bishop of *Winchester*, and the Pope confirm'd the Election.

Henry's *half Brother chose Bishop of* Winchester.

I might enter into a more particular Enumeration of the Exactions of the Court of *Rome* upon the Clergy of *England*; but I think what I have already related is sufficient to shew the Avarice of the Popes; and the rather, because I shall be oblig'd in the Second Part of this Reign to give more undeniable Proofs of it.

The Acts which come under the Fifth Article, concerning the Court of Rome, *are these:*

1. A Letter from *Honorius* III. to *Henry* III. exhorting him to take up the Cross, after the Example of the Emperor *Frederick*; dated the 5th of the Calends of *May* 1224, at the *Lateran*.

Pope's Letter to Henry *to take up the Cross.* 267.

2. A Letter from *Gregory* IX. to the King; dated at *Spoleto* the 7th of the Ides of *June*, 1232.

" He complains that his Ministers are " abus'd, and his Bulls despis'd.

Gregory's *Complaint to him.* 322.

3. A Letter from the King to the Cardinals; dated *Feb.* 25, 1235, at *Westminster*.

" 'Tis an Answer to their Complaint " that the Tribute of Five hundred Marks " had been paid to the Pope alone, with- " out giving them a Share of it.

King's Answer to the Cardinals Complaint. 337.

4. * A Letter from *Innocent* IV. to the King; dated the 10th of the Calends of *February* 1244, at *Lyons*.

" He exhorts the King to make a Voy- " age to the *Holy Land*.

Exhorted to go to the Holy Land. 423.

5. AN Order from the King to the *English* Prelates, who are to go to the General

His Order to the Prelates at the Council of Lyons, 434.

* HERE is a Brief or Letter from Pope *Gregory*, dated *July* 7, in the Year 1237, in which he demands of *Henry*, the *Yearly Quit-Rent of the thousand Marks Sterling* of the preceding Year, which had not been paid. There is a like Compliment from *Innocent* IV. his Successor, in the Year 1247.

THE Pope in requital, took part in all the Quarrels of the King of *England*; and here we have a Declaration of the above Year, *viz.* 1237, for putting an end to all the Disputes which the King of *England* had with the King of *Scotland*.

Council

FOEDERA Tom. I.

Council at *Lyons*, to do nothing in the Council to the prejudice of his Crown; dated in 1245.

Bull against Bishops absolving for Money. 435.

6. A Bull against the Bishops, who receive Money for absolving Persons excommunicated; dated the 10th of the Calends of *July* 1245, at *Lyons*.

7. A Letter from *Innocent* IV. to the King; dated the second of the Ides of *June* 1246, at *Lyons*.

Pope desires the King to let him levy the Tenths on the Clergy. 441.

" He desires him to permit the Levy " of the Twentieth of the Revenues of " Benefices; on which Condition he " promises to be very moderate with " regard to the Affair of Provisions to " Benefices.

8. Another to the King; dated the 3d of the Ides of *April* 1250, at *Lyons*.

Dissuades him from going to the Holy Land. 451.

" He endeavours to dissuade him from " undertaking the Voyage to the *Holy* " *Land* for the present *.

9. A Bull which takes off the Excommunication fulminated by the Archbishop of *Canterbury* against the Monks of St. *Austin*; dated the 5th of the Ides of *October* 1250, at *Lyons*.

HENRY III.

Excommunication of the Monks of St. Austin. 458.

10. The Pope's Letter, answering the Complaints of the Bishops of *England* against the great number of Foreigners holding Benefices; dated the 11th of the Calends of *June*, 1252, at *Assisio*.

Complaint against the number of Foreigners in Benefices. 471.

" He eludes this Complaint by general " Expressions. †

Bull for Provisions. 495.

11. A Bull of *Innocent* IV. concerning Provisions to Benefices; dated the 3d of the Nones of *November* 1253, at the *Lateran*.

" He grants something, but it is a ve- " ry small matter.

The Second Part of the REIGN of *HENRY* III.

Article I.

Henry IIId's *Affairs with the Popes, touching the Grant of the Kingdom of* Sicily.

IN the last Article of the first Part, we saw that the Pretence of all the Exactions of the Court of *Rome* upon the Clergy of *England* was the War which the Church was engag'd in against the Emperor. This Article is properly but another Link of the former. Here we shall find Exactions yet more intolerable, tho' under another Pretext; which will shew to what a degree the Popes push'd their Avarice of Money, and their Severity to the Clergy of *England*. In order to convince the Reader of this Truth, I shall here as briefly as possible explain those two Pretexts which I have been speaking of, because that which is the Subject of this Article is but a Sequel and Dependant of the former.

Tancred King of Sicily's Death and Successor.

I took notice before, in the Abridgment of the Reign of *Richard* the First, that *Tancred*, the natural Son of *Roger* King of *Sicily* seiz'd that Kingdom, and kept possession of it to his Death, notwithstanding the Efforts of the Emperor *Henry* of the House of *Suabia*, whom

* In 1250, Pope *Innocent* IV. publish'd a Bull for a Croisado, which is in this Collection, together with other Briefs relating thereunto; and the History of that time informs us, that they were not without effect. There is another Bull to the same purpose, which was issu'd *Anno* 1252, and other Acts concerning the same thing. The Popes were very glad to send the Western Princes into *Asia*, because in their Absence they had more Authority in their Dominions, and because those Princes commonly returning Beggars from beyond Sea, they were more submissive to the See of *Rome*, than if they had been in a better Condition.

† Besides the thousand Marks *Sterling*, which *England* paid every Year to the Pope, the Clergy of this Kingdom complain'd in 1252, that the Court of *Rome* drew away fifty thousand Marks more for the Grant of Benefices. * *Innocent* wrote a Letter upon it to pacify the Complaints of the *English*; but in his Writings there is more Flattery than Sincerity, according to the Custom of the Church of *Rome*.

* *This Pope was a violent Persecutor of the learned and pious* Grosthed, *Bishop of* Lincoln, *for calling him Antichrist; And* Matth. Paris, Cestrensis, *and other Historians of that time, say, That he was frighten'd by the Bishop's Apparition after his Death, summoning him to Judgment; and that he thereupon sicken'd and languish'd for a short time, 'till he died. He first instituted Cardinals Red Hats.*

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the Pope had caus'd to marry *Conſtantia* of *Sicily*, tho' 50 Years of Age. After the Death of *Tancred*, his Son *William* III. aſcended the Throne of *Sicily*; and the Emperor *Henry* renewing his Pretenſions to that Kingdom, repair'd to *Italy*, and beſieg'd *Naples*. *Sicily* was at that time divided into two Parts, the firſt of which contain'd that part of the Iſland which is call'd *Sicily* beyond the *Fare*, and the ſecond that part which is now call'd the Kingdom of *Naples*, and then known by the Name of *Sicily* on this ſide of the *Fare*. *Henry* meeting with more Difficulties in the Siege of *Naples* than he expected, made a Propoſal of an Accommodation to *William*, which was accepted. By the Treaty which was concluded on this Head, the Emperor had *Sicily* beyond the *Fare*, and *William* kept the Kingdom of *Naples*. But *Henry* having contriv'd to ſeize the Perſon of *William*, caus'd his Eyes to be put out, and ſent him Priſoner to *Germany*. After this, he made himſelf Maſter of *Naples*, and kept the two Kingdoms united 'till his Death, which happen'd in 1199. *Frederick* his Son who was 11 Years of Age, ſucceeded him, and was crown'd at *Palermo* with the Approbation of the Pope, who gave him the Inveſtiture of both *Sicilys*. *Conſtantia* the Emperor's Widow dying three Years after, left the ſame Pope *Innocent* III. to be Guardian of her Son *Frederick*, who at the Age of 14 marry'd *Conſtantia* of *Caſtille*. This ſame Prince was elected Emperor by *Innocent* the Third's Party, which oppos'd that of the excommunicated Emperor *Otho*; but he was not crown'd 'till after the Death of *Otho* in 1220, by Pope *Honorius* III. *Conſtantia* of *Caſtille* dying in 1222, *Frederick* marry'd *Yolante*, Daughter of *John de Brienne*, titular King of *Jeruſalem*. As this Kingdom was ſtill in the hands of the *Saracens*, *Honorius* III. publiſh'd a Cruſado in 1224, of which *Frederick* was declar'd General, in order to recover that Kingdom from the Infidels.

Diviſion of that Country.

Treaty betwixt the Emperor and the King of Sicily.

Sad Cataſtrophe of the King of Sicily.

Emperor Frederick *inveſted in both* Sicilys.

His Coronation and Marriage.

A Cruſado for a War againſt the Infidels.

WHILE the Emperor was preparing for this Expedition, certain Towns of *Italy* revolted from him; and as he did not care to leave that Country in Trouble during his Abſence, he reſolv'd before he went, to reduce thoſe Towns. But *Gregory* IX. Succeſſor of *Honorius*, preſs'd him very earneſtly to go, on pretence that the Croiſes could no longer be without their General; but probably his ſecret Reaſon was a deſign to take advantage of the Emperor's Abſence to foment the Revolt of *Italy*. Be this as it will, *Frederick* being no longer able to withſtand the preſſing Sollicitations of the Pope, embark'd as if he had a Deſign to make a Voyage to *Paleſtine*; but was no ſooner aboard the Veſſel, than he gave Orders for his being put aſhore again by reaſon of Sickneſs. That was what gave the Pope a handle to excommunicate him, becauſe he declar'd not only that his Diſtemper was feign'd, but alſo that a very great number of the Croiſes who had been actually at the *Holy Land* were return'd home, when they ſaw that the Emperor did not arrive. This Excommunication ſo provok'd the Emperor, that he put himſelf at the Head of his Army, and march'd directly to *Rome*, from whence the Pope was forc'd to depart. Nevertheleſs the Emperor ſet out next Year for the *Holy Land*, where he made great Progreſs, tho' he was thwarted by the Knights Hoſpitallers, who had even laid a Plot to deliver him up to the *Saracens*, probably with a View to do the Pope a Pleaſure. For *Gregory* had renew'd the Excommunication of the Emperor, becauſe he ſail'd away before he had made his Peace with the Church. At the ſame time, he gave the Command of an Army to *John de Brienne*, in order to go and make himſelf Maſter of the Kingdom of *Naples*. Thus have I trac'd the Origin of this famous War, which coſt *Italy* ſo much Blood, and gave Birth to the two Factions of the *Guelphs* and *Gibelins*, who worry'd each other ſo long, and fill'd that Country with Murders and Maſſacres. *England*, tho' very remote from *Italy*, was alſo a Sufferer by it, becauſe this ſame War furniſh'd the Pope with a Pretext for oppreſſing the Clergy.

HENRY III.

Pope excommunicates him.

Revolt of Towns in Italy *from the Emperor.*

INNOCENT IV. who was Succeſſor of *Gregory* IX. walking in the Footſteps of his Predeceſſor, made all poſſible Efforts to take the Kingdom of *Sicily* from the Emperor, and even to deprive him of the Empire. He ſolemnly excommunicated him at the Council of *Lyons*, and endeavour'd to arm all the Powers in Chriſtendom againſt him. But notwithſtanding all his Efforts, *Frederick* kept *Sicily* and the Empire to his Death, which happen'd in 1250.

Innocent IV. *his Succeſſor alſo excommunicates him.*

Emperor's Division of the Sicilys among his Sons.

THIS Prince having Children by three Wives, ſhar'd his Succeſſion among them by a Will. He had given *Auſtria* to *Henry* his eldeſt Son by his Wife *Conſtantia*; *Sicily* on this ſide of the *Fare*, or the Kingdom of *Naples*, to *Conrad* his Son, by *Yolante* of *Brienne*; and the Iſle of *Sicily* to *Henry*, whom he had by his third Wife *Iſabella* of *England*, Siſter to *Henry* III. He had likewiſe a natural Son named *Manfred*, to whom he left the Principality of *Tarentum*, with the Regency of the two Kingdoms, *viz.* of that of *Naples* in the abſence of *Conrad*, and of that of *Sicily* during *Henry*'s Minority. *Manfred* having taken poſſeſſion of the Regency of *Sicily*, went to aſſume that likewiſe of the other Kingdom, but the principal Cities refuſing to admit him, he preſs'd *Conrad* to come in Perſon into that Country, and cauſe himſelf to be recogniz'd there. *Germany* being at that time divided into two Factions, as well as *Italy*, one part of the Princes had elected *Conrad* for Emperor, and the Pope's Party had made choice of *William* Earl of *Holland*.

Conrad excommunicated

Conrad was no ſooner elected than the Pope excommunicated him; but this did not hinder his going to the Kingdom of *Naples*, there to ſupport his Party againſt the Pope, who had cauſed the greateſt Cities to revolt. This War proving very expenſive to the Pope, he endeavour'd to perſuade Prince *Richard*, who was *Henry* the third's Brother, to accept the Crown of *Sicily*, of which he made him an Offer. *Richard*, who was a Prince of very great Oeconomy, had heap'd up vaſt Wealth, while the King his Brother was always in want. 'Twas this that made the Pope caſt his eye upon him, in hopes that he wou'd be profuſe of his Treaſure in order to procure himſelf a Crown. Indeed *Richard* did not reject the Propoſal, but he inſiſted on ſome Security which the Pope did not like. When he offer'd him the Crown, he thought that he wou'd be content with the bare Title of King of *Sicily*, ſuffer himſelf to be directed by his (the Pope's) Counſels, and make him Maſter of his Purſe. But *Richard* not thinking it fit to be his Tool, the Negotiation broke off.

Innocent offers Sicily to Pr. Richard.

His Terms not lik'd by the Pope.

Negotiation is broke off.

MEAN time *Conrad*, who ſtill carried on the War againſt the Pope with Vigour, made himſelf Maſter of the City, and almoſt the whole Kingdom of *Naples*. This oblig'd *Innocent* IV. to tack about to the King of *England*, and to offer him the Crown of the two *Sicilys*, provided he wou'd engage to conquer them. But *Henry* refus'd the Preſent, it being a Scruple with him to deprive his Nephew *Henry* of the Portion which was fallen to his ſhare. During this, *Conrad* contriv'd to have *Henry* his Brother put to death, and to make himſelf Maſter of *Sicily*. This Action gave

Conrad conquers Naples.

Pope's Offer of the 2 Sicilys to King Henry alſo rejected.

Conrad charged with the Murder of his Brother.

the Pope an occaſion to renew the Excommunication of this Prince, who about 5 Months after died, as 'tis ſaid, of Poiſon given him by his Baſtard Brother *Manfred*, who had always pretended a Devotion both to his Perſon and Service.

Excommunicated and poiſoned.

IMMEDIATELY after *Conrad*'s death, *Innocent* IV. improving the Opportunity, made himſelf Maſter once again of the Kingdom of *Naples*; and *Manfred*, tho' he harbour'd in his Breaſt a Deſign to ſeize the two *Sicilys*, feign'd an entire Devotion to him. He knew ſo well how to diſſemble, that the Pope thinking him wholly in his Intereſt, form'd no Reſolution with regard to his new Conqueſts without conſulting him. Mean time as the Pope cou'd not maintain the Army which he had carried to *Naples* without a very great Expence, he apply'd once more to the King of *England*, and offer'd him the Crown of *Sicily*, that is to ſay of both Kingdoms, for *Edmund* his eldeſt Son; telling him, that ſince the Death of the King of *Sicily* his Nephew, there was no more room for his Scruples. *Henry* was weak enough, inconſiderately to accept of a Preſent which was only ſo in appearance, the Deſign of it being his Ruin. He did not only immediately ſend the Pope all the Money he cou'd raiſe, but was alſo ſo imprudent as to engage for the Payment of all the Sums which the Pope ſhou'd borrow to place Prince *Edmund* on the Throne of *Sicily*. After he was ſo far engag'd, he was continually preſs'd to ſend Money to *Rome*. But it not being in his power to diſpoſe of the Purſes of his Subjects, as I have already ſhewn, the Pope undertook to put him in a way to raiſe Money; which was by continually impoſing Tenths and other Burdens upon the Clergy of *England*, on pretence of relieving the King in his Neceſſities, but in reality for defraying the Expences of the War in *Sicily*.

Innocent becomes Maſter again of Naples.

Manfred outwits him.

Pope offers Sicily to Henry for Pr. Edmund.

Henry accepts it.

Pope's Contrivance to help the King to Money.

THO' *Innocent* was Maſter of *Naples*, and of the other chief Cities of that Kingdom, yet there was a Party againſt him, which was ſupported by the *German* Troops that *Conrad* had brought thither, and which were under the Command of the two Princes of *Bavaria*. *Manfred*, who, as I have already ſaid, had formed a Deſign to be Maſter of both Kingdoms, had as many Difficulties to cope with, in all appearance, from the Pope, as from the two *German* Princes who ſupported the Intereſts of young *Conradin* the Son of *Conrad*. But as he was not at that time in a condition to make uſe of Force, he reſolved to have recourſe to Fraud; and this was the Stratagem which he tryed for his Deliverance. He perſuaded the Pope, who had no manner of Suſpicion of him, that the City of *Naples* being too much burden'd by the long Stay which the Army had

Pope Innocent farther outwitted by Manfred.

FOEDERA Tom. I.

the Pope had caus'd to marry *Conſtantia* of *Sicily*, tho' 50 Years of Age. After the Death of *Tancred*, his Son *William* III. aſcended the Throne of *Sicily*; and the Emperor *Henry* renewing his Pretenſions to that Kingdom, repair'd to *Italy*, and beſieg'd *Naples*. *Sicily* was at that time divided into two Parts, the firſt of which contain'd that part of the Iſland which is call'd *Sicily* beyond the *Fare*, and the ſecond that part which is now call'd the Kingdom of *Naples*, and then known by the Name of *Sicily* on this ſide of the *Fare*. *Henry* meeting with more Difficulties in the Siege of *Naples* than he expected, made a Propoſal of an Accommodation to *William*, which was accepted. By the Treaty which was concluded on this Head, the Emperor had *Sicily* beyond the *Fare*, and *William* kept the Kingdom of *Naples*. But *Henry* having contriv'd to ſeize the Perſon of *William*, caus'd his Eyes to be put out, and ſent him Priſoner to *Germany*. After this, he made himſelf Maſter of *Naples*, and kept the two Kingdoms united 'till his Death, which happen'd in 1199. *Frederick* his Son who was 11 Years of Age, ſucceeded him, and was crown'd at *Palermo* with the Approbation of the Pope, who gave him the Inveſtiture of both *Sicilys*. *Conſtantia* the Emperor's Widow dying three Years after, left the ſame Pope *Innocent* III. to be Guardian of her Son *Frederick*, who at the Age of 14 marry'd *Conſtantia* of *Caſtille*. This ſame Prince was elected Emperor by *Innocent* the Third's Party, which oppos'd that of the excommunicated Emperor *Otho*; but he was not crown'd 'till after the Death of *Otho* in 1220, by Pope *Honorius* III. *Conſtantia* of *Caſtille* dying in 1222, *Frederick* marry'd *Yolante*, Daughter of *John de Brienne*, titular King of *Jeruſalem*. As this Kingdom was ſtill in the hands of the *Saracens*, *Honorius* III. publiſh'd a Cruſado in 1224, of which *Frederick* was declar'd General, in order to recover that Kingdom from the Infidels.

Diviſion of that Country.

Treaty betwixt the Emperor and the King of Sicily.

Sad Cataſtrophe of the King of Sicily.

Emperor Frederick *inveſted in both* Sicilys.

His Coronation and Marriage.

A Cruſado for a War againſt the Infidels.

WHILE the Emperor was preparing for this Expedition, certain Towns of *Italy* revolted from him; and as he did not care to leave that Country in Trouble during his Abſence, he reſolv'd before he went, to reduce thoſe Towns. But *Gregory* IX. Succeſſor of *Honorius*, preſs'd him very earneſtly to go, on pretence that the Croiſes could no longer be without their General; but probably his ſecret Reaſon was a deſign to take advantage of the Emperor's Abſence to foment the Revolt of *Italy*. Be this as it will, *Frederick* being no longer able to withſtand the preſſing Sollicitations of the Pope, embark'd as if he had a Deſign to make a Voyage to *Paleſtine*; but was no ſooner aboard the Veſſel, than he gave Orders for his being put aſhore again by reaſon of Sickneſs. That was what gave the Pope a handle to excommunicate him, becauſe he declar'd not only that his Diſtemper was feign'd, but alſo that a very great number of the Croiſes who had been actually at the *Holy Land* were return'd home, when they ſaw that the Emperor did not arrive. This Excommunication ſo provok'd the Emperor, that he put himſelf at the Head of his Army, and march'd directly to *Rome*, from whence the Pope was forc'd to depart. Nevertheleſs the Emperor ſet out next Year for the *Holy Land*, where he made great Progreſs, tho' he was thwarted by the Knights Hoſpitallers, who had even laid a Plot to deliver him up to the *Saracens*, probably with a View to do the Pope a Pleaſure. For *Gregory* had renew'd the Excommunication of the Emperor, becauſe he ſail'd away before he had made his Peace with the Church. At the ſame time, he gave the Command of an Army to *John de Brienne*, in order to go and make himſelf Maſter of the Kingdom of *Naples*. Thus have I trac'd the Origin of this famous War, which coſt *Italy* ſo much Blood, and gave Birth to the two Factions of the *Guelphs* and *Gibelins*, who worry'd each other ſo long, and fill'd that Country with Murders and Maſſacres. *England*, tho' very remote from *Italy*, was alſo a Sufferer by it, becauſe this ſame War furniſh'd the Pope with a Pretext for oppreſſing the Clergy.

HENRY III.

Revolt of Towns in Italy *from the Emperor.*

Pope excommunicates him.

INNOCENT IV. who was Succeſſor of *Gregory* IX. walking in the Footſteps of his Predeceſſor, made all poſſible Efforts to take the Kingdom of *Sicily* from the Emperor, and even to deprive him of the Empire. He ſolemnly excommunicated him at the Council of *Lyons*, and endeavour'd to arm all the Powers in Chriſtendom againſt him. But notwithſtanding all his Efforts, *Frederick* kept *Sicily* and the Empire to his Death, which happen'd in 1250.

Innocent IV. *his Succeſſor alſo excommunicates him.*

FOEDERA Tom. I.

Emperor's Division of the Sicilys among his Sons.

THIS Prince having Children by three Wives, shar'd his Succession among them by a Will. He had given *Austria* to *Henry* his eldest Son by his Wife *Constantia*; *Sicily* on this side of the *Fare*, or the Kingdom of *Naples*, to *Conrad* his Son, by *Yolante* of *Brienne*; and the Isle of *Sicily* to *Henry*, whom he had by his third Wife *Isabella* of *England*, Sister to *Henry* III. He had likewise a natural Son named *Manfred*, to whom he left the Principality of *Tarentum*, with the Regency of the two Kingdoms, *viz.* of that of *Naples* in the absence of *Conrad*, and of that of *Sicily* during *Henry*'s Minority. *Manfred* having taken possession of the Regency of *Sicily*, went to assume that likewise of the other Kingdom, but the principal Cities refusing to admit him, he press'd *Conrad* to come in Person into that Country, and cause himself to be recogniz'd there. *Germany* being at that time divided into two Factions, as well as *Italy*, one part of the Princes had elected *Conrad* for Emperor, and the Pope's Party had made choice of *William* Earl of *Holland*. *Conrad* was no sooner elected than the Pope excommunicated him; but this did not hinder his going to the Kingdom of *Naples*, there to support his Party against the Pope, who had caused the greatest Cities to revolt. This War proving very expensive to the Pope, he endeavour'd to persuade Prince *Richard*, who was *Henry* the third's Brother, to accept the Crown of *Sicily*, of which he made him an Offer. *Richard*, who was a Prince of very great Oeconomy, had heap'd up vast Wealth, while the King his Brother was always in want. 'Twas this that made the Pope cast his eye upon him, in hopes that he wou'd be profuse of his Treasure in order to procure himself a Crown. Indeed *Richard* did not reject the Proposal, but he insisted on some Security which the Pope did not like. When he offer'd him the Crown, he thought that he wou'd be content with the bare Title of King of *Sicily*, suffer himself to be directed by his (the Pope's) Counsels, and make him Master of his Purse. But *Richard* not thinking it fit to be his Tool, the Negotiation broke off.

Conrad excommunicated

Innocent offers Sicily to Pr. Richard.

His Terms not lik'd by the Pope.

Negotiation is broke off.

MEAN time *Conrad*, who still carried on the War against the Pope with Vigour, made himself Master of the City, and almost the whole Kingdom of *Naples*. This oblig'd *Innocent* IV. to tack about to the King of *England*, and to offer him the Crown of the two *Sicilys*, provided he wou'd engage to conquer them. But *Henry* refus'd the Present, it being a Scruple with him to deprive his Nephew *Henry* of the Portion which was fallen to his share. During this, *Conrad* contriv'd to have *Henry* his Brother put to death, and to make himself Master of *Sicily*. This Action gave

Conrad conquers Naples.

Pope's Offer of the 2 Sicilys to King Henry also rejected.

Conrad charged with the Murder of his Brother.

the Pope an occasion to renew the Excommunication of this Prince, who about 5 Months after died, as 'tis said, of Poison given him by his Bastard Brother *Manfred*, who had always pretended a Devotion both to his Person and Service.

HENRY III.

Excommunicated and poisoned.

IMMEDIATELY after *Conrad*'s death, *Innocent* IV. improving the Opportunity, made himself Master once again of the Kingdom of *Naples*; and *Manfred*, tho' he harbour'd in his Breast a Design to seize the two *Sicilys*, feign'd an entire Devotion to him. He knew so well how to dissemble, that the Pope thinking him wholly in his Interest, form'd no Resolution with regard to his new Conquests without consulting him. Mean time as the Pope cou'd not maintain the Army which he had carried to *Naples* without a very great Expence, he apply'd once more to the King of *England*, and offer'd him the Crown of *Sicily*, that is to say of both Kingdoms, for *Edmund* his eldest Son; telling him, that since the Death of the King of *Sicily* his Nephew, there was no more room for his Scruples. *Henry* was weak enough, inconsiderately to accept of a Present which was only so in appearance, the Design of it being his Ruin. He did not only immediately send the Pope all the Money he cou'd raise, but was also so imprudent as to engage for the Payment of all the Sums which the Pope shou'd borrow to place Prince *Edmund* on the Throne of *Sicily*. After he was so far engag'd, he was continually press'd to send Money to *Rome*. But it not being in his power to dispose of the Purses of his Subjects, as I have already shewn, the Pope undertook to put him in a way to raise Money; which was by continually imposing Tenths and other Burdens upon the Clergy of *England*, on pretence of relieving the King in his Necessities, but in reality for defraying the Expences of the War in *Sicily*.

Innocent *becomes Master again of* Naples.

Manfred *outwits him.*

Pope offers Sicily *to* Henry *for Pr.* Edmund.

Henry *accepts it.*

Pope's Contrivance to help the King to Money.

THO' *Innocent* was Master of *Naples*, and of the other chief Cities of that Kingdom, yet there was a Party against him, which was supported by the *German* Troops that *Conrad* had brought thither, and which were under the Command of the two Princes of *Bavaria*. *Manfred*, who, as I have already said, had formed a Design to be Master of both Kingdoms, had as many Difficulties to cope with, in all appearance, from the Pope, as from the two *German* Princes who supported the Interests of young *Conradin* the Son of *Conrad*. But as he was not at that time in a condition to make use of Force, he resolved to have recourse to Fraud; and this was the Stratagem which he tryed for his Deliverance. He persuaded the Pope, who had no manner of Suspicion of him, that the City of *Naples* being too much burden'd by the long Stay which the Army

Pope Innocent *farther outwitted by* Manfred.

FOEDERA Tom. I.

had made there, it was neceſſary to eaſe it, by diſperſing the Troops into different Places; that moreover it was not for the Pope's Advantage, to let the *Germans*, who were at one of the Extremities of the Kingdom, have the liberty of extending their Quarters as far as they pleas'd, and that it was abſolutely neceſſary to keep them in awe, by ſending ſome Troops that way. The Pope followed this Advice, and diſtributed his Army into ſeveral Quarters. This firſt Branch of the Project being put in execution, *Manfred* conſulted how to manage the two Princes of *Bavaria*. For this end he gave them to underſtand by ſome ſecret Emiſſaries, that tho' he feign'd to be devoted to the Pope, it was only that he might make a better uſe of the Opportunities which ſhou'd preſent to ſerve *Conradin* as he was in duty bound; but that he ſaw no proſpect of his being able to procure him the Poſſeſſion of that Kingdom, with the few Troops which the deceaſed Emperor had left, conſidering the great Force which the Pope had brought with him; that he adviſ'd them therefore to go and make new Levies in *Germany*, and that during their abſence, he wou'd undertake to provide for the Maintenance of their Troops, by putting the Pope in hopes that at the ſame time he furniſh'd them with ſome Subſiſtance and a little Money, he wou'd engage them to retire voluntarily; but that he wou'd order it ſo, that the Negotiation ſhould laſt till their Return. The two Princes falling into this Snare, ſet out for *Germany*, and left their Troops without any Perſon of Diſtinction at the head of them, truſting entirely to *Manfred*, who had made them believe, that it was a ſure Way to deceive the Pope. The third thing which *Manfred* had at heart, was ſecretly to get Aſſurance of Aſſiſtance from the *Saracens*, who were ſtill very numerous in the Kingdom, and Maſters of ſeveral Places. His Meaſures being thus concerted, it happen'd that after he had kill'd a Man that had affronted him, he left the Pope's Court upon pretence of abſconding from Juſtice, and retir'd to the little Town of *Nocera*, of which the *Saracens* were in poſſeſſion. He was ſummon'd to appear and take his Trial, and upon his refuſal the Pope ſent a part of his Army to ſeize him in the very Place to which he was fled. But *Manfred* who foreſaw it, and was already prepar'd, went to meet thoſe Troops upon the Road, ſurpriz'd them, and entirely routed them. *Innocent* then opened his Eyes, and perceiving *Manfred*'s Treachery, it ſtuck ſo much to his Heart, that it carry'd him to his Grave. *Alexander* IV. was his Succeſſor. Mean time *Manfred* keeping his Deſigns ſtill ſecret, openly eſpous'd *Conradin*'s Party, and by this means he diſpoſed of the *German* Troops that were in the Kingdom.

Manfred flies from the Pope's Court for Murder.

The Pope purſues him and is beat.

Pope's Death and Succeſſor.

THE new Pope being reſolved to make War againſt *Manfred*, borrowed Money every where upon the account of the King of *England*, who was under an Engagement to pay it; and at laſt he aſſembled an Army of 60000 Men, at the head of which he put Cardinal *Ubaldini*, an experienc'd General, and gave him for Lieutenant the Marquis of *Herebroke* a *German*, who had faithfully ſerved *Innocent* IV. but after that Pope's Death had ſuffered himſelf to be corrupted by *Manfred*. The Cardinal being in a readineſs to march with his whole Army againſt *Nocera*, the Marquis gave him to underſtand, that the neighbouring Country was deſtitute of Forage and Proviſion; that moreover there wou'd be no great Honour in attacking a paultry Town with ſo great an Army, the rather becauſe while *Manfred* ſhut himſelf up in that City, it was a Token that he was not in a Condition for any Enterprize. The Cardinal believed what he ſaid, and only march'd with part of his Troops; but *Manfred*, who was quickly informed of it, marching out of *Nocera*, met the Enemies Army betwixt *Troya* and *Foggia*, and entirely defeated it. After this, having neither the Pope nor the *Germans* to fear, he took off the Maſque, and cauſed himſelf to be crown'd King of the two *Sicilys*.

HENRY III.

He raiſes an Army againſt Manfred.

Manfred *defeats it.*

Is crowned K. of Sicily.

THE Pope having loſt the beſt part of his Army, and not being in a condition to raiſe another, made no conſiderable Effort after that time to wreſt the Crown from the Uſurper. Nevertheleſs, he made a handle of that War, to draw prodigious Sums from the King, the People, and eſpecially the Clergy of *England*, beſides what he had borrow'd in the King's Name. In order to feed the hopes of this too credulous Prince, he ſent the Biſhop of *Bologna* into *England*, who ſolemnly inveſted Prince *Edmund* in the Kingdom of *Sicily*, by putting a Ring upon his Finger. The King who was as much pleas'd to ſee this Ceremony, as if the Prince his Son had thereby been really placed upon the Throne of *Sicily*, did not trouble himſelf ſo much as to inquire into the State of Affairs of that Kingdom; and the Legate was as far from giving him a faithful Account. I have already ſaid, that *Alexander* IV. had loſt all Hopes of diſpoſſeſſing *Manfred*. It cou'd not be done without exceſſive Charge, and yet he gave *Henry* to underſtand that the thing was eaſy, and on the point of being executed, provided he wou'd furniſh ſome Money to haſten the raiſing of the Troops; an imaginary Levy which was never made, and for which nevertheleſs *Alexander* drain'd *England* of Money. The extraordinary Methods he made uſe of to draw Money from *England*, is the principal Subject of this Article. I will only mention ſome of them, becauſe it won'd be too tedious to enter into the Particulars, which if any one has

Pope inveſts Pr. Edmund *with* Sicily.

I

Fœdera Tom. I.

has the curioſity to ſee, he need only conſult the Hiſtory of *Matthew Paris* relating to the Reign of *Henry* III.

Henry III.

Sends Ruſtand his Nuncio into England with Bulls.

In 1255, a Nuncio named *Ruſtand*, came into *England* with ſeveral Bulls. He immediately produced two of them, the firſt of which order'd the raiſing of the Tenths in *England*, *Scotland*, and *Ireland*, for the Neceſſities of the King and the Holy See; that is to ſay, for the pretended Conqueſt of *Sicily*, notwithſtanding all the Oppoſition whatſoever that could be imagined. The ſecond authoriz'd the King to change the Vow which he had made to go to the *Holy Land*, into that of undertaking the Conqueſt of *Sicily*; a Conqueſt which, according to the Pope, was more neceſſary, and more advantageous to the Church, than that of *Jeruſalem*.

In 1256, eight different Bulls came abroad, the ſole View of which was to extort Money from the Clergy for the pretended Conqueſt: I will not here mention the Contents of them, becauſe as they are inſerted in the *Fœdera*, they may be found in the Specification of the Acts which refer to this Article. Nothing can be a better Proof of what *Matthew Paris* has writ upon this Subject, notwithſtanding the Attempts made to render his Teſtimony ſuſpicious.

A ſtrange Method us'd by the Pope to get Money from the Clergy.

All thoſe Bulls, and the Money which they had produc'd, not being ſufficient to ſatisfy the Pope's Avarice, any more than a drop of Water caſt into the Sea, the Clergy of *England* were alſo fain to pay 135,540 Marks, which the Pope pretended to have borrowed for the King. But as the Pope was afraid that while he furniſh'd the King with the means of drawing Money from the Clergy, ſuch Money might be apply'd to any other uſe, by the King himſelf, or by his Miniſters, he obtain'd of the King, in the firſt place, that all the extraordinary Levies of Money which were made in *England*, ſhou'd be employ'd in the Payment of that Debt. As ſoon as the King had conſented to this, the ways and means of raiſing Money were never wanting; of which, this was one of the ſtrangeſt we ſhall read of. The Nuncio *Ruſtand* caus'd a great number of Bonds or Promiſſory Notes for divers Sums to be drawn up, whereby the underwritten own'd they had ſeverally received, by way of Loan, from ſuch a Merchant of *Sienna* or *Florence*, the Sum of ——, which they obliged themſelves to pay by ſuch a time, on pain of being excommunicated. After this, he inſiſted that every Member of the Clergy ſhould ſign one of thoſe Bonds, as if he had actually borrowed the Sum therein mentioned. But the Oppoſition which *Ruſtand* met with in his Enterprize, notwithſtanding his Menaces and his Paſſion, was ſo great, that he was forc'd to make a Journey to *Rome* to inform the Pope of it. The Clergy alſo ſent a Deputation on their part, to acquaint the Pope with the reaſons of their Refuſal; but all they cou'd obtain of the haughty, greedy Pontiff was, that the Clergy ſhou'd pay the Sums ſpecify'd in the Obligations, on condition of being reimburs'd out of the Tenths which ſhou'd be granted to the King afterwards. This is Tyranny of ſuch a ſtamp, that one wou'd hardly credit it upon the Teſtimony of *Matthew Paris*, if it was not confirm'd by a Letter from the Pope to *Ruſtand*, which he has inſerted in his Hiſtory.

Though the Money ariſing from the Bonds I have juſt now mentioned, was at firſt deſign'd for the Payment of the Sums borrowed by the Pope, that was not ſo much as talk'd of after the Bonds were ſign'd. The King inſiſted that the Clergy ſhould be his Security for thoſe very Sums, and that moreover they ſhou'd conſent that the Tenths which had been granted for three Years, ſhould be continued for five Years longer. The Clergy would fain have withſtood this new Demand, but the Pope having ſpoke in an imperious Tone, they were forced to obey, or at leaſt to give ſuch a Sum as the King demanded.

Henry requires the Clergy to be bound for him.

The Pope preſſes the King for Money.

The Army which the Pope pretended he was oblig'd to maintain for the Conqueſt of *Sicily*, ſubſiſted only in his Imagination; and yet he teaz'd the King inceſſantly to ſend him Money. He even threatned him to give away the Kingdom of *Sicily* to another Prince, becauſe he was ſo remiſs in performing the Articles of their Agreement. But it was not in the King's power to raiſe Money upon his People whenever he thought fit. The Barons, who did by no means approve of the Engagements into which he was enter'd, were far from ſupplying him with the Succours he demanded for that chimerical Enterprize *. The King excus'd himſelf to the Pope in the handſomeſt manner he cou'd, upon the Reſiſtance of the Parliament; and nevertheleſs, in order to ſatisfy him in ſome meaſure, he alſo ſent him 4000 Marks, and caus'd the Conventions I have been ſpeaking of to be ratify'd by Prince *Edward* his eldeſt Son. But ſo ſmall a Sum not being ſufficient to content the Pope, he again ſent freſh Bulls into *England*, which all tended to help the King to Money by oppreſſing the Clergy.

Prince Edward ratifies the Contract relating to Sicily.

Pope ſends freſh Bulls over to raiſe Money.

In

* In 587 of this Tome of the Fœdera, there's a Letter from the King *Anno* 1256, to certain Cardinals, wherein he ſays, that the Barons of his Kingdom thought the Terms of his Engagement too hard; but he declares in this Letter, that he was reſolved to puſh on the Enterprize, though he could not execute it ſo ſpeedily as the Treaty required, by reaſon of the impoſſibility of raiſing ſo great a Sum of Money. However, there the Affair ſtopp'd, and the King of *England* was not willing to engage in ſo deſperate an Undertaking: but he could not help furniſhing great Sums of Money for it, to the Court of *Rome*, as may be ſeen by a great many Acts; inſomuch, that *Simon de Montfort*, in the King's Name, renounc'd his Pretenſions to the Kingdom of *Sicily*, as we ſhall ſee hereafter.

FOEDERA Tom. I.

IN 1257, which was the Year following, the King demanded a new Supply of the Clergy ſtill, for the Affair of *Sicily*. The Clergy wou'd at firſt have pleaded Poverty, but *Ruſtand* oblig'd them by his Menaces to give the King 42,000 *l. Sterling*. All this Money was carry'd to *Rome*; and yet the Pope was far from being contented with it. *Ruſtand* having made a trip to *Rome*, return'd with a Power in form to excommunicate the King, if he did not immediately undertake the Conqueſt of *Sicily*. The Pope pretended that the Sums which he had received were not ſufficient to defray the Expences already incurred, and that the King ſhould ſend an Army into *Sicily*, with a good General, to wreſt that Kingdom from the Uſurper. *Henry* being quite at a loſs which way to turn himſelf, made it his humble Requeſt to the Pope by Prince *Edmund*, that he would pleaſe to abate ſomething of the Rigour of their Conventions*. But the Pope returning no Anſwer, *Henry* was at laſt obliged to nominate Ambaſſadors to go to *Rome*, to renounce the Crown of *Sicily* in the Name of Prince *Edmund*. Such a Renunciation did not pleaſe the Pope for two Reaſons. In the firſt place, he wanted to ſqueeze more Money out of *England*. Secondly, the Grant of *Sicily* made to *Edmund*, was a thing ſo little known in *Italy*, that we meet with no Hiſtorians of that Country who mention it; and a publick Renunciation would have diſcovered this Secret, which the Pope had a mind ſhould be concealed. Among many Hiſtorians of *Naples* and *Sicily*, whom I have read, I find but one that mentions *en paſſant* the Grant made by the Pope to a Son of the King of *England*, though he is miſtaken in the Name of the Prince to whom the Grant was made.

Extorts an Aid from the Clergy.

King petitions the Pope to ſoften the Terms relating to Sicily.

He offers to renounce that Crown.

ALEXANDER IV. not caring to accept of the Renunciation juſt now mention'd, ſent a new Nuncio named *Arlot* into *England*, with power to make ſome ſmall Alteration in the Conventions. But at the ſame time he made freſh Efforts to engage *Henry* more and more, by granting him new favours, but ſtill at the Expence of the Clergy.

THOUGH this Affair held a Year longer, I find myſelf obliged to ſtop here, becauſe it was interrupted by the War of the Barons. Moreover, the Reaſon which broke it off, has a natural Relation to the Affairs which I am to treat of in the next Article, where we ſhall find the Concluſion of it.

The Acts relating to the Grant of Sicily, *are,* HENRY III.

1. *INNOCENT* IVth's Letter to the King; dated the third of the Nones of *Auguſt*, in 1252, at *Peruſa*. *Pope's Letter to* Henry. 476.

"HE deſires him to exhort *Richard* "his Brother to accept of the Grant of the "King of *Sicily*."

2. AN Act, whereby the Notary *Albert* grants the Kingdom of *Sicily* in the Pope's Name to Prince *Edmund*, ſecond Son of *Henry* III. dated the day before the Nones of *March* 1254, at *Vendoſme*. *Grant of* Sicily *to Prince* Edmund. 502.

3. A Bull, which gives a power to the Archbiſhop of *Canterbury* to borrow Money in *England* for the War of *Sicily*; dated the ſecond of the Ides of *May* 1254, at *Aſſiſio*. *Bull to borrow Money for the War of* Sicily. 511.

4. ANOTHER of the ſame Date, which confirms the Grant of the Kingdom of *Sicily* to Prince *Edmund*. *Grant of* Sicily. 512.

5. A Letter from *Innocent* IV. to the King; dated the Ides of the ſame Month at *Aſſiſio*. *Pope's Letter to the King.* 513.

"HE exhorts *Henry* to accept of the "Kingdom of *Sicily* for *Edmund*; and "repreſents to him that the Death of the "King of *Sicily* his Nephew ought to re-"move his Scruples."

6. A Letter from the Emperor *Conrad* to *Henry* III. *Emperor's Letter to him.* 514.

"HE notifies to him the Death of his "Brother *Henry* King of *Sicily*, Son to "*Frederick* II. †.

"THOUGH theſe two laſt Acts are "placed after the three firſt of this ſame "Year 1254, one would think they ought "to precede them, becauſe *Henry* III. did "not accept of the Grant made to *Edmund* "his Son, till after the Death of the young "King of *Sicily*."

7. A Bull, which changes the Vow made by *Henry* III. to go to the *Holy Land*, into that of undertaking the Conqueſt of the Kingdom of *Sicily*; dated the ſecond of the Calends of *June* 1254, at *Aſſiſio*. Henry's *Vow chang'd.* 517.

"THERE is mention made in this Bull "of the Death of the Emperor *Conrad*."

8. THE King's Letters Patent, whereby he gives his Conſent to the Grant of the Principality of *Capua*, which was made by *Edmund* his Son, to Count *Thomas* of *Savoy*; dated at *Bourdeaux*, the 3d of *Octob.* 1254. *Count of* Savoy *made Pr. of* Capua. 527.

9. *INNOCENT* IVth's Letter to the King; dated at *Naples* the 15th of the Calends of *December* 1254. *Pope's Letter to the King.* 535.

"HE orders him to ſend an Army into "*Apulia*, and threatens him to give *Sicily* "to ſome other Prince."

10.

* At this time, the King of *England* being weary of laying out ſo much Money for the Buſineſs of *Sicily*, and no Good like to come of it, ordered M. *Ruſtand*, the Pope's Chaplain and Nuncio in *England*, to depoſit all the Money which he had rais'd in this Kingdom upon that ſcore, in the new *Temple* at *London*, and hindered him from paying it to the Pope's Bankers. The Pope was horridly vex'd at it, and ordered his Nuncio, in ſpite of the King's Prohibition, to employ all the Sums he had out of the Tenths, the Redemption of Vows, and all the other Methods that he had uſed to draw Money from the *Engliſh*, towards paying the Debts of the Holy See. It appears that this Affair was afterwards accommodated, though the King of *England* declared from that time, that he was ready to renounce the Kingdom of *Sicily*.

† He pretended to be very much grieved for his unhappy End, tho' he was put to death by his Contrivance. Theſe two Brothers were the King of *England*'s Nephews.

FOEDERA Tom. I. Another. 536.

10. A Letter from *Alexander* IV. to the King, notifying his Exaltation to the Pontificate; dated the 11th of the Calends of *January* 1255.

"MANY Hiſtorians have made a long "Interval between the Death of *Innocent* "IV. and the Election of *Alexander* IV. "but we find by the Date of theſe two "laſt Briefs, that *Alexander*'s Election "quickly follow'd the Death of *Innocent*."

Pope's Bull to the Archbiſhop of Canterbury. 547.

11. A Bull of *Alexander* IV. directed to the Archbiſhop of *Canterbury*; dated at *Naples* the 5th of the Nones of *May* 1255.

"HE authorizes the Archbiſhop to "change the King's Vow, as above."

King of Norway's *Vow changed.* 549.

12. ANOTHER, which authorizes the King of *Norway* to change his Vow of going to the *Holy Land*, into that of aiding in the Conqueſt of the Kingdom of *Sicily*; dated at *Naples* the 4th of the Ides of *May* 1255.

"THIS was going a great way off "for Succours for the Conqueſt of *Sicily*; "but Money was good from whenceſoever "it came, and nothing elſe was minded."

Conditions of the Grant of Sicily. 893.

13. *ALEXANDER* IVth's Confirmation of the Conditions upon which *Innocent* IV. had granted *Sicily* to Prince *Edmund*; dated the 5th of the Ides of *April* 1255, at *Naples*.

"THIS Act, which ought to have been "inſerted among thoſe of the Year 1255, "having been omitted there, is plac'd at the "end of this Tome of the *Fœdera*, in p. 893."

Theſe are the Terms.

"THAT *Edmund* ſhall perform Liege "Homage to the Pope.

"THAT *Sicily* ſhall be no longer di- "vided, and that the two Parts ſhall be "under the Government of one and the "ſame King.

"THAT the King ſhall make the Pope "every Year an Acknowledgment of 2000 "Ounces of pure Gold.

"THAT he ſhall ſend 300 Horſe for "three Months, to ſerve the Church, in "caſe of need.

"THAT the Churches of *Sicily* ſhall "enjoy their Liberties; and that the Pope "ſhall quietly poſſeſs his Rights to thoſe "ſame Churches.

"THAT *Edmund* and his Succeſſors, "when they pay their Homage, ſhall ſwear "that they will never conſent to be choſe "Emperors, on pain of loſing their Crown, "and being excommunicated.

"THAT the Church ſhall keep poſſeſ- "ſion of the Dutchy of *Benevento*.

"THAT *Edmund*, when he comes to "the Age of fifteen, ſhall perform his "Homage in Perſon; and till then, the "King his Father ſhall pay it for him. "The Form of the Homage is here in- "ſerted, *&c.*

"THAT it ſhall be at the Pope's choice "whether he will have Homage paid him "by *Edmund* and his Succeſſors, either in "Perſon, or by Proxy.

"That *Edmund* ſhall confirm and main- "tain the Grants made by his Predeceſſors "to the Family of *Hoemburch*.

"BESIDES theſe Conditions, there was "a neceſſity for other Conventions con- "cerning the Expences requiſite for put- "ting *Edmund* in poſſeſſion of the King- "dom."

Pope's Letter to the King. 581.

13. A Brief of *Alexander* IV. to the King; dated the Nones of *February* 1256, at the *Lateran*.

"HE demands of him the Payment of "the Sums advanc'd by the Holy See for "the Conqueſt of *Sicily*; and threatens "him, that in caſe of Refuſal, he will give "this Kingdom to another."

King's Order to the Clergy. 582.

14. THE King's Prohibition to all the Clergy his Subjects to go to *Rome*, before they have taken an Oath that they will not ſollicit againſt the King in the Affair of *Sicily*; dated the 15th of *February* 1256, at *Woodſtock*.

King's Acknowledgment of his Debt to the Pope. 583.

15. A Letter from the King to *William Bonquer*, whereby he owns himſelf the Pope's Debtor in the Sum of 135,501 Marks.

16. PRINCE *Edward*'s Letter to the Pope.

"HE approves of the Grant of the "Kingdom of *Sicily* to *Edmund* his Bro- "ther *."

Bull taxing all the Biſhops. 595.

17. A Bull, which taxes all the Biſhops of *England* for the Affair of *Sicily*, notwithſtanding all Privileges, *&c.* dated on the Ides of *July* 1256, at *Anagnia* †.

Pope's Order to fix a Day for the King's Departure for the Holy Land. 605.

18. AN Order from the Pope to the Biſhop of *Wincheſter*, to fix a Day for the King's Voyage to the *Holy Land*; dated the 4th of the Nones of *September* 1256, at *Anagnia*.

"PROBABLY the Money not arriving "from *England* as ſpeedily, or in as great "a quantity, as the Pope would have had "it, he pretended that the Alteration of "the King's Vow was null, becauſe the "Terms of it were not executed."

Prelates not paying Tenths excommunicated. 607.

19. A Bull, which excommunicates all the Prelates who have not paid the Tenths; dated the 10th of the Calends of *October*, at *Anagnia*, in 1256.

20.

*In *June* 1256. *Alexander* wrote a Letter to King *Henry*, and ſent a Man to him to receive the Money promis'd, without Delay.

† It impoſed a Tenth upon the Clergy of *England*, *de Maneriis propriis*, to be rais'd out of their own Manors, or from the Lands belonging to every Biſhop in the Abbey. There were likewiſe ſome Merchants at *Rome*, who having advanced Money to the Pope upon what was due to him in *England*, came hither for Payment, and brought with them a *Bull* directed to the King, which the Pope granted them by way of Recommendation. And afterwards, he employ'd ſome *Florence* Merchants, whoſe Credit he vigorouſly ſupported by thundering Excommunications againſt thoſe who did not pay them.

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Clergy of Scotland *tax'd.* 608.

20. A Bull, which orders a Subſidy to be levy'd upon the Clergy of *Scotland*, for Payment of the Debts contracted for the Affair of *Sicily*; dated the 5th of the Calends of *October* 1256, at *Anagnia*.

Time allowed the King to pay off his Debt to the Pope. 611.

21. A Bull, which gives ſix Months time for the Payment of the Money due from the King to the Pope; dated the 20th of the Nones of *October* 1256, at *Anagnia* ‖.

"THE Pope orders the King in this "Bull to ſend an Army into *Sicily*, on "pain of Excommunication and Inter-"dict ‡."

Pope's Menace of the King. 624.

22. A menacing Letter from *Alexander* IV. to the King, upon his Negligence in the Affair of *Sicily*; dated the 3d of the Nones of *June* 1257, at *Viterbo*.

King's Commiſſion for renouncing Sicily. 630.

23. A Commiſſion from the King to the Archbiſhop of *Tarentum*, and other Ambaſſadors, nominated to go and renounce the Kingdom of *Sicily*; dated the 28th of the ſame Month at *Windſor*.

24. INSTRUCTIONS to the Ambaſſadors.

Pope's Letter to the Archdeacon of London. 630.

25. A Brief from *Alexander* IV. to his Official the Archdeacon of *London*; dated the 3d of the Nones of *December* 1258, at *Anagnia*.

"HE orders the Debtors of the *Florence* "Merchants to be excommunicated, if they "don't pay by a certain time."

ARTICLE II.

The Barons War.

The ground of the Barons War.

FROM the very beginning of this Reign, or at leaſt from the Death of the firſt Regent, Complaint was made of the Government. I have already ſhewn that the Barons, by extorting the two Charters ſo often mentioned from King *John*, had Views which extended farther than the Age in which they liv'd. Their Aim was to ſap the Foundations of deſpotick Government, and to put it out of the King's power to deprive either themſelves or their Poſterity, of the Fiefs which their Anceſtors had received as Gifts from *William the Conqueror*, and to prevent him from impoſing what Taxes he thought fit upon thoſe Fiefs, without conſulting them. That was the Ground of the War they carry'd on againſt King *John*, in which they would undoubtedly have ſunk, if it had not been for the Aſſiſtance of *France*. After that War was happily determined by the good Conduct of the Earl of *Pembroke*, the Barons continually had an eye upon the Behaviour of thoſe who were intruſted with the Government, during the Minority of *Henry* III. for fear of loſing the Privileges which they had preſerved, or rather acquired with ſo much Hazard and Toil. *Hubert de Burgh*, and the Biſhop of *Wincheſter*, looking upon thoſe Privileges as extorted, were for advancing the Royal Prerogatives; and that convinc'd the Barons of the neceſſity they were under to be upon their Guard, in order to hinder them from putting their Deſign in execution. The Barons complain'd; but as what they ſaid was not very much regarded, they made uſe of the ordinary Method to ſupport themſelves againſt the Regal Power, by fomenting Diſcontents among the People, and endeavouring to engage them in their Intereſt, by continually alarming them with the proſpect of Tyranny, and Arbitrary Power. The young King's firſt Miniſters took no care to prevent thoſe Intrigues by a juſt Government. On the contrary, they ran into ſuch Lengths, as began to deprive the King of the Affection of his People, a Loſs which in the end ſeldom fails of producing fatal Effects.

Henry's ill Conduct.

HENRY III. who was a Prince of a mean Genius, and commonly acted more from Caprice than from Reaſon, gave even a greater handle than his Miniſters for the Diſcontent of his Subjects. He not only revok'd the Charters of the King his Father, but afterwards, when he was often compell'd, by the want of Money, to promiſe that he would reſtore them, and cauſe them to be obſerved, he always broke his word. And above all, he was ſo imprudent as to ſhew no regard to the City of *London*, but always treated it on the contrary with a great deal of Severity. On the other hand, the Conſent which he gave tacitly or expreſſly to the Extortions of the Court of *Rome*, drew upon him the Contempt and Hatred of the Clergy, who finding themſelves without Protection, were as impatient as the reſt of the Subjects to ſee the Government in other hands. Thoſe were the general Cauſes of the War betwixt the King and the Barons, which is to be the Subject of this Article. It is needleſs to repeat the particular Reaſons here, becauſe I have already treated of them in the foregoing Articles. I would only have it obſerv'd, that the pretended Grant of *Sicily*, in order to drain all the Money out of the Kingdom, forc'd the Barons, as it were, to ſeek a Remedy for this Evil, of which they ſaw no

‖ There are *others* which grant the King of *England* a longer Term to repair thither himſelf, or to ſend an Officer with Money into *Apulia*, but the Prince did neither.

‡ By other *Bulls* in that Year, the Pope granted to the King, 1. The Revenue of the vacant Benefices in *England* which were in the Pope's Collection, that he might fulfil the Vow he had made to go to the *Holy Land*. 2. The Revenue of thoſe Non-Reſidents who abſented without Leave or Diſpenſation. 3. One Year's Revenue out of all the Benefices that ſhould happen to be vacant within five Years. 4. The Tenth of all Eccleſiaſtical Revenues, according to their juſt Valuation. 5. The Houſhold-Goods of thoſe who died inteſtate. After this manner, the Popes were always liberal of other Mens Goods, if it is proper to call a Conceſſion Liberality, which came back again to themſelves by another Canal; for what they granted to the Kings for Journeys to the *Holy Land*, they employ'd againſt the *Gibelines*, by permitting them to commute their Travelling-Vow for a Fighting one, in favour of the Church.

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no end; all the ready Cash of the Kingdom flowing into *Rome*, as into a Gulph, from whence it never return'd.

HENRY III.

Parliament refuses him Money, and why.

IN 1256, the King having conven'd the Parliament, desir'd a Subsidy of them for maintaining an Army which the Pope required him to send to *Sicily*. The Parliament flatly refus'd what the King demanded, and presented an Address to him, to acquaint him with the Reasons of their denial. These Reasons were, 1. The Poverty of the Kingdom. 2. The Difficulty, or rather the Extravagance of such an Undertaking. 3. The Danger there was in sending Forces out of the Kingdom, to a Country so far distant. 4. That the King had engag'd in this Affair without consulting his Parliament. 5. That by the Conventions which he had sign'd, the Pope reserved to himself the Power of retracting, whereas the King had made no such Stipulation for himself. The King was oblig'd to sit still, his Poverty putting him out of a condition to undertake any thing, in order to force the Parliament to grant him his Demand.

King's Profuseness to his Half-Brothers.

THIS Poverty of his was occasion'd, in the first place, by the unhappy Affair of *Sicily*, which swallow'd up all the King's Revenues, and whatever else he could rake together by extraordinary Methods. 2. By his Brothers of the Mother's side, and by those of the Queen, who were always begging Money of him. The King was so easily led away by them, that not being able to content them, he suffer'd them to pillage the Kingdom as they thought fit, and even without fear of Punishment; because he had expressly forbad the Chancellor to issue out any Writ that might be prejudicial to them. The great Influence of these Foreigners was to the Barons a most intolerable Grievance, because they were in possession of the best Offices, and almost all the Governments in the Kingdom.

Prince Richard *chose King of the* Romans.

TO compleat the People's Misery, in 1257, Prince *Richard*, the King's Brother, after having heap'd up immense Wealth, was chose King of the *Romans*, by the Intrigues of the Pope, who aim'd at setting him in opposition to the King of *Castille*, who was elected by another Party; and he went to *Germany* with all the ready Money that he could amass, as well to reward those who had elected him, as to defray the Charges of his Coronation, which was perform'd at *Aix la Chapelle* *.

IN 1258, the King finding himself teaz'd by the Pope for Money to such a degree that he threatened him to give away *Sicily* to some other Prince, resolv'd at last to reassemble the Parliament, though he was not very well pleas'd with the last Session. Immediately, he made a fresh Demand of Money for the War of *Sicily*: But he was quickly made to see that he had not timed it well. The Lords had already resolv'd between themselves, in their secret Conferences, to reform the Government, and to continue strictly united together, in order to execute their Design. Consequently, the Parliament, instead of granting his Demand, presented an Address to him, which contain'd very mortifying Reproaches of him for his Conduct, and especially for the Breach of his Promises; and they gave him to understand very plainly, that they had resolved in spite of him to endeavour the Establishment of better Government in the Kingdom. The Lords having already concerted Measures for executing their Design, and the King not having made any Preparation, he try'd again to amuse them with general Promises, and an Acknowledgment of his Faults; but nothing would pacify them. All that he could do was to adjourn the Parliament to *Oxford*, to gain a little time. But he could not get the Consent of the Lords to this Adjournment, without giving a Writing under his Hand, by which he engag'd to agree that the Government should be reform'd by the Advice of twenty-four Lords, of whom he should name twelve, and the Parliament the other twelve.

Barons Project for reforming the Government.

Parliament adjourn'd to Oxford.

King agrees to the Reformation by 24 Commissioners.

THE Barons were so diffident of the King, that they repair'd to *Oxford* with a great number of armed Men, and a firm Resolution to execute their Project, whatever it cost them; so that the King could not find one Pretext to evade his Promise. Therefore they proceeded immediately to the choice of the twenty-four Commissioners, who not long after delivered in a Regulation consisting of six Articles, to which the Parliament, in their Approbation of them, reserved to themselves the Liberty of adding from time to time what they thought fit. These six Articles, which were called the *Provisions* or *Statutes* of *Oxford*, were in substance as follows:

The Regulation by them propos'd, call'd the Provisions or Statutes of Oxford.

1. THAT the King should confirm *Magna Charta*.

2. THAT the Office of chief Justiciary should be conferr'd on a good Man, approv'd by the Parliament.

3. THAT the Chancellor, Treasurer, and the Judges of the Realm, should be appointed by the twenty-four Commissioners.

4. THAT all the strong Places should be put into the hands of the twenty-four Commissioners, who should appoint such to be Governors as they thought fit.

5.

* But *Richard* was never own'd by all the Princes and States of *Germany* †.

† *Mr.* Daniel's *History of his Reign tells us, that* Richard *carried this Election against no less a Competitor than* Alphonsus *King of* Spain, *after having first sent over the Earl of* Gloucester *and Sir* John Mansell, *to try the Princes Affections; and that the King of* Spain *pretended he was first elected, but he being a Philosopher, and studious of the Mathematicks, which he revived in* Europe, *was drawing Lines when he should have drawn his Purse, and so lost his Hopes, and* Richard *steps in before him.*

Dr. Howel *says, he paid a large Sum of Money for the Honour, and that he was reputed at this time to possess as much ready Coin, as would every Day, for ten Years, afford him a hundred Marks upon the main Stock; besides his Rents and Revenues in* Germany, *and the* English *Dominions.*

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5. That it ſhould be High-Treaſon to oppoſe the Orders of the twenty-four Commiſſioners directly or indirectly.

6. That the Parliament ſhould meet at leaſt once a Year, to make ſuch Statutes as ſhould be thought neceſſary.

There were twelve Deputies of the Commons in this Parliament; but whether they ſat in it by Right, or by an extraordinary Favour, is what I ſhall not venture to determine, becauſe the *Engliſh* themſelves are not agreed in this point. All that I ſhall add upon this Head is, that if the Commons were called to the Parliament before that time, 'tis very ſtrange that on this ſingle occaſion Hiſtorians ſhould agree to take notice of this Circumſtance, which on ſuch a Suppoſition ſeems very unneceſſary. But 'tis the general Opinion, that the Lords who aim'd to ſecure the People in their Intereſt, hoped by this Condeſcenſion to gain their Suffrage for the Change which they were reſolved on *.

Oppoſition to the Oxford *Statutes.*

The Statutes of *Oxford* at firſt met with ſome Oppoſition: Prince *Edward*, though he had ſign'd the Engagement above-mentioned with the King his Father, ſtudied what ſhifts he ſhould make uſe of to come off. *Henry*, Son to the King of the *Romans*, abſolutely refuſed to approve of an Alteration of ſo great conſequence, made in the abſence of the King his Father. But they were roundly given to underſtand, that their Oppoſition would be to no purpoſe, and that a Method would be taken to oblige them to conform to the Reſolutions of the Parliament. On the other hand, the King's Brothers by the Mother's ſide, and the Queen's Relations, openly proteſted that they would quit neither the Offices, nor the Governments of which they were in poſſeſſion. But they could not ſtand their ground when all the Barons were confederated againſt them; and at laſt were glad to deſire Paſſports to retire out of the Kingdom.

Foreigners expelled the Kingdom.

Barons Aſſociation.

This done, the Lords made an Aſſociation with one another, which was confirmed by a ſolemn Oath, to maintain the Statutes of *Oxford*. Afterwards the Parliament broke up, leaving the Government in the hands of the twenty-four Commiſſioners, at the head of whom was the Earl of *Leiceſter*, either by Election in quality of Preſident, or by the Superiority of his Genius. Theſe Commiſſioners quickly abuſed their power. They gave all the Offices, and beſt Employments, to their Friends and Kindred, on pretence of putting them into ſure hands; and whereas the end of their Eſtabliſhment was only to moderate the Power of the King, the Royal Authority was run down to nothing. But as the King was neither beloved nor eſteemed, few People were concerned at the Injuſtice which was done him. On the contrary, the City of *London* entered into an Aſſociation with the Barons, and the next Parliament made an Act for the eternal Baniſhment of thoſe Foreigners, whom the Barons of their own Authority had expell'd out of the Kingdom.

Ill Conduct of the twenty-four Commiſſioners.

Henry III.

London enters into the Barons Aſſociation.

The King being no longer conſulted in the Affairs of Government, the Barons wrote a long Letter to the Pope, ſign'd by all their Names, to juſtify their Conduct in three things eſpecially. 1. Concerning their Refuſal to aſſiſt the King for the Conqueſt of *Sicily*. 2. Concerning the Statutes of *Oxford*. 3. Concerning the Baniſhment of the Biſhop of *Wincheſter*, for whom the Pope might have a particular regard. The Pope deferr'd his Anſwer to this Letter for a while, and gave the King ſecret Aſſurance of his Protection. At the ſame time he preſs'd him upon the Affair of *Sicily*, as if the King had been in a condition to furniſh him with the Money he demanded, and which he pretended to have borrow'd for him of certain Merchants of *Italy*. But the Times being changed, it was not in the King's power to ſatisfy him.

Barons Letter to the Pope in their own Vindication.

The Pope continues to preſs the King on the Affair of Sicily.

Mean while, the King of the *Romans* after his Coronation, having an Inclination to return to *England*, wrote to the Barons *Anno* 1259, and offer'd them his Aſſiſtance for appeaſing the Troubles of the Kingdom. But the twenty-four ſent Deputies to him, to acquaint him that they would not ſuffer him to ſet foot again in the Kingdom, if he did not promiſe to ratify the Statutes of *Oxford*. *Richard* anſwered thoſe Deputies very haughtily, that he thought it very ſtrange that ſuch great Alterations ſhould be made in his abſence, and without his participation; and he proteſted, that he would not take the Oath which they thought to extort from him. But afterwards, when he heard that a Fleet was equipping to hinder his Return, he relax'd, and promis'd to ratify the Statutes, as he effectually did in *Dover* Church, in preſence of the King, Prince *Edward*, and a great number of the Barons.

King of the Romans *declares againſt the* Oxford *Proviſions.*

But is forc'd to ſwear to them.

The twenty-four Commiſſioners actually exerciſing the Royal Functions without controul, judg'd, that in order to keep poſſeſſion of their Authority, it was neceſſary to ſecure *France* in their Intereſt, becauſe that was the only Quarter from whence they could apprehend any diſturbance. They therefore reſolv'd to make a Treaty with that Crown in the King's Name, in which it ſhould find an advantage, in order by that means to engage it to ſupport the Government newly eſtabliſhed in *England*. According to this Scheme, the Earl of *Leiceſter* went to *Paris*, and made a Treaty there with the King of *France*, by which *Henry* quitted all his Pretenſions to *Normandy* and *Anjou*, and *Lewis* IX. on his part, yielded up to him the *Limouſin* and *Perigord*,

Barons diſadvantageous Treaty with France.

* See the Note in p. 72.

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Perigord, with all that *France* poſſeſſed beyond the *Garonne*. This Treaty being concluded, *Henry* was obliged to go and meet *Lewis* at *Abbeville*, where the general States of the Kingdom were aſſembled, and there to ratify the Treaty.

Foreigners deprived of the Revenues of their Benefices.

WHILE the King was in *France*, the twenty-four ordered all that farm'd the Benefices of Foreigners, to depoſite the Money which they were to pay to the Proprietors, in the hands of certain Receivers, who were ſettled in every Province. By this means the Kingdom was at laſt clear'd of a great number of *Italian* Leaches, that had ſuck'd it a long time.

Earl of Gloceſter jealous of the Earl of Leiceſter.

Anno 1260. THE Earl of *Leiceſter*, who, as I have already ſaid, was at the head of the twenty-four Commiſſioners, aſſumed a Preheminence over his Collegues, which made ſome Lords of that Party jealous.

He raiſes a falſe Report of Prince Edward, who clears himſelf.

The Earl of *Gloceſter*, above all the reſt, not being able to endure that Superiority, ſtudied how to ruin it, by ſpreading a Report, that he was entered into an Alliance with Prince *Edward*, to place him upon the Throne during the Life of the King his Father. But the Prince eaſily acquitted himſelf of this Charge, which had no manner of Foundation. The Earl of *Gloceſter* miſcarrying this way, attack'd the Earl of *Leiceſter* directly, and after having accus'd him of ſeveral Miſdemeanors, demanded that he might have a day appointed him to exhibit his Proofs. But when that Day came, ſeeing that *Leiceſter* boldly made his Appearance to anſwer the Charge, he let it drop upon ſome Pretext or other, and at laſt the King of the *Romans* found means to reconcile them together, at leaſt in outward appearance.

Gloceſter attacks Leiceſter directly, but drops his Accuſation.

THIS Broil, betwixt two of the moſt powerful Barons, having put the King in hopes that he ſhould gain ſome advantage from it, he made haſte before it was decided, and requeſted the Pope that he wou'd pleaſe to abſolve him from the Oath which he had taken, with reſpect to the Statutes of *Oxford*. At the ſame time, as he did not doubt but the Pope would grant him his Requeſt, he recalled the Biſhop of *Winchеſter*, to make uſe of his Counſels when it was time for Action. But this Prelate died as he was on the Road for *England*. This did not hinder *Henry* from purſuing his Point. *Alexander* IV. readily granted him his Requeſt, but that Pope dying before the Bull was diſpatch'd, he was oblig'd to wait for a new Pope. This happened to be *Urban* IV. who not being more ſcrupulous than his Predeceſſor, cauſed the Diſpenſation to be diſpatch'd.

Biſhop of Winchеſter's Recall and Death.

Henry is abſolved by the Pope from his Oath relating to the Oxford Statutes.

He tells the Parl. he will obſerve the Oxford Proviſions no longer.

AS ſoon as the King was furniſhed with this Bull, he went to the Parliament, and there openly declared that he would no longer obſerve the Statutes of *Oxford*. The reaſon he alledg'd for it was, that the Promiſe made to him had not been kept, which indeed was true; but he did not mention a word about the Pope's Diſpenſation. After this, repairing to the *Tower*, the Governour of which he had gained to his ſide, he turned out all the Magiſtrates eſtabliſhed by the twenty-four, and named others in their room. This caus'd extraordinary Confuſion in the Kingdom, ſome being for Obedience to the Magiſtrates eſtabliſh'd by the twenty-four, and others for obeying thoſe of the King, ſo that Juſtice could not be adminiſtered but with great difficulty. The Barons immediately reſolv'd to preſent an Addreſs to the King, in which they deſired him to remember his Oath, but he deferred his Anſwer, on pretence that he expected the Return of the Prince his Son, who was gone into *France*. *Edward* hearing what had paſſed in *England*, returned thither forthwith, and, contrary to the King's Expectation, publickly blamed him for having broke his Word. That was a mortifying ſtroke to the King; but he ſoon met with another more fatal Blow, in a Reconciliation, which was more hearty than the former, between the Earls of *Leiceſter* and *Gloceſter*, upon whoſe Diſagreement he had founded his Hopes. This Reconciliation having left him no Remedy, he reſolved to ſue to the Barons for an Accommodation; and the ſame was actually ſet on foot: But the King, who thought to render his cauſe the better, being ſo weak as to ſhew the Bull which he had obtained from the Pope, the Negotiation broke off, becauſe the Barons found that they could depend no longer upon the King's Engagements. Not long after, they endeavoured to ſeize the King, who was gone to *Winchеſter*, but he had the good luck to be informed of their Deſign early enough to ſecure himſelf in the *Tower*. All things tending manifeſtly to a Civil War; the Governors of the Cinque Ports eſpous'd the Barons Party, and caus'd fifty Ships to be fitted out, as they were oblig'd by their Charter, pretending that it was for the Service of the King, tho' the Fleet was intended to ſerve againſt him.

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He retires to the Tower, and turns out all the Officers.

Barons addreſs the King, who returns no Anſwer.

Pr. Edward blames him.

Earls of Leiceſter and Gloceſter unite.

An Accommodation ſet on foot with the Barons, broke off by the K's Folly.

They try to ſurprize him.

Cinque Ports declare againſt the King.

AT length in 1262, the King of the *Romans* perceiving the King his Brother in a very unhappy Situation, found means to induce him to promiſe that he would confirm the Statutes of *Oxford*, and engaged the Barons to give up thoſe Articles which were of moſt prejudice to the Regal Authority.

King promiſes to confirm the Oxford Proviſions.

PROBABLY the power of the twenty-four was aboliſhed, or at leaſt limited by this Accommodation, which entirely diſunited the Barons Party, ſome of whom accepted it for preventing a Civil War, and others entirely rejected it. The Earl of *Leiceſter* was one of the latter, and retired to *France*, that he might not remain expoſed to the King's Reſentment. But the Calm which this Accommodation procur'd, was of no long continuance.

Leiceſter retires into France.

NOR is it unlikely, that the King, who only conſented to the Peace for the ſake of gaining

Henry paſſes over to Guyenne.

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gaining time, had no design to keep his Word, because he set out for *Guyenne* without having confirmed the *Oxford* Statutes, though the Barons on their part had executed their Engagements with very great exactness. This Non-observance on the part of the King alarms the Barons. They who had not signed the Accommodation, made those uneasy who had accepted it, by persuading them that it was only a Snare to surprize them, and an Artifice to break the Association. The Earl of *Gloecester* dying while these things were transacting, his Son *Gilbert* went to *Guyenne* to wait upon the King, in order to receive the Investiture of the Fiefs which had been in the possession of the Earl his Father, and returned very much out of humour with the King, because he was forced to pay a great Sum of Money in order to obtain it. At length the Earl of *Leicester* being informed of the Disposition of the Barons, returned immediately to *England*, and was extraordinary sollicitous to feed the Flame which began again to break out.

Leicester returns.

And the King likewise.

IN 1263. *HENRY* hearing of what pass'd in *England*, set out thither immediately, but came too late. The Barons had already concerted Measures to put themselves in such a condition, that they might have no further occasion to trust to his Promises. He was no sooner arrived, than they summoned him to perform his Engagements concerning the Statutes of *Oxford*. But the King instead of returning a mild Answer, as they expected, treated them as Rebels, and threatned to punish them. He was emboldened to do this, because while he was gone to *Guyenne*, he had gained the Prince his Son, and the King of the *Romans*, and engaged them in his Interests. *Edward* had actually rais'd some Troops in *France*, and sent them into *England*, on pretence of making War upon the Prince of *Wales*. Tho' a War in *England* seem'd unavoidable, yet it did not begin as soon as was believed. Neither of the Parties had as yet made any Preparation, but both sides endeavour'd to amuse each other with Negotiations, which only tended to give each of the two Parties time to make their Preparations; for indeed Troops were openly rais'd on both sides, and the Barons had already made choice of the Earl of *Leicester* for their General. While the Negotiations were still kept on foot, tho' without much appearance of Success, the People were incens'd against the Foreigners, who were become odious, because of the preference which the King gave them before his own Subjects. A great number of them were very ill treated, while the Earl of *Leicester* on his part caused the Estates of the King's Favourites and Counsellors to be plundered without Mercy. At length the City of *London* openly espous'd the Barons Party against the King, who shut himself up in the *Tower* till his Troops were ready; for the Levies that were made for him were not so soon compleated as those for the Barons.

Barons call upon him to perform his Engagements, but he threatens them.

He gains his Son Edward, *and the K. of the* Romans.

Barons chuse Leicester *their General.*

Foreigners ill treated.

London *declares for the Barons.*

THOUGH a War was resolved on both sides, yet the two Parties temporiz'd. Each wanted his Enemy to strike the first Blow, because the main point in view was to gain the common People, who on such occasions ought by no means to be neglected. It was with this View that the Barons caused a very respectful Petition to be presented to the King, wherein they offer'd their Consent that a free Parliament should reform the Statutes of *Oxford*, on condition that the King's Ministers should be chosen out of Persons who were Natives of the Kingdom, as was the Practice every where else. The King returned no Answer to this Petition, tho' he was closely block'd up in the *Tower*, because he hoped that the Prince his Son would speedily come to his Relief. But the Barons being encamped at *Thistleworth*, stopp'd up the only Avenue through which the Prince must pass, and thereby broke his Measures as well as the King's. The King, upon the failure of this Resource, was obliged to signify to the Barons, that he would confirm the Statutes of *Oxford*. Tho' the Barons did not place abundance of Confidence in his Promises, yet they were afraid to reject this Offer, because it was all that they wanted; and their Refusal might have given cause for a suspicion that they were resolv'd upon a War without any necessity. A Treaty was therefore made, containing these four Articles. 1. That the *Oxford* Statutes should be inviolably observed. 2. That all the strong Places should be put in the hands of the Barons. 3. That all Foreigners, except such as should be allowed by the unanimous Consent of the Barons, should be banished the Kingdom. 4. That the Administration of Affairs should be committed to natural-born *Englishmen*, approved of by the Barons. The King signed this Treaty without any design, as far as appear'd, to put it in execution, his Aim being only to extricate himself from that unhappy Situation in which he was plung'd. An Insult committed by the Populace upon the Queen, as she pass'd in a Boat under *London-Bridge*, furnished the King with the Pretext, which, in all appearance, he wanted. He began therefore to fortify the Places which he had in his hands, and which, according to the Treaty, he should have delivered up to the Barons; and by that means he plainly let them see that it was too soon to disband their Troops.

Baron's petition the King.

Henry agrees to a Treaty.

Articles of it.

Queen insulted as she shot London-Bridge.

Henry exerts himself.

THO' a Peace was made, yet the Jealousy on both sides was so great, that the Treaty could be deem'd no other than a bare Interruption of the War. Prince *Edward* plainly foreseeing that it would not be long before the Sword would be drawn again, seriously applied himself to strengthen the King's Party,

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Party, by furniſhing *Briſtol-Caſtle* with all manner of Proviſions. But the People of *Briſtol* being deſirous to ſhift off the Yoke which was prepared for them, block'd up the Caſtle ſo cloſely, that *Edward*, who went thither to give the neceſſary Orders, was forced to make uſe of a Stratagem to come back again. He ſent word to the Biſhop of *Worceſter*, that his Deſign was to go and wait upon the King, in order to exhort him to give the Barons entire ſatisfaction; but that not being able to ſtir out of the Caſtle, he deſired him to be his Security to the Citizens of *Briſtol*, and to accompany him to *London* to be Witneſs of his Conduct. The Biſhop having done as *Edward* deſired, the Blockade was raiſed, and they both ſet out for *London*; but when they came near *Windſor*, the Prince ſuddenly clap'd Spurs to his Horſe, rid away from the Prelate without taking leave of him, and went and ſhut himſelf up in his Caſtle of *Windſor*. The Barons, who were encamp'd at *Kingſton* upon *Thames*, having Intelligence how he had impoſed upon the Biſhop, march'd immediately and beſieged *Windſor*, which was too ill provided for a long Reſiſtance. This was the reaſon that *Edward*, in hopes of amuſing them, reſolved to go out with a ſmall Retinue to negotiate with them. But he was taken Priſoner, and forced to deliver up his Caſtle to them, before he could obtain his Liberty.

Pr. Edward *block'd up in* Briſtol-Caſtle.

His Stratagem to get off.

He ſhuts himſelf up in Windſor-Caſtle.

Is ſeiz'd at a Conference, and forc'd to deliver it up.

Anno 1264. MEAN while, as the King was not yet ſufficiently prepared to execute his Deſigns, he ſent to the Barons to deſire a Truce, which was granted him, and was followed with a Peace on the ſame Conditions as the former. But the King broke it altogether as ſoon as the other, by a fruitleſs Attempt which he made to take *Dover-Caſtle* by ſurprize. This Proceeding loſt him all the Confidence of the Barons, who now thought of nothing but War. The Earl of *Leiceſter* having entered *London*, ſo fortify'd himſelf by the Aſſiſtance of that great City, that the King was oblig'd once more to deſire an Accommodation. But as all Treaties hitherto had been to no purpoſe, they agreed at laſt to make the King of *France* Mediator, and to ſubmit themſelves to his Award. *Lewis* having accepted the Office of Arbitrator in this Affair, pronounced a Sentence which was altogether in the King's favour. But becauſe in that ſame Sentence he declared that he did not intend to offer any prejudice to the lawful Privileges of the *Engliſh*, the Barons rejected it, pretending that there was a manifeſt Contradiction in it, becauſe the Statutes of *Oxford*, which were repealed by the Sentence, were only made to maintain them in their Privileges.

Truce between the King and the Barons.

King breaks it.

King and the Barons refer their Quarrel to the King of France.

Lewis's Sentence rejected by the Barons.

THE Hoſtilities being renewed on both ſides, the King, who by the Care of the Prince his Son, and of the King of the *Romans*, had aſſembled a very numerous Army, had at firſt very fortunate ſucceſs. He made himſelf Maſter of ſeveral Places, during which the Barons were afraid to come in ſight of him *. At laſt he reſolved to march directly to *London*, in hopes that the City would be ſo diſpirited as to open its Gates to him, and that by that means the Barons Party would be entirely ruin'd. But the Earl of *Leiceſter*, who was got into the City before him, ſo exaſperated the Citizens, by repreſenting to them the Terrors of being at the King's Mercy, that they offered him a Body of their Militia to go and fight the Royal Army. *Henry* being informed of this Reſolution, did not think fit to give Battle at the Gates of *London*, but retired into the County of *Suſſex*, and went and encamped at *Lewes*, where the Earl of *Leiceſter*, being reinforced by the Militia of *London*, arrived almoſt at the ſame time. The two Armies being ſo near one another, that it was in a manner impoſſible to avoid a Battle, the Barons cauſed a very ſubmiſſive Petition to be preſented to the King, in which they pray'd him to act in conjunction with them for reforming the Abuſes in the Government, in order to prevent the Effuſion of *Engliſh* Blood. But this Petition was received with ſo much Diſdain and Contempt, that the provok'd Barons publickly renounc'd their Obedience to the King, and declar'd him and his Adherents Enemies to their Country.

He approaches London.

Retires to Lewes.

E. of Leiceſter *follows him, and preſents a Petition.*

Which is haughtily rejected.

Barons renounce their Fealty.

ALL hopes of Peace being vaniſh'd by this Declaration, the two Armies rang'd themſelves in order of Battle, to decide the Quarrel by the Sword. † *May* 14. Prince *Edward*, who commanded the right Wing of the King's Army, charged the Militia of *London*, who were poſted over-againſt him on the Left of the Enemy's Army, with ſuch Vigour and Succeſs, that he forc'd them to give ground; but purſuing them too far, he found as he returned to the Field of Battle, that the Royal Army was put to the rout, and the King his Father, and the King of the *Romans* taken Priſoners. The Barons Army being diſordered in purſuit of the flying Enemy, Prince *Edward* would fain have attack'd them immediately with the victorious Body under his Command. But he did not find Reſolution in his Troops to make the Onſet ſoon enough; and while he miſs'd the critical Juncture in perſuading them, the Earl of *Leiceſter* rallied his Forces with all poſſible diligence, and in order to gain time, caus'd Propoſals of Accommodation to be made to Prince *Edward*, who was ſo weak as to ſuffer himſelf to be amus'd, while his Enemy, at the ſame time that he prolong'd the Negotiation, had thereby an opportunity to ſend Detachments from all Quarters, to cut off his Retreat. To be ſhort, *Edward* found himſelf in that unhappy Situation, as to be able neither to fight nor retreat without

Battle of Lewes.

Edward *beats the* Londoners, *and purſues too far.*

Henry *and the King of the* Romans *made Priſoners.*

Pr. Edward *returning from the purſuit, is amuſed by* Leiceſter.

He can neither fight nor retreat.

The War renew'd, in which the K. gains ſeveral Advantages.

* They had been worſted in a Battle at *Northampton* in the Month of *April*.

† It was fought near *Lewes* in *Suſſex*. This diſcovers the Miſtake of ſome Hiſtorians, who date this Battle on *May* 19.

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Accepts of Leiceſter's Terms.

without manifeſt Danger. For this Reaſon he was forced at laſt to accept of the Terms which the Earl offered him. It was agreed therefore betwixt them, that the Statutes of *Oxford* ſhould be amended by four Biſhops, and four Barons to be choſe by the Parliament; and in caſe thoſe Commiſſioners could not agree, the matter ſhould be referred to the Arbitration of the Earl of *Anjou*, Brother to the King of *France*, aſſiſted by four *French* Noblemen; and that till every thing was ſettled by the Parliament, *Edward*, and *Henry* Son to the King of the *Romans*, ſhould remain as Hoſtages in the hands of the Barons. This is what was call'd *la Miſe*, or the Agreement at *Lewes*, which was never executed.

The Miſe *of* Lewes.

THE Earl of *Leiceſter* having the King, and almoſt all the Royal Family in his power, made uſe from thenceforth of the King's Name and Authority, and challeng'd all Obedience to himſelf. He made the King his Priſoner iſſue Orders to his own Creatures to deliver up the Places which they had in their power, and treated thoſe as Rebels who refuſed implicit Obedience to the King, from the time that he was his Priſoner. Not long after, the Barons form'd a new Plan of Government, and were reſolv'd to get it approved by the Parliament. In order to render this Aſſembly, from which they propoſed to exclude all the King's Party, the more numerous, and the more ſolemn, they eſtabliſh'd in every County four Officers, to whom they gave the Title of *Conſervators*, with a very great Authority. They afterwards procured an Order from the King, directed to thoſe Conſervators, to make choice of four Knights of their Diſtrict to ſit in Parliament. There are many who found the Origin of the Commons Right to ſit in Parliament by their Deputies, on this Inſtance. Others think the ſaid Right of the Commons much more antient *. However it be, this Parliament thus compos'd, approv'd of the Barons new Plan; which contain'd in ſubſtance, "That "the Parliament ſhould nominate three great "Commiſſioners who ſhould have the power "of chuſing nine Counſellors, to whom the "Adminiſtration of publick Affairs ſhould "be committed. That if two thirds of the "nine were not of one and the ſame Opinion, "the Affair in diſpute ſhould be referr'd to "the three great Commiſſioners. That the "King, with the conſent of the three great "Commiſſioners, might caſhier or alter the "nine Counſellors, or part of them, and even "the three Commiſſioners with the Appro-"bation of the Barons. That the publick Of-"fices ſhould be at the Diſpoſal of the nine "Counſellors." It would be eaſy to ſhew

Leiceſter *makes uſe of the K's Name againſt the King himſelf.*

Barons new Plan of Government.

Summon a Parliament.

Conſervators eſtabliſhed.

Four Knights for each Shire to ſit in Parliament.

The Barons Plan approv'd by the Parl.

that this new Plan was altogether in favour of the Earl of *Leiceſter*. But I don't think there's any manner of neceſſity for inſiſting on this matter. The King and the Prince were oblig'd to approve of this new Form of Government.

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King and Pr. forc'd to conſent to it.

WHILE theſe things paſs'd in *England*, *Urban* IV. had appointed for his Legate in this Kingdom, *Guido*, Cardinal of *St. Sabine*; who, on his arrival at *Paris*, received a Letter from the Earl of *Leiceſter*, acquainting him that he would not be received in *England*. Notwithſtanding this, the Legate proceeded as far as *Boulogne*, from whence he ſummoned all the Biſhops of *England* to come to him, in order to give an account of their Conduct. But the Biſhops did not think fit to obey this Summons. When the Affairs of the Government were regulated after the manner above-mentioned, the Barons thought it neceſſary to give ſome ſatisfaction to the Legate, by ſending him four Biſhops to juſtify their Conduct. But thoſe Deputies found him ſo incens'd, that inſtead of hearkening to Reaſon, he charg'd them with an Order in writing to excommunicate the Earls of *Leiceſter* and *Gloceſter*, and to put their Eſtates, and the City of *London*, under an Interdict. The Deputies having ſent an Account to *England* of the Order which was given them in charge, met a Ship at Sea, as they were returning home, the Commander of which pretending to be a Pirate, took away their Papers, together with the Legate's Order, and threw them over-board. The Legate ſeeing that this was not a time of day to aſſert or exert the Authority of his Maſter, returned to *Rome*, where he was ſoon after elected Pope by the Name of *Clement* IV.

Barons refuſe to admit a Legate.

His Reſentment.

The Legate choſe Pope.

NOT long after this, the Earl of *Leiceſter* was perplex'd on a ſudden with two Affairs, which made him uneaſy. The Queen had rais'd an Army in *France*, and ſent it to *Gravelin*, in order to go on board there for *England*; while, on the other hand, ſome Lords took Arms for the King in the Counties which border'd upon *Wales*. The Earl's good fortune gain'd him a happy Deliverance. In the firſt place he prevented the Rebels, by engaging *Llewellin* Prince of *Wales* in his Intereſt, on whoſe Aſſiſtance they had depended: after which he beat them, and forced them to lay down their Arms. On the other hand, the *French* Troops were ſo long windbound, that the Queen was obliged to disband her Army, having no more Money to ſubſiſt it.

Revolt of ſome Engliſh *Lords againſt the Barons Government.*

Leiceſter *reduces them.*

THIS Perplexity was follow'd by another in 1265, the Conſequences of which were much more fatal to the Earl of *Leiceſter*. He had been ſuſpected for ſome time of Views too ambitious, and of no leſs a Deſign than to pave

Leiceſter *ſuſpected of aſpiring to the Crown.*

* Dr. *Brady* thinks this was the firſt Convention wherein the Sheriffs were ordered to return two Knights for each County, and the Cities and Burghs two Citizens and Burgeſſes reſpectively; and that *Simon de Montfort* ſummon'd this Convention, and altered the antient Uſage, becauſe of the Danger that he and his Friends apprehended from the Concourſe of the Nobility and their great Retinues, and the Example of his and the Barons Practices at *Oxford*. Dr. Brady's *Introd.* p. 143. But *Spelman*, *Bede*, *Selden*, Dr. *Hody*, and other authentic Hiſtorians, have prov'd that there was the ſame ſort of Conventions, even ſo early as the *Saxon* Times, tho' under different Denominations.

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pave his own way to the Throne. This Suſpicion was principally founded upon his detaining in Priſon Prince *Edward*, who according to the Agreement at *Lewes*, ought to have had his liberty, becauſe he was only a Hoſtage till the Government was regulated; which Regulation was already made. The Earl of *Leiceſter* being conſcious that his Conduct was cenſurable upon that head, endeavour'd to blind the Publick, by pretending to reſtore that Prince to his liberty, and keeping a Guard upon him all the while. For this purpoſe he call'd a Parliament, and gave out, that it was to find out ways and means to ſet the Prince at liberty. Upon this Occaſion every County had Orders to depute two Knights, and every City two Burgeſſes to ſit in Parliament; which 'tis pretended was the firſt time that the Towns ſent Deputies to Parliament. But without entring here into ſo difficult a Queſtion, I ſhall only ſay, that from the time of the Earl of *Leiceſter*'s Adminiſtration, the Right of the Commons to ſit in Parliament was never once diſputed. This Parliament, which was almoſt entirely at the Earl's Devotion, order'd, that the Prince ſhou'd be ſet at liberty, and that he ſhou'd always continue with the King his Father, to obey him in all things. But as the King was a Priſoner, this was ſtill leaving the Prince in the Cuſtody of the Earl of *Leiceſter*, who indeed caus'd him to be very narrowly watch'd.

Leiceſter *willing to ſet* Edward *at liberty, calls a Parliament for it, to which are ſummon'd* 2 *from each Shire, and* 2 *from each Borough.*

Remark *on it.*

Edw. *delivered to the K. who ſtill continues a Priſoner.*

E. *of* Gloceſter *turns againſt* Leiceſter.

THIS Proceeding only ſerv'd to confirm the Suſpicion of the Publick, and particularly of the Earl of *Gloceſter*; who, not thinking ſuch Satisfaction ſufficient, took Arms, and drew in a great number of Men to his Party. The Earl of *Leiceſter* being unwilling to give him time to make himſelf formidable, caus'd him to be proclaim'd a Traitor; and putting himſelf at the head of the Army, march'd directly to *Hereford*, that he might be at hand to attack him, taking along with him the King and the Prince, who were both well guarded. But his Precautions were in vain. *Edward* having found means to eſcape *, went to meet the Earl of *Gloceſter*, who yielded the Command of his Troops to him, after he had made him take an Oath that he wou'd do his utmoſt, to put the ancient Laws in force, to reform Abuſes, and to remove Foreigners from the King's Perſon.

Leiceſter *proclaims him a Traitor.*

Pr. Edward's *Eſcape. He joins the* E. *of* Gloceſter, *who makes him ſwear to redreſs Grievances.*

Leiceſter *hides his Concern.*

THE Prince's Eſcape was a mortal Blow to the Earl of *Leiceſter*, who nevertheleſs diſſembled his Uneaſineſs as much as poſſible, always acting as if his Affairs were not in the leaſt affected by that Event. It was at the ſame time, that by virtue of a Commiſſion from the King, he ſolemnly renounced for the King and Prince *Edmund*, all Pretenſions that they might have to the Kingdom of *Sicily*: after which he caus'd the ſaid Renunciation to be notified to the Pope by a Letter from the King.

He renounces the Pretenſions to Sicily.

As ſoon as Prince *Edward* was at the head of an Army, the number of his Troops increas'd ſo conſiderably, that he was ſoon in a condition to go in queſt of the Earl of *Leiceſter*; who finding himſelf inferior, retired from place to place, to advantageous Poſts, in order to avoid a Battle. He waited with impatience for the Succours that *Simon de Montfort* his Son was bringing to him from *Kent*, which actually arriv'd about a Day's Journey from *Eveſham*, where the Father was encamp'd. But *Edward*, who had been inform'd of *Montfort*'s March, met and entirely defeated him †. Immediately after this Victory, he return'd back, and fell upon the Earl of *Leiceſter*, who had not yet received the News of his Son's Defeat. In this Battle, which was fought juſt by *Eveſham*, the Earl of *Leceiſter* was kill'd, his ‡ Army put to the Rout, and the King whom he carried along with him, recover'd his liberty.

Edward's *Forces increaſe.* Leiceſter *flies before him.*

Edw. *defeats* Simon Montfort.

And the E. of Leiceſter *his Father near* Eveſham, *and ſets* Henry *free.*

HENRY was no ſooner free, but he reſolv'd to be reveng'd of his Enemies, and by that means made ſome of them deſperate. *Simon de Montfort*, who had the King of the *Romans* under his Care in *Kenelworth-Caſtle*, ſet him at liberty without requiring any Ranſom, in hopes of engaging that Prince to be his Protector. But this Protection not being ſufficient to procure him the King's Pardon, he quitted *Kenelworth*, after having left a good Gariſon there, and retir'd to the Iſle of *Axholm* in the Shire of *Lincoln*. There it was that he rallied the ſcatter'd Remains of his Father's Army; and as that Iſland might eaſily be guarded, he gave the King occaſion to repent of his too great Severity.

Simon de Montfort's *Retreat to the Iſle of* Axholm

IN the beginning of the Year 1266, the Queen and Prince *Edmund* arriv'd from *France*, to which Kingdom they retired after the Battle of *Lewes*. They were ſoon followed by a Legate from *Clement* IV. Succeſſor to *Urban* IV. who excommunicated the Earl of *Leiceſter*, tho' dead ‖, with all his Adherents, whether dead or alive. Then he notify'd to the King a Bull from *Urban* IV. which revok'd the Grant of *Sicily* to Prince *Edmund*. This Bull was hitherto kept ſecret, becauſe the Court of *Rome* had been in Treaty upon this very Affair with *Charles* Earl of *Anjou*, Brother to the King of *France*, to whom *Clement* IV. gave this very Year the Inveſtiture of *Sicily*, on condition that he ſhou'd diſpoſſeſs *Manfred*, who till then had kept poſſeſſion of it.

The Queen arrives from France *followed by a Legate, who excommunicates all the Rebel Barons dead or alive, and revokes the Grant of* Sicily

* He eſcaped from his Keepers the 18th of *May* 1265.
† This Battle was fought the 4th of *Auguſt* 1265.
‡ All the Heads of his Party were alſo kill'd or taken.
‖ This Pope ſent over a great many unneceſſary Bulls into *England*, before he knew what had paſſed there.

Simon de Montfort *surrenders. He promises to deliver up* Kenelworth-Castle, *but cannot.*

Edw. *reduces the Cinque Ports.*

SIMON de Montfort growing every day more and more formidable in the Island of *Axholm*, *Edward* caus'd the Army to march that way: and at last, tho' with very great difficulty, he oblig'd *Montfort* to surrender, and to promise to deliver up *Kenelworth-Castle*. But it was not in his power to perform his Contract, the Governour of the Castle refusing to obey his Order. In a little time after, *Edward* found a way by fair means to reduce the Cinque Ports to the King's Obedience.

Kenelworth *besieg'd.*

WHILE the Court thought they had nothing more to do than to reduce the Castle of *Kenelworth*, some of the Malecontents made themselves Masters of the Isle of *Ely*, where their Party grew so strong, after being join'd by a great many others that took Refuge there, that this became a very momentous Affair, by reason of the Situation of the Island, which had formerly given *William* the Conqueror a great deal of Trouble. Nevertheless it was thought fit before all things to besiege *Kenelworth-Castle*. But as that Place was strong and well provided, the King was oblig'd to turn the Siege into a Blockade.

Parl. held there.

Anno 1267. IT was during this Blockade, and in the very Town of *Kenelworth* situate below the Castle, that the King assembled a Parliament, which offered very advantagious Terms to the Rebels of *Ely*: but they did not think fit to accept them, for Reasons which we shall see presently. In fine, the Garison of *Kenelworth* capitulating, after having sustain'd a long Blockade, the King immediately thought of Methods to humble the Rebels of *Ely*. But new Troubles arose, which he did not foresee. After the Battle of *Evesham*, he steer'd his old course; and thinking that he had nothing more to fear, he carried his Authority as far as ever he had done, without being much concern'd for either the Laws or Privileges of the People. Even *Edward*, tho' engaged by Oath with the Earl of *Gloceſter*, took not one Step to perform his Promise. The Earl of *Gloceſter*, provok'd at this Conduct, was resolved to make both the King and the Prince sensible that he was not to be despised with impunity. Besides, he found by their Conduct, that if the Rebels of *Ely* were once oppress'd, it wou'd be too difficult to confine the Royal Authority to the Bounds which he desired. Therefore he sent early notice to the Rebels of *Ely*, that he was coming to their Assistance; and indeed he made Preparations which gave the King Umbrage: and as he cou'd not tell what to think of it, he sent to him to know what was the Motive of his arming. The Earl answer'd, that 'twas only to defend himself against *Mortimer* his Neighbour and Enemy; and gave a Writing signed with his own Hand, whereby he promis'd never to bear Arms against the King. This Promise laid the King asleep; who fearing nothing more on that side, went to *Cambridge* with his Army, in order to go and besiege *Ely*. The Earl of *Gloceſter* was no sooner inform'd that the King was gone from *London*, but he march'd in all haste to that City, where he was agreeably received by the Inhabitants: after which he sent a Summons to the Legate to deliver up the *Tower* to him, of which the King when he went away, had made him Keeper. The Legate pretended at first, that he wou'd stand a Siege, but in a few days he surrender'd. This done, the Earl publish'd a Manifesto, in which he said that he had taken Arms to oblige the King and the Prince to the better Performance of their Engagements.

He becomes Master of London *and the* Tower.

Publishes a Manifesto against the King.

Terms offered to the Rebels of Ely, *who reject them.*

Kenelworth *taken.*

E. of Gloceſter *takes measures against the King.*

AS the King knew not what course to take to get out of the Broil, occasion'd by this fresh Rebellion, he saw no other way than to recall the Prince his Son who was employ'd in some other Expedition. *Edward* having join'd the King's Army with the Body under his Command, and having sent for more Troops thither from other parts, the Earl of *Gloceſter*, whose Force was very inferior, and durst not venture out of *London*, was at length reduc'd to desire a Peace; which was very easily granted him, and the City of *London* was actually included in the Treaty. The Rebels of *Ely* having now no Remedy left, were at last forced to surrender, without being able to obtain any other Terms than the sparing of Life and Limb. Thus ended the War of the Barons, which was really fatal to those that lived in that Age; but was however the means of procuring to their Posterity, and to all the People of *England*, the Enjoyment of the Privileges contain'd in the Great Charter. The Successors of *Henry* III. chose to submit to this Yoke, rather than expose themselves to the same Risk as he did, when he endeavour'd to free himself from it.

Edw. *joins his Father.*

Gloceſter *makes his Peace*

Ely *Rebels surrender.*

The Acts which relate to the preceding Article are,

1. A Letter from *Richard* King of the *Romans* to Prince *Edward* his Nephew, to give him Advice of his Coronation; dated at *Aix la Chapelle*, *March* 18. 1252.

K. *of the* Romans *Coronation.* 622.

2. *HENRY*'s Letters Patent, whereby he submits himself beforehand to whatever shall be regulated by the 24 Commissioners who are to be elected, and to meet at *Oxford*; dated *May* 2. 1258. at *Westminster*.

Henry's *Submission to the* 24 *Commissioners.* 654. 655.

3. A Letter from the Barons of *England* to the Pope, without a Date.

Barons *Letter to the Pope.* 660.

"THEY justify what pass'd at *Oxford* and "complain very much of the Bishop of *Win-* "*chester* *.

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* The Letter is signed by eleven *English* Noblemen, and sent to the Pope *A.* 1258. in the name of all the rest of the Nobility, complaining of the King's having accepted the Kingdom of *Sicily* for his Son, contrary to their Opinion and Consent; because *England* was in no manner of Condition to support such a Charge. They add, however, that in respect to the Apostolical See, if he would please to redress the Disorders in this Kingdom, and obtain *Sicily* for them upon better Terms, they would support him in the Undertaking, tho' he engag'd in it without their Consent. They tell him, that the King, and his eldest Son Prince *Edward*, had consented to the choice of 24 Persons, of whom the

K. to the Isle of Oleron.

4. THE King's Letter to the Inhabitants of the Isle of *Oleron*; dated *July* 11. 1258. at *Wincheſter*.

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"HE orders him to excommunicate the "Debtors of the *Florence* Merchants, if "they don't pay by a certain Time."

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"THIS Treaty was negociated by the "Earl of *Leiceſter*."

Grand Maſter of the Templars Letter to Henry. 699

9. A Letter from the Grand Maſter of the Templars to *Henry* III. dated at *Acre* the 4th of *April* 1260.

"HE demands Succours of him for the "*Holy Land*."

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12. ANOTHER on the ſame Subject; dated in the Nones of the ſame Month at *Viterbo*.

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"THE Counteſs of *Leiceſter* was the "King's Siſter."

Hugh le Bigod threatned with Excommunication, 726.

14. THE Archbiſhop of *Canterbury's* Letter to *John Maunſel* Treaſurer of *York*, giving him an account of a Brief from the Pope, which orders the Excommunication of *Hugh le Bigod*, if he refuſed to ſurrender the Caſtles of *Scarborough* and *Pickering* to the King; dated the 8th of *Auguſt* 1261. at *Windſor*.

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"HE tells him, that *le Bigod* makes "Anſwer, that as he holds thoſe Caſtles of "the King and the Barons, he cannot ſur-"render them, but by order of the King "and the Barons jointly, or of the Majo-"rity of the Barons."

Queen of France owns the Receipt of Jewels. 730.

16. AN Acknowledgment from *Margaret* Queen of *France*, that ſhe has received from the King of *England* certain Jewels by him depoſited in the Temple of *Paris*; dated at *St. Germain en Laye*, the *Tueſday* after Pentecoſt, 1265.

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17. *HENRY* IIId's Letter to the King and Queen of *France*, and to the Queen of *Navarre*, without a Date.

"HE deſires them to intercede for him "to the Pope, to the end that he may ſe-"cure the Right to the Kingdom of *Sicily* "to *Edmund* his Son."

To Urban IV. 736.

18. THE King's Letter to *Urban* IV. dated *Jan.* 1. 1262. at *Weſtminſter*.

"HE deſires him to confirm the Repeal "of the *Oxford* Statutes which was made "by his Predeceſſor.

To the Cardinals. 737.

19. THE King's Letter to the Cardinals, of the ſame Date.

"HE vindicates *Maunſel* from the Ac-"cuſation entered againſt him at *Rome*, "that he is the Cauſe of the Diſagreement "betwixt the King and them. This *Maun-"ſel* alone was poſſeſſed of above 300 Be-"nefices."

K. of the Romans Award. 738.

20. THE Award of *Richard* King of the *Romans*, without a Date.

"HE had been choſe Arbitrator betwixt "the King and the Barons, to decide whe-"ther the King might make Sheriffs of "Counties, and change them, without Con-"ſent of the Barons. The Award is in the "King's favour."

21. A

the King was to name one half, and the Barons the other; and that they both engag'd themſelves by Oath to follow what the whole Body or the Majority ſhould agree to. Nevertheleſs, according to this Letter from the *Engliſh* Lords, the King's (a) Brothers, who were come from *France*, had hindered the King from performing his Promiſe. *Ademare* was as great an Obſtacle as any, who being elected Biſhop of *Wincheſter*, tho' he had not yet taken Orders, fed the King with thoſe Notions, promiſed him whatever Money he ſhould want in the Controverſy, tho' it ſhould exhauſt his Biſhoprick; and in ſhort, he made Confuſion every where, and ſhook the Kingdom. The Barons did all they could to get the Laws re-eſtabliſhed according to the Agreement; but the King's Brothers aim'd at breaking all their Meaſures, and cauſed very great Diſorders in the Kingdom: ſo that, ſay the Barons, *neither their Inferiors, nor their Equals, nor their Superiors, could live or converſe with them.* They were therefore ſummoned before a Court of Juſtice, to give an account of their Conduct, ſo that two of them were permitted to retire to *France*, on condition that two ſhould ſtay in *England* to appear at the Bar of Juſtice; but they all withdrew to *France* with a *Paſſport* from the King, which comes after this Act.

The Barons, after having told their Story to the Pope, deſire he would ſo order it, that the King's Brother might ſtay in *France*, and eſpecially *Ademare*, who being elected to the See of *Wincheſter*, and the chief Cauſe of all the Miſchiefs, they even deſired the Pope to deprive him altogether of his Biſhopric, the very People of *England* hating the Thoughts of his coming back again; which was the more eaſy for the Pope to do, becauſe he had only the Adminiſtration of the Biſhopric, and had never yet been conſecrated.

† Inſtead of exhorting the King to the Obſervance of the old Laws of the Kingdom, he ſent an *Order* to certain Prelates, to abſolve all thoſe who had engaged themſelves by Oath to execute what the Majority of the 24 Barons had reſolved on, and to excommunicate thoſe who would not break their Engagements.

‖ She was his Siſter-in-Law. This Arbitration came to nothing; and the People of *England* were ſtill the more incens'd.

(a) *The Children of the Earl of* March *and of the Queen, Mother to* Henry III. *born in* France.

FOEDERA Tom. I.

SIMON de Montfort growing every day more and more formidable in the Iſland of *Axholm*, *Edward* caus'd the Army to march that way: and at laſt, tho' with very great difficulty, he oblig'd *Montfort* to ſurrender, and to promiſe to deliver up *Kenelworth-Caſtle*. But it was not in his power to perform his Contract, the Governour of the Caſtle refuſing to obey his Order. In a little time after, *Edward* found a way by fair means to reduce the Cinque Ports to the King's Obedience.

Simon de Montfort *ſurrenders. He promiſes to deliver up* Kenelworth-Caſtle, *but cannot.*

Edw. *reduces the Cinque Ports.*

WHILE the Court thought they had nothing more to do than to reduce the Caſtle of *Kenelworth*, ſome of the Malecontents made themſelves Maſters of the Iſle of *Ely*, where their Party grew ſo ſtrong, after being join'd by a great many others that took Refuge there, that this became a very momentous Affair, by reaſon of the Situation of the Iſland, which had formerly given *William* the Conqueror a great deal of Trouble. Nevertheleſs it was thought fit before all things to beſiege *Kenelworth-Caſtle*. But as that Place was ſtrong and well provided, the King was oblig'd to turn the Siege into a Blockade.

Kenelworth *beſieg'd.*

Anno 1267. IT was during this Blockade, and in the very Town of *Kenelworth* ſituate below the Caſtle, that the King aſſembled a Parliament, which offered very advantagious Terms to the Rebels of *Ely*: but they did not think fit to accept them, for Reaſons which we ſhall ſee preſently. In fine, the Gariſon of *Kenelworth* capitulating, after having ſuſtain'd a long Blockade, the King immediately thought of Methods to humble the Rebels of *Ely*. But new Troubles aroſe, which he did not foreſee. After the Battle of *Eveſham*, he ſteer'd his old courſe; and thinking that he had nothing more to fear, he carried his Authority as far as ever he had done, without being much concern'd for either the Laws or Privileges of the People. Even *Edward*, tho' engaged by Oath with the Earl of *Gloceſter*, took not one Step to perform his Promiſe. The Earl of *Gloceſter*, provok'd at this Conduct, was reſolved to make both the King and the Prince ſenſible that he was not to be deſpiſed with impunity. Beſides, he found by their Conduct, that if the Rebels of *Ely* were once oppreſs'd, it wou'd be too difficult to confine the Royal Authority to the Bounds which he deſired. Therefore he ſent early notice to the Rebels of *Ely*, that he was coming to their Aſſiſtance; and indeed he made Preparations which gave the King Umbrage: and as he cou'd not tell what to think of it, he ſent to him to know what was the Motive of his arming. The Earl anſwer'd, that 'twas only to defend himſelf againſt *Mortimer* his Neighbour and Enemy; and gave a Writing ſigned with his own Hand, whereby he promis'd never to bear Arms againſt the King. This Promiſe laid the King aſleep; who fearing nothing more on that ſide, went to *Cambridge* with his Army, in order to go and beſiege *Ely*. The Earl of *Gloceſter* was no ſooner inform'd that the King was gone from *London*, but he march'd in all haſte to that City, where he was agreeably received by the Inhabitants: after which he ſent a Summons to the Legate to deliver up the *Tower* to him, of which the King when he went away, had made him Keeper. The Legate pretended at firſt, that he wou'd ſtand a Siege, but in a few days he ſurrender'd. This done, the Earl publiſh'd a Manifeſto, in which he ſaid that he had taken Arms to oblige the King and the Prince to the better Performance of their Engagements.

HENRY III.

Parl. *held there.*

Terms *offered to the Rebels of* Ely, *who reject them.*

Kenelworth *taken.*

E. *of* Gloceſter *takes meaſures againſt the King.*

He becomes Maſter of London *and the* Tower.

Publiſhes a Manifeſto againſt the King.

As the King knew not what courſe to take to get out of the Broil, occaſion'd by this freſh Rebellion, he ſaw no other way than to recall the Prince his Son who was employ'd in ſome other Expedition. *Edward* having join'd the King's Army with the Body under his Command, and having ſent for more Troops thither from other parts, the Earl of *Gloceſter*, whoſe Force was very inferior, and durſt not venture out of *London*, was at length reduc'd to deſire a Peace; which was very eaſily granted him, and the City of *London* was actually included in the Treaty. The Rebels of *Ely* having now no Remedy left, were at laſt forced to ſurrender, without being able to obtain any other Terms than the ſparing of Life and Limb. Thus ended the War of the Barons, which was really fatal to thoſe that lived in that Age; but was however the means of procuring to their Poſterity, and to all the People of *England*, the Enjoyment of the Privileges contain'd in the Great Charter. The Succeſſors of *Henry* III. choſe to ſubmit to this Yoke, rather than expoſe themſelves to the ſame Risk as he did, when he endeavour'd to free himſelf from it.

Edw. *joins his Father.*

Gloceſter *makes his Peace*

Ely *Rebels ſurrender.*

The Acts which relate to the preceding Article are,

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Debtors of the Florence Merchants excommunicated. 670.

"HE orders him to excommunicate the "Debtors of the *Florence* Merchants, if "they don't pay by a certain Time."

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To the Cardinals. 737.

19. THE King's Letter to the Cardinals, of the ſame Date.

"HE vindicates *Maunſel* from the Ac-"cuſation entered againſt him at *Rome*, "that he is the Cauſe of the Diſagreement "betwixt the King and them. This *Maun-"ſel* alone was poſſeſſed of above 300 Be-"nefices."

K. of the Romans Award. 738.

20. THE Award of *Richard* King of the *Romans*, without a Date.

"HE had been choſe Arbitrator betwixt "the King and the Barons, to decide whe-"ther the King might make Sheriffs of "Counties, and change them, without Con-"ſent of the Barons. The Award is in the "King's favour."

21. A

the King was to name one half, and the Barons the other; and that they both engag'd themſelves by Oath to follow what the whole Body or the Majority ſhould agree to. Nevertheleſs, according to this Letter from the *Engliſh* Lords, the King's (a) Brothers, who were come from *France*, had hindered the King from performing his Promiſe. *Ademare* was as great an Obſtacle as any, who being elected Biſhop of *Wincheſter*, tho' he had not yet taken Orders, fed the King with thoſe Notions, promiſed him whatever Money he ſhould want in the Controverſy, tho' it ſhould exhauſt his Biſhoprick; and in ſhort, he made Confuſion every where, and ſhook the Kingdom. The Barons did all they could to get the Laws re-eſtabliſhed according to the Agreement; but the King's Brothers aim'd at breaking all their Meaſures, and cauſed very great Diſorders in the Kingdom: ſo that, ſay the Barons, *neither their Inferiors, nor their Equals, nor their Superiors, could live or converſe with them.* They were therefore ſummoned before a Court of Juſtice, to give an account of their Conduct, ſo that two of them were permitted to retire to *France*, on condition that two ſhould ſtay in *England* to appear at the Bar of Juſtice; but they all withdrew to *France* with a *Paſſport* from the King, which comes after this Act.

The Barons, after having told their Story to the Pope, deſire he would ſo order it, that the King's Brother might ſtay in *France*, and eſpecially *Ademare*, who being elected to the See of *Wincheſter*, and the chief Cauſe of all the Miſchiefs, they even deſired the Pope to deprive him altogether of his Biſhopric, the very People of *England* hating the Thoughts of his coming back again; which was the more eaſy for the Pope to do, becauſe he had only the Adminiſtration of the Biſhopric, and had never yet been conſecrated.

† Inſtead of exhorting the King to the Obſervance of the old Laws of the Kingdom, he ſent an *Order* to certain Prelates, to abſolve all thoſe who had engaged themſelves by Oath to execute what the Majority of the 24 Barons had reſolved on, and to excommunicate thoſe who would not break their Engagements.

‖ She was his Siſter-in-Law. This Arbitration came to nothing; and the People of *England* were ſtill the more incens'd.

(a) *The Children of the Earl of* March *and of the Queen, Mother to* Henry III. *born in* France.

FOEDERA Tom. I.

21. A Bull which canonizes *Richard* Biſhop of *Cheſter*; dated at *Viterbo*, the *Monday* after the Feaſt of the Purification 1262.

Canonization of the Biſhop of Cheſter. 740.

22. *URBAN* IVth's Bull, which annuls the Oath taken by the King, Queen, and Prince *Edward*, relating to the *Oxford* Statutes; dated the 5th of the Calends of *March* 1262. at *Viterbo* *.

K. Q. &c. abſolved from their Oath relating to the Oxford *Statutes.* 742. 746.

23. THE King's Proclamation to notify that he is abſolved by the Pope from his Oath, with regard to the Statutes of *Oxford*; dated *May* 2. 1262. at *Weſtminſter*.

Summons of the Kings of the Romans *and of* Caſtile *to* Rome. 762.

24. THE Summons of *Richard*, and of the King of *Caſtile*, to *Rome*, to adjuſt their Diſpute concerning the Title of the King of the *Romans*, by the Pope's Authority; dated the 2d of the Calends of *September* 1263. at *Orvieto*.

"Here we have the Pleas on which the "two Competitors for the Title founded "their Claim."

Revocation of the Grant of Sicily. 769.

25. *URBAN* IVth's Bull, which revokes the Grant of *Sicily* that was made to *Edmund*; dated the 5th of the Calends of *Auguſt* 1263. at *Orvieto* †.

Prince Edward's *References to Arbitration on his Quarrel with the Barons.* 773.

26. THE Act by which Prince *Edward* refers himſelf to the Judgment of *Henry*, Son to the King of the *Romans*, and of the Count *de Warren*, touching his Difference with the Barons; dated on the *Saturday* after the Feaſt of the Aſſumption 1263.

St. Lewis's *Award on the King's Quarrel with the Barons.* 776.

27. ST. *Lewis*'s Decree of Arbitration on the Differences betwixt the King and the Barons; dated at *Amiens* the Day after the Feaſt of St. *Vincent* 1264 ‡.

"THE Statutes of *Oxford* are annull'd "without prejudice of the Charters, and of "the Liberties which the *Engliſh* enjoy'd "before that time. *Nolumus autem nec "intendimus per præſentem Ordinationem "derogare in aliquo, Regiis Privilegiis, "Chartis, Libertatibus, Statutis & laudabilibus Conſtitutionibus Regni Angliæ, "quæ erant ante tempus Proviſionum ipſarum.*"

Bull for confirming it. 781

28. *URBAN* IVth's Bull ‖ confirming that Decree; dated the 17th of the Calends of *April* 1264. at *Orvieto*.

29. ANOTHER to the Archbiſhop of *Canterbury*, relating to the Puniſhment of the Infringers of the Decree; dated the 16th of the Calends of *April* 1264. at *Orvieto*.

HENRY III.

For puniſhing the Infringers of it. 782.

30. ANOTHER which diſſolves all the Confederacies formed againſt the King; dated the 12th of thoſe Calends 1264. at *Orvieto*.

For diſſolving Confederacies againſt the King. 785.

The Acts which follow are from the time of the Battle of Lewes, *and while the King was a Priſoner.*

Conſervators eſtabliſhed. 792.

1. THE King's Order for eſtabliſhing Wardens, or Conſervators of the Peace, in the Counties; dated *June* 4. 1264. at St. *Paul's London*.

Agreement of Lewes. 793.

2. AN Agreement made after the Battle of *Lewes*, which was to continue during the Lives of the King and *Edward*.

Order for the Tenths. 795.

3. AN Order from the King for the payment of the Tenths; dated *Sept.* 1. 1264. at *Canterbury*.

Ibid.

4. ANOTHER to the Archbiſhop of *York* on the ſame Subject; dated the 3d of the ſame Month at *Canterbury*.

Peace with France. 796.

5. A Commiſſion from the King, the Earl of *Leiceſter*, and other of the Barons to the Biſhop of *London*, &c. to treat of a Peace with the King of *France*; dated on the *Thurſday* after the Nativity of the Holy Virgin 1264. at *Canterbury*.

Full Power for it. 797.

6. THE King's full Power on the ſame Subject; dated at *Canterbury* the *Saturday* following.

Excommunication of the Barons. 798.

7. AN Order from Cardinal ** *Guido* the Pope's Legate, to the Suffragans of *Rheims*, for publiſhing the Excommunication and Interdict againſt the Barons of *England*, who refuſ'd him Entrance into that Kingdom; dated at *Heſdin*, the 13th of the Calends of *November* 1264.

Council ſummon'd for enlarging Pr. Edward. 802.

8. THE Summons of a Grand Council, conſiſting of the Biſhops, Barons, Abbots, Proctors, and Deputies of the Towns and Counties, to conſult Ways and Means for reſtoring Prince *Edward* to his Liberty; dated at *Worceſter*, *December* 14. 1264.

9. A

* In this manner the Pope made a Jeſt of the Oaths of the King and People, as if neither the one nor the other had any Right to take or keep them without their leave.

† In 1263, *Urban* wrote word to the King and Prince *Edmund*, that he was reſolved to give the Kingdom of *Sicily* to another, becauſe they were not able to perform the Conditions upon which it had been granted to Prince *Edmund*; and afterwards he inveſted in it *Charles* of *Anjou*, Brother to St. *Louis* King of *France*. Thus after the See of *Rome* had ſqueez'd great Sums of Money out of *England* upon this very ſcore, they deprived her of all hopes of the Iſland. The worſt on't was, that either the King of *England* would have been oblig'd to refuſe that Crown, or at leaſt to have renounced it ſoon after. For to give a Kingdom in which the Donor has no right in reality, on condition that the Perſon to whom it is granted, ſhall go and conquer it at his own Hazard and Expence, is making a Preſent as unjuſt as it is miſchievous, and as injurious to him who accepts it, as diſhonourable to him who gives it.

‡ After the example of the Pope, with whoſe Authority he had clothed himſelf, he annulled all that the Barons had obtained of the King, and decided perfectly in his favour, tho' he left things in the ſame State they were in before the Treaty which the Barons had made with the King.

The Barons were not to be commended for referring the Laws and Privileges of their Country to the Arbitration and Award of a Prince, who was not only their King's Brother-in-Law, but moreover a King himſelf; a Title which thoſe beyond Sea generally hold to be incompatible with the Liberties and Privileges of the People. Beſides, *Lewis* was a blind Bigot in religious Affairs; and the Pope's declaring for *Henry*, was Warrant enough for him to be of the ſame ſide of the Queſtion. Nor was it good Policy in a King, who had a great many powerful Vaſſals of his own, to give Judgment in favour of Vaſſals againſt their Sovereign, for fear, leſt that in a like Caſe, the Vaſſals of the Kings of *France* ſhou'd one time or other try the ſame Expedient.

However the Barons of *England* refuſed to ſtand to *Lewis*'s Award: They took no more notice of it than the King did of the Oath in 1258. from which the Pope abſolv'd him, as has been already ſaid.

‖ This was directed to the Abbot of St. *Dennis* in *France*.

** He was afterwards Pope, by the Title of *Clement* IV.

FOEDERA Tom. I.

9. A Prohibition to the Nobility to appear at the Tournament at *Dunſtable*; dated *Feb.* 16. 1265, at *Weſtminſter*.

Nobility not to go to the Tournament. 806.

"THIS Tournament was propos'd by "the Enemies of the Earl of *Leiceſter*, in "order to cabal there againſt him."

Grant of the Earldom of Cheſter. 807.

10. THE King's Grant of the Earldom of *Cheſter* to *Simon de Montfort*; dated *March* 20. 1265. at *Weſtminſter*.

11. AN Order to raiſe an Army againſt Prince *Edward*; dated *May* 30. 1265. at *Hereford*.

Order to arreſt Prince Edward's *Adherents.* 811.

12. AN Order to take up the Adherents of Prince *Edward*; dated *June* 7. 1265. at *Hereford*.

To excommunicate him. 812.

13. AN Order to the Suffragan Biſhops of *Canterbury*, to excommunicate Prince *Edward*; dated at *Hereford*, *June* 8. 1265.

Renunciation of Sicily. 815, &c.

14. A Commiſſion to the Earl of *Leiceſter*, &c. to renounce the Grant of *Sicily* in the name of Prince *Edmund*; dated *June* 26. 1265. at *Windſor* *.

Bulls againſt the Earl of Leiceſter. 817.

15. SEVERAL Bulls from *Clement* IV. againſt the Earl of *Leiceſter*; dated the Ides of *September* 1265, at *Peruſa*.

Abſolution of Earl of Gloceſter. 825.

16. A Bull directed to *Ottoboni* the Legate, for abſolving the Earl of *Gloceſter*; dated the 8th of the Calends of *October*, 1265. at *Peruſa*.

"THIS was after the Earl of *Gloceſter* "declar'd for the King."

The following Acts bear Date after the time that the King was ſet at liberty.

Repeal of Acts while the King was a Priſoner. 826.

1. A Repeal of all the Acts paſs'd in the King's Name during his Captivity; dated *October* 1. 1265, at *Windſor*.

Earl of Leiceſter's *Eſtate granted to Prince* Edmund. 841.

2. LETTERS Patent, whereby the King grants to Prince *Edmund* all the Eſtate which belong'd to the Earl of *Leiceſter*, and makes him Great Seneſchal or High-Steward of *England*; dated *Oct.* 26. 1265. at *Canterbury*.

3. A Convention betwixt the King and the Earl of *Gloceſter*; dated at *Stratford*, *June* 16. 1267:

"They refer themſelves to the Pope's "Judgment, touching the Sufficiency of "the Security which the Earl is to give "to the King for the Payment of 20,000 "Marks, if he ever bear Arms againſt "him more."

ARTICLE III.

Affairs which relate to the reſt of Henry IIId's *Reign, after the end of the Civil War.*

FROM the end of the Barons War, to the Death of *Henry* III. we don't meet with any Affair of Conſequence in the Hiſtory of that Prince, which requires much Explanation; therefore in this Article I ſhall only briefly relate the moſt conſiderable Tranſactions during that Interval, in the Order of Annals.

Anno 1267. AFTER *Henry* had reduc'd the Earl of *Gloceſter*, and the Rebels of *Ely*, he was reſolv'd, before he disbanded his Army, to chaſtize the Prince of *Wales*; who during all the late Troubles, had aſſiſted the Barons, and diſcover'd an extraordinary Zeal upon all Occaſions to foment Diviſion among the *Engliſh*. With this Deſign he advanc'd as far as *Montgomery*, whither *Llewellin* ſent Ambaſſadors to him, to deſire a Peace, offering him at the ſame time to do him Homage for his Dominions, and to pay him 25000 Marks of Silver. But *Henry* was reſolv'd to have ſome Caſtles into the bargain, which might facilitate his Entrance into *Wales*, in caſe that *Llewellin* ſhou'd ever revolt. And upon that foot a Peace was concluded, by the Mediation of Cardinal *Ottoboni*, who was Legate in *England*.

HENRY III.

Henry's Convention with the Prince of Wales.

Pope deſigns a Cruſado.

IN 1268, the Parliament being aſſembled, the Legate ſignified to them, that the Pope had a Deſign to publiſh a Cruſado againſt the Infidels; and at the ſame time he exhorted the *Engliſh* not to ſlip this Opportunity of meriting Paradiſe, by ſerving God and the Church. Prince *Edward*, *Henry*, Son to the King of the *Romans*, many Earls and Barons, and above ſixſcore Knights, beſides a great number of the common People, receiv'd the Croſs from the hands of the Legate, who ſoon after return'd to *Rome*.

Vacancy of the Papal See three Years.

CLEMENT IV. dying that very Year, the Papal See remain'd vacant for three Years.

French King's Negotiation for the Cruſado.

THO' St. *Lewis* had ill Succeſs in a former Expedition which he undertook againſt the Infidels, yet he engag'd in this new Cruſado, of which he was to be the Commander in Chief; and as he knew that *Edward* had alſo taken up the Croſs, he deſired him to come and ſee him at *Paris*, in hopes of inclining him to join with him. *Edward* deſir'd nothing better than to go and ſerve under ſo great a Prince; but he gave him to underſtand that the want of Money hinder'd him from ſetting out ſo ſoon as he wiſh'd. To remove this Obſtacle, *Lewis* lent him 30000 Marks of Silver; for the Payment of which Sum, *Edward* mortgag'd his Revenues of *Bourdeaux* to him for ſeven Years. Beſides this, the Parliament granted the King a conſiderable Sum, part of which was deſign'd for the Prince to ſupport the Charges of his Voyage.

He lends the Prince Money for it.

Subſidy granted for it.

Proceſſion with the Shrine of St. Edward.

THE Year 1269 offers nothing remarkable, but the Tranſlation of the Corps of *Edward the Confeſſor*, to the new Church of *Weſtminſter*, which was juſt finiſhed. The King himſelf, the King of the *Romans*, and ſome of the moſt diſtinguiſh'd Lords, carry'd the Shrine of that Saint upon their Shoulders.

St. Lewis lands in Africa before he proceeds to the Holy Land.

Anno 1270, St. *Lewis*, after he left *France*, inſtead of going directly to *Syria*, was

* It was directed alſo to *Peter* of *Savoy* and *John Manſel* Treaſurer of *York*, and the Earl of *Leiceſter* did not fail to make this Renunciation in favour of *Charles* of *Anjou*.

FOEDERA Tom. I. was perſuaded by the new King of *Sicily*, his Brother, to make a Deſcent with his Army in *Africa*, in order to oblige the King of *Tunis* to pay him a certain Tribute which he had uſually paid to the Emperor of *Conſtantinople*, at the time that the *Greeks* were Maſters of *Sicily*. *Edward*, who was not able to ſet out ſo ſoon, went to take up his Princeſs at *Bourdeaux*, and proceeding from thence to *Aigues Mortes*, he there embark'd, and went to join the King of *France*, who was encamp'd near *Tunis*, where he ſtay'd for the execution of a Treaty he had made with the *Mooriſh* King. Notwithſtanding all that *Edward* could urge to engage *Lewis* to proceed on his Voyage to *Paleſtine*, he could not poſſibly prevail on him to ſail before the Treaty was executed. For this reaſon, ſince he had no Quarrel with the King of *Tunis*, he retir'd to *Sicily*, there to ſpend the Winter, till *Lewis* was ready. But not long after, he heard that this Prince died of the Plague in his Camp. The Apprehenſion he was under that his Son *Philip* III. who ſucceeded him, and was return'd from the Camp to *France*, might make ſome attempt upon *Guyenne*, made him take the Precaution to ſend *Henry* his Couſin, Son to the King of the *Romans*, into that Province. But this Prince as he paſs'd thro' *Viterbo*, was murder'd in a Church by *Guy de Montfort*, Son to the late Earl of *Leiceſter*.

Is join'd by Prince Edward.

Makes a Treaty with the King of Tunis.

St. Lewis's *Death.*

King of the Romans' *Son murder'd in a Church.*

Anno 1271, *EDWARD* arriving at *Acre*, was not able, with the few Troops he had, to make any conſiderable Progreſs againſt the Infidels. Nevertheleſs, whether his Fame was already fled into that Country, or whether perhaps the Memory of *Richard* I. his great Uncle was not yet extinct, he was ſo formidable to them, that they choſe to free themſelves from their Fears by an Act of Treachery. A Ruffian who was hired to aſſaſſinate him, having found means to be introduced into his Chamber, on pretence of communicating a Secret to him, offered to run a Dagger into his Breaſt. But *Edward* parry'd the Blow with his Arm, in which he was dangerouſly wounded. The Aſſaſſin was going to redouble his Blow, when *Edward* prevented him by giving a kick in the Breaſt, upon which he fell to the ground, and ruſhing upon him at the ſame time, he wreſted the Dagger from him, and kill'd him. The Wound which he had received in the Arm was very dangerous, becauſe the Dagger was poiſon'd: But a skilful Surgeon put him out of danger. Some have aſcribed his cure to the Princeſs his Spouſe, who undertook to ſuck all the Venom out of the Wound. This Princeſs was brought to bed at *Acre* of a Daughter, who was chriſten'd *Joanna*, and ſurnamed *d'Acre*, from the Place of her Birth.

Edward's *Arrival in* Paleſtine.

Kills an Aſſaſſin who came to murder him.

But is wounded with the Ruffian's poiſon'd Dagger.

Anno 1272, WHILE *Edward* was in that Country, *Theobald* Archdeacon of *Liege*, who had accompany'd him thither, was choſe Pope, and took the Name of *Gregory* X.

HENRY III.

Pope Gregory X. *choſe*

EDWARD perceiving that with the few Forces he had, and which even diminiſhed every day by reaſon of ſickneſs, he was not able to make any great Conqueſt over the *Saracens*, concluded a Truce with them for ten Years, and return'd to *England*. While he was upon the Road, his Uncle the King of the *Romans* died, whoſe Death was ſoon after followed by that of *Henry* III. who finiſhed his Race at the Age of ſixty-ſix, after having reign'd fifty-ſix Years, and ſome Days.

Edward's *ten Year's Truce with the Sultan.*

Death of the King of the Romans.

And of Henry III.

The Acts which relate to the third Article, are,

1. A Treaty of Peace betwixt *Henry* III. and *Llewellin* Prince of *Wales*; dated at *Montgomery* the 3d of the Calends of *October* 1267.

Peace with the Prince of Wales. 844.

2. A Treaty of Alliance between *Henry* III. and *Magnus* King of *Norway*; dated at *Wincheſter* the *Wedneſday* after Aſſumption-Day, in 1269.

Alliance with the King of Norway. 857.

3. CONVENTIONS betwixt St. *Lewis* and *Edward*, concerning the Voyage to the *Holy-Land*; dated at *Paris* the *Tueſday* after the Feſtival of St. *Bartholomew* 1269.

Conventions for the Cruſade. 858.

4. THE Ratification of thoſe Conventions by *Henry* III. dated at *Wincheſter* the *Tueſday* before the Feſtival of St. *Michael* 1269.

Ratification. 859.

5. AN Act, whereby *Edward* leaves his Children, during his Abſence, to the Guardianſhip of the King of the *Romans* his Uncle; dated at *Wincheſter*, *Aug.* 2. 1270 *.

Guardianſhip of Edward's *Children.* 862.

6. A Letter from the King to his Son *Edward*; dated *Feb.* 6. 1271, at *Weſtminſter*.

King's Letter to Prince Edward. 869.

"HE acquaints him that he is dangerouſly "ill, and orders him to return to *England*."

7. A Letter from *Charles* of *Anjou* King of *Sicily* to *Edward*; dated at *Viterbo* *March* 13. 1271.

King of Sicily's *Letter about the Murder of* Henry. 870.

"HE informs him of the Death of his "Couſin *Henry*, who was kill'd at *Viterbo* "by *Guy de Montfort*."

8. AN Act, whereby *Henry*, who was now recover'd, takes up the Croſs; dated *April* 16. 1271, at *Weſtminſter* †.

Henry *takes up the Croſs.* 871.

9. A Brief from *Gregory* X. to the King; dated the 4th of the Calends of *April* 1272, at the *Lateran*.

Gregory's *Letter.* 879.

"He acquaints him of his Exaltation to "the Papal Throne ‖."

10. *HENRY* IIId's Letter to *Philip* III. King of *France*; dated *May* 20. 1272. at *Weſtminſter*.

Henry's *to* Philip *of* France. 883.

"HE excuſes himſelf that he is not "able to go and pay him Homage by rea-"ſon of his Illneſs."

11.

* From p. 866 to 869, of this Tome of the *Fœdera*, there are ſeveral Paſſports for *Edward*'s Voyage, from *Charles* of *Anjou* King of *Sicily*.

† He thought he cou'd not give the Lord a greater Proof of his Thankfulneſs for having reſtor'd him to Health.

‖ In p. 881. of this Tome of the *Fœdera*, is the Croiſado he publiſh'd two Days after, requiring all the Members of it to repair to the *Holy-Land* within the ſpace of two Years, reckoning from the firſt of *May* 1274.

FOEDERA Tom. I.

11. *EDWARD*'s laſt Will and Teſtament made at *Acre*, *June* 18. 1272.

"THIS Will is in *French* *."

Edward's Teſtament. 885.

12. A Memorandum, that certifies the time of *Henry* III's Death, which happen'd on *Wedneſday*, being the Feſtival of *Edward the Confeſſor*.

Time of Henry's Death. 888.

13. A Letter from the Barons of *England* to *Edward*; dated *Nov.* 23. 1272. at the *New Temple*.

Barons Letter mit. 888.

"THEY acquaint him of the Death of "the King his Father, and pray him to re-"turn with diligence."

HENRY III.

14. Two Bulls or Briefs from the Pope, for ordering the Proſecution of *Guy de Montfort*; dated the Calends and the Nones of *March* 1273, at *Orvieto* †.

Order for proſecuting Guy de Montfort, 890, 891.

* He there appoints his Executors and Guardians for his Children, in caſe the King his Father ſhould happen to die before the eldeſt was of Age to govern by himſelf. This ſhews to what hazards Princes expoſe their Dominions and Families by going to the *Holy-Land*; and the Popes took care to ſend them thither as often as they cou'd, becauſe the Abſence of the Princes gave the Clergy at home the more room to increaſe their Power and Wealth.

† Mr. *Rapin*, when he concludes his Account of the firſt Volume, makes this very pertinent Remark; That Mr. *Rymer* has not inſerted any of the Acts relating to the Re-eſtabliſhment of the Laws, and in particular of *Magna Charta*; which, according to our Hiſtorians, *Henry* made in the Fifty-firſt Year of his Reign. This is confeſs'd to be at leaſt as material an Omiſſion as any that could have happen'd of the Acts in his Time; becauſe the Non-obſervance of thoſe Laws was one of the principal Cauſes of the Civil-War therein mention'd. Perhaps, ſays *Rapin*, in ſome Reigns, when the bare mention of Privileges and Laws was Treaſon, and where arbitrary Power happen'd to be the only View of the Princes, there was a Deſign to remove thoſe Acts out of ſight, which ought to have been preſerv'd in the Records, preferably to all others. On the other hand, it is not to be doubted, but that length of time, and the Negligence of thoſe who had the Care of the Records, may have innocently robb'd us of the Sight of a great many conſiderable Pieces which the State-Hiſtoriographer might have ſearch'd for to Eternity.

The REIGN of *EDWARD* I.

FOEDERA Tom. II.

THE * SECOND TOME of Mr. RYMER'S *Fœdera* begins with the public Acts paſs'd before King *Edward* was return'd from the *Holy-Land*, and takes in all the Acts of that King's Reign from 1273, to 1307, which was the 35th Year of his Reign, and the laſt of his Life; for he died the 7th of *July*, that very Year,

P. 1059. as appears by a particular Account thereof at the end of this Tome.

To make an abridgment of all the Acts of this Tome, and at the ſame time to take in all the Events to which thoſe Acts have a Reference, wou'd be a work of great labour and length of time. What I propoſe therefore, is only to give you an Idea of the principal Occurrences, that you may be able to point your Readers to the Acts which they refer to, and to draw ſuch Inferences from them, as may be to the ſatisfaction of thoſe who have a Curioſity for ſuch Inquiries. I confeſs that ſome perhaps might look into this Collection with another View than I have done; and for example, might be induced to take particular notice of the Forms of the Acts, and of the *Latin* or *French* Terms which are therein uſed: And others perhaps, according as their different Studies lead them, might have a particular Inclination to take notice of ſome important Facts with reſpect to certain Affairs which I have paſs'd over in ſilence. But 'tis not poſſible to ſatisfy the Curioſity of all ſorts of Readers, unleſs one was to write a Hiſtory, as I have already ſaid, of all the Events to which the numerous Acts have a reference, which would ſwell the Work in hand beyond meaſure. Therefore I have confined myſelf to what I thought moſt curious; and to do it with Accuracy, inſtead of following the Order of Time in which thoſe Acts are rang'd, I ſhall conſider them according to the different Subjects of them, reſerving to myſelf the liberty of giving an Account of ſome things afterwards, which have no dependance upon one another.

EDWARD I.

THE principal Matters treated of in this Volume are,

I. THE War in *Wales*, which ended in the Conqueſt of that Country by *Edward* I.

II. THE Differences between the two Families of *Arragon* and *Anjou*, of which *Edward* I. was choſe Mediator.

III. THE War in *Scotland*, with the Origin and Cauſes of that War, which was attended with ſuch fatal Conſequences.

IV. THE Diſputes which *Edward* had with *France*.

V. THE Affairs which concern *England* in particular.

VI. THE Eccleſiaſtical Affairs, or rather the Controverſies which *Edward* had with the Popes.

VII. SOME Acts relating to *Edward* in particular.

VIII. AND laſtly, ſome diſtinct Acts which contain divers things Important and Curious.

I.

* When Mr. *Le Clerc* publiſh'd Mr. *Rapin*'s Extract of this ſecond Tome in his *Bibliotheque Choiſie*, which was in the Year 1710, he introduced it thus:

"I lent the ſecond Tome of the *Fœdera* to a Gentleman of Merit, who is writing the Hiſtory of *England*, "and if he lives to finiſh it, will produce ſomething more accurate than has yet been exhibited on that Sub-"ject. He return'd me the Book with the following Extract of it. I wou'd name him, if I thought he wou'd "take it well; but as I am not ſure of it, 'tis ſufficient for me to ſay, that the Publick is oblig'd to him, and "not to me for this Extract."

FOEDERA Tom. II.

I. *The Affairs of* Wales.

IN this Tome we find ſeveral Acts relating to *Wales*, and the War which *Edward* carry'd into that Country; but there are few of them very important. It wou'd appear very ſtrange at this time of day, if a Prince ſhou'd take it into his head to put the Chief of his Clergy upon excommunicating the Princes with whom he happens to be at War. Nevertheleſs, at that time, ſuch a Proceeding cou'd not be for nothing, for we find here that the Archbiſhop of *Canterbury*, after having excommunicated *Leolyn* Prince of Wales, requires the Archbiſhop of *York* to do the like.

King Edward's *Archbiſhops excommunicate the Prince of* Wales. *p.* 79.

THIS War in *Wales* was not began till after a ſolemn Judgment paſs'd againſt *Leolyn*, by the great Men of *England*, in the Year 1276. They condemn'd him for refuſing to come and do Homage to *Edward*, and the Excuſes he alledg'd for not coming were not admitted. They are only mention'd here in general, tho' the Exactneſs requir'd in Hiſtory made it abſolutely neceſſary to give the particulars *.

Engliſh *Nobility paſs Judgment againſt him.* p. 68.

AT length this War was determin'd by the death of *Leolyn*, who was kill'd in Battle in 1282†. There's a Letter from the Archbiſhop of *Canterbury* to King *Edward*, dated in this Year, which Mr *Rymer* copy'd from the Records at *Lambeth*; wherein he tells the King, that ſome Letters were found in Cypher in *Leolyn*'s Pocket, by which it appear'd that he held a Correſpondence in *England*.

His Death. *p.* 224.

AFTER the Death of this Prince, his Brother *David* was taken and ſent to *Edward*, who caus'd him to be try'd by the Parliament of *Shrewsbury*, where he was condemn'd, and ſuffer'd Death as a Traytor, which never us'd to be inflicted before upon perſons of Diſtinction ‡. It cannot be deny'd but there was a vaſt deal of Barbarity in King *Edward*'s Treatment of this Prince, the laſt of the Race of the antient *Britiſh* or *Welſh* Princes. Thus you have all that is of any importance in the Acts relating to this Affair.

Death of his Brother David.

II. *Acts relating to the Differences between the Kings of* Arragon *and* Sicily.

THERE'S a great number of Acts in this Tome which relate to theſe Differences, and to *Edward*'s Negotiation for accommodating thoſe two Families; but to be enabled to underſtand theſe Acts at the firſt View, one muſt look back to the Hiſtory of the Quarrel on which they were founded; which is in ſubſtance this.

When *Conradin*, whom *Charles* of *Anjou* had order'd to be beheaded, was mounted on the Scaffold, the young Prince threw his Glove into the Square, deſiring the Perſon that took it up, to carry it to a Relation of his, as a Mark of the Inveſtiture he gave him of the Inheritance of the Family of *Swabia*, of which he was the laſt Heir Male. They ſay that this Glove was carry'd to *Peter* King of *Arragon*, who marry'd *Conſtantia*, Daughter of *Mainfroy*, the laſt King of *Sicily*, and who was natural Son to the Emperor *Frederick* II. *Peter* was not in haſte to improve what Pretenſions he might have to *Sicily* in Right of his Wife, till a Reſolution was form'd by *John de Procida*, a diſcontented *Sicilian* Nobleman, in concert with Pope *Nicolas* III. who was alſo incens'd againſt *Charles* of *Anjou*, to ſtir up the *Sicilians* to a Rebellion. After they had conſulted the neceſſary Meaſures, *John de Procida* went and communicated the Conſpiracy to the King of *Arragon*, and told him of his Deſign to deliver *Sicily* from its Tyrant. *Peter* was at firſt afraid of entring into a War, becauſe he did not foreſee how he cou'd get out of it with honour; but *Procida* remov'd all his difficulties. 1. By furniſhing him with the Money he had receiv'd from the Emperor of *Conſtantinople*, who in order to divert *Charles* from a Deſign to make War upon him, had depoſited great Sums of Money in *Procida*'s hands to carry on the Conſpiracy. 2. By ſecretly giving him the Inveſtiture of *Sicily* in the Name of Pope *Nicholas* III. And thirdly and laſtly, by giving him to underſtand, that there was no manner of neceſſity for his engaging in this Undertaking, till the *Sicilian* Conſpiracy had taken effect. For this end it was agreed between them, that the King of *Arragon* ſhou'd equip a conſiderable Fleet, on pretence of making War againſt the *Saracens*, and that he ſhou'd lie upon the *African* ſhore, ready to ſail for *Sicily* if the Conſpiracy took effect; and that if it miſcarry'd, he might then without ſeeming to have had any manner of concern in it, go on to make War againſt the *Saracens*. Theſe Meaſures being concerted, *Peter* carry'd his Fleet to *Africa*, and there beſieg'd a Town which the Hiſtorians of *Sicily* call *Andacalle*. Mean time *Procida*'s Plot ſucceeded, and the *Sicilians* cut the Throats of all the *Frenchmen* upon the Iſland; which was what they call to this Day, the *Sicilian Veſpers* ‖.

EDWARD I. Conradin's *Execution.*

Sicilian *Conſpiracy.*

Charles

* They are mention'd in *Powel*'s Chronicle of *Wales*, p. 336. and if true, ſeem very ſubſtantial: but *Edward* having reſolv'd on the Conqueſt of that Country, only wanted a Pretence for it. — Dr. *Kennet* in his Note upon Mr. *Daniel*'s Account of this Affair, taxes him with not ſpeaking ſo much in favour of the *Welſh* as he might have done; and the Doctor quotes the aforeſaid Chronicle, to ſhew that they had other more ſubſtantial Reaſons for the War, that *Leolyn* and his Brother gave the Archbiſhop of *Canterbury* above a dozen Articles of Grievances, moſt of them very weighty, which provok'd them to take Arms; and that King *Edward* refus'd to treat with them.

† This rectifies another miſtake in our Hiſtorians, who place his Death in *December* 1283.

‡ Mr. *Daniel* ſays, he was firſt drawn at a Horſe's Tail about *Shrewsbury*, and then beheaded, his Body quarter'd, and his Heart and Bowels burnt; his Head was ſent to be ſet on the Tower, with his Brother's, and his four Quarters to theſe four Cities, *viz. Briſtol*, *Northampton*, *York*, and *Wincheſter*.

‖ It had that Name, becauſe the Bell which rung to Evening-Prayers was their Signal. The Maſſacre was on *Eaſter-Eve*.

FOEDERA Tom. II. Sicilian Vespers.

Charles of *Anjou*, who had a Fleet ready equipp'd to fall upon the Emperor of *Greece*, ſail'd immediately towards *Sicily*, and beſieg'd *Meſſina*; the Inhabitants whereof offer'd to ſurrender to him on this only Condition, that he would ſpare their Lives: but he was ſo enrag'd beyond meaſure, that he refus'd them that Condition, which made them reſolve to defend themſelves to the laſt Extremity. During this Siege, *Procida* went over to the King of *Arragon*, then in *Africa*, and inform'd him how much the Inhabitants of *Meſſina* were preſs'd for want of his Aſſiſtance. Before *Peter* quitted the Coaſts of *Africa*, he wrote a Letter to King *Edward*, dated in the Year 1282. from *Altoyl* (I know not whether it may not be the ſame place with *Andacalle*) in which he tells the King, that while he was employ'd in the War againſt the *Saracens*, the *Sicilians* had ſent Deputies to him, to deſire him to go and take Poſſeſſion of *Sicily*, which he was reſolv'd to do, ſince that Kingdom belong'd to his Wife *Conſtantia*. He ſail'd therefore for *Sicily*, and arriving at *Palermo*, was receiv'd and crown'd there as King. From thence he ſent a Note to *Charles*, wherein he acquainted him of his Arrival on the Iſland of *Sicily*, which was adjudg'd to him by Authority of the Church, Pope and Cardinals; and he commanded him to quit the Iſland immediately after the Receipt of his Letter, on pain of being compell'd to it by force. *Charles* anſwer'd this by another Letter of the ſame Strain, wherein he calls him a Miſcreant and Traitor to God, and the Holy Roman Church *. Mean time *Charles*, who while he beſieg'd *Meſſina*, did not expect the Town cou'd have any Relief, was afraid of being block'd up and ſtarv'd by the King of *Arragon*'s Fleet, and therefore he abandon'd the Siege, and retir'd to *Calabria*; from whence he went to *Rome* to complain to the Pope againſt his Enemy, whom he call'd perfidious Traitor, and dared him to ſingle Combat. While *Charles* loſt time in complaining, *Peter* made good uſe of it in *Sicily*, by cauſing himſelf to be acknowledg'd in *Meſſina*, and all over the Iſland; after which he ſent his Ambaſſadors to *Rome*, where there was a new Pope that ſucceeded *Nicholas* III. *viz. Martin* IV. a Creature of *Charles* of *Anjou*, by whoſe Intrigues, or rather by a Force put upon the Cardinals, he was elected. *Peter*'s Ambaſſadors made the beſt Anſwer they cou'd for their Maſter, and according to their Inſtructions, accepted for him the Duel propos'd by *Charles* of *Anjou*. This procur'd a Truce, during which the two Kings agreed to chuſe twelve Perſons each, in order to regulate the Time, Place, and Conditions of the Combat. Theſe twenty-four met accordingly, and drew up

P. 208.

Challenges between the Kings of Arragon and Sicily.

ſome Articles, which the two Kings ratify'd. It was therein agreed, that they ſhou'd fight at *Bourdeaux* upon the firſt of *June* 1283. each accompanied by a hundred Horſe. The very *Articles* are to be ſeen in this Tome. Their being never made publick before, has led ſome of the beſt Hiſtorians into Miſtakes, and has been very prejudicial to the Reputation of the King of *Arragon*. The chief of thoſe Articles were in ſubſtance as follow.

EDWARD I.

Articles of the Duel. P. 226, &c.

1. THAT the Duel ſhall be at *Bourdeaux*, in ſuch place as the King of *England* ſhall judge beſt, which ſhall be rail'd in.

2. THAT the two Kings ſhall make their perſonal Appearance before the King of *England*, in order to fight this Duel on the firſt of *June* 1283.

3. THAT if the King of *England* cannot be at *Bourdeaux* in Perſon, the two Kings ſhall then appear before ſome Perſon whom that King ſhall depute to record their Appearance in his room,

4. THAT if the King of *England* be not there either in Perſon, or Proxy, the two Kings ſhall then be oblig'd to appear before the Perſon who commands at *Bourdeaux* for him.

5. IT was alſo agreed †, *that the ſaid Duel ſhall not be fought before any Perſons whatſoever in the King of* England's *Service, unleſs the ſaid King is actually preſent in Perſon.* Saving to the two Kings the liberty of agreeing between themſelves, by mutual Conſent, to fight the ſaid Duel in that manner; that is to ſay, in the abſence of *Edward*.

6. THAT if the King of *England* is not perſonally preſent at the Place and Time appointed, the two Kings ſhall be oblig'd to ſtay for him thirty Days.

7. AND in order to procure the King of *England*'s Preſence by all means, the two Kings promiſe and ſwear to do their utmoſt, *bona fide*, and without Fraud, to obtain of the ſaid King, that he would appear at the time and place aforeſaid, and to take due care that their Letters be actually put into his hand.

AFTER ſome other Articles relating to the Truce, and the Securities which the two Kings give reciprocally; it is further agreed,

8. THAT which ſoever of the two Kings fails to appear at the time and place aforeſaid, he ſhall be deem'd a vanquiſh'd, perjur'd, falſe, faithleſs Traitor; that he ſhall never aſſume to himſelf either the Name or Honours of a King; that he remain for ever depriv'd and ſtripp'd of the Royal Title and Honours, and be incapable of any manner of Office and Dignity, as a Perſon vanquiſh'd, perjur'd, falſe, faithleſs, traitorous, and eternally infamous.

‖ ALL the *French*, *Spaniſh* and *Italian* Hiſtorians have unanimouſly affirm'd that *Edward* actually ſettled and took care of the Place of Combat; perhaps they were led into this Error by the Appearance of *Charles*

Another great Miſtake of Hiſtorians rectify'd.

* Both theſe Letters are in *Italian*, but in a Stile not much above the Advertiſements of our Heroes at *Figg*'s *Amphitheatre*, the one challenging, the other defying.

† This is a remarkable Article.

‖ What follows is that ample Diſcuſſion of this Affair, and that Juſtification of the King of *Arragon*'s Conduct, to which the Reader is referr'd in p. 25. and Vol. IV. of the 8vo Edition of Mr. *Rapin*'s Hiſtory.

FOEDERA Tom. II. EDWARD I.

Charles of *Anjou* at *Bourdeaux* with his hundred Horſe, for they cou'd not imagine that this Prince wou'd come with his Troop in a poſture to fight, and that he wou'd ſtay at *Bourdeaux* from Sun-riſe to Sun-ſet, if he had not thought of fighting: but we have a *Letter* here from King *Edward* to that ſame Prince, whereby he acquaints him, *That were he to gain both the Kingdoms of* Arragon *and* Sicily, *he wou'd not appoint the Field of Battle, nor ſuffer the two Kings to fight a Duel in any place of his Dominions, or in any other whatſoever, if it were in his power to hinder it.* In the *Letter* which he wrote to the Prince of *Salerno*, he tells him, that inſtead of having granted his Father's Demand touching this Duel, he had deny'd him *tout-outre* (or point-blank) that's the Term he makes uſe of; for both Letters are in *French*. There is no reaſon therefore to ſuppoſe that *Edward* gave any Sanction to this intended Duel, either by his Preſence, or by ſending any one to repreſent him, or by giving the two Kings any Letters of Safe-Conduct, or finally by cauſing the Place to be prepar'd: and yet the Hiſtorians ſuppoſe it as a thing certain, when they ſay that *Charles* came to *Bourdeaux*, and that he made his Appearance on the Field of Battle, and ſtay'd there from Sun-riſe to Sun-ſet, without ſeeing his Enemy. The truth of the Fact is, that *Charles* of *Anjou* actually came to *Bourdeaux* on the Day fix'd, that he ſtay'd there 'till towards the Evening; and that hearing the King of *Arragon* was yet a great way off, he retir'd that ſame Day. But he was ſcarce gone, when *Peter*, who was all the while in the Town diſguis'd under the Name of one of the Noblemen of his Court, went before the Seneſchal of *Guyenne*, took a Record of his Appearance, and left his Arms as a Teſtimony; after which he made the beſt of his way out of Town, and poſted towards his own Dominions. This Conduct of his gave a handle to the *French* Hiſtorians to accuſe him of Cowardice, and want of Courage to meaſure Swords with his Enemy. But if we conſider the Tenor of the Articles agreed on between the two Kings, 'tis manifeſt that the Appearance of theſe two Princes before the Seneſchal of *Guyenne*, was only to comply with the 4th Article, and with no manner of deſign to fight; becauſe it appears by the 5th, that there was to be no Duel there, if the King of *England* was not preſent; and by King *Edward*'s Letters abovemention'd, that nothing was farther from that Prince's Intention, than to be preſent at ſuch Duel. Therefore let them accuſe the King of *Arragon* of Faint-heartedneſs as much as they will, I admit that he was afraid; but then his was not a Fear to engage in a Duel with his Enemy, becauſe by their Conventions he was not oblig'd to it: and yet this is the Ground of their Charge againſt him, this the Reaſon of all the Jokes that have been put upon his Conduct. What was he then afraid of? The *French* Hiſtorians, who were very glad of an Opportunity to vilify this Prince, who was an Enemy to the Royal Family of *France*, have been far from explaining to us the Ground of his Fear; but the *Sicilians* and *Neapolitans* have done him that Juſtice, by telling us, that he had Intelligence, not only that *Charles* had brought his hundred Horſe with him into *Bourdeaux*, but that he had, as ſome ſay 3000, and according to others 5000 Horſe but a Day's Journey from the Town; and ſome add moreover, that the King of *France*'s Nephew was at the head of them: which is a Circumſtance that *Mezeray* left room to conjecture, when he ſaid, *That* Peter *retir'd, pretending that he was afraid of ſome Surprize on the part of* France. Now if the King of *France* had not had Troops near *Bourdeaux*, how cou'd *Peter*, when he was in the Dominions of the King of *England*, pretend the Fear of any Surprize from the King of *France?* There are two things therefore to be conſider'd for the Juſtification of the King of *Arragon*, firſt whether he perform'd the Terms of Agreement; and of this there can be no doubt with any one that has read the above-mention'd Articles; and ſecondly, whether he had any Reaſon to be jealous of *Charles*, and of the King of *France*. As to the former of theſe Princes, the Hiſtorians of *Naples* and *Sicily* ſay, he publickly boaſted that he wou'd be the Death of the King of *Arragon*; which was ſufficient to give the latter juſt Reaſon to be afraid of him, when he found himſelf in a Country remote from his own Dominions, not far from thoſe of the King of *France*, and without any Safe-Conduct from the King of *England*, or any other Security than the bare Word of an Enemy, upon whoſe Sincerity he cou'd by no means depend, after he had openly threaten'd he would have his Life. As for the King of *France*, the *Italians* ſay that he had a Body of 5000, or at leaſt of 3000 Horſe, no more than a Day's Journey from the Spot. *Mezeray*, and the other *French* Hiſtorians, who cou'd not be ignorant of what the *Italians* ſaid, do not deny it, and are content to ſay nothing of it; ſo that there is at leaſt as much Probability of the thing's being true, as there is of its being falſe. But after all, ſuppoſing that *Peter* had been ſtruck with a groundleſs Panic, for fear of ſome Surprize on the part of the King of *France*, I don't ſee what great harm it could have done to his Reputation. *Garibay*, a *Spaniſh* Hiſtorian, who no doubt was not ignorant of the Conventions between the two Kings, has taken the freedom to ſay that the King of *Arragon* came to *Bourdeaux*, but went away again, becauſe *Charles* was not there. *Des puez que el Rey D. Pedro ſe apoderò del Reyno de Sicilia, vivìo cinco anos y dando orden en las coſas del nuevo Reyno, tornò à Eſpana y tuvò rieptos y deſafios con el Rey Carlos, y disfracado paſſo por la Provincia de Guipuſcoa, para la ciudad de*

P. 239.

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de Burdeos, que por ser en este tiempo de Ingleses era el lugar de la batalha a la qual por no acudir el Rey Carlos tornò el Rey D. Pedro en Arragon y Cataluna: i. e. After *Peter*, King of *Arragon*, had taken possession of the Kingdom of *Sicily*, and manag'd the Affairs of his new Government about five Years, he returned to *Spain*, where he accepted a Challenge from King *Charles* to fight him at single Combat, and went disguised through the Province of *Guipuscoa* to the City of *Bourdeaux*; which being then in the hands of the *English*, was to be the Place of Battle; but King *Charles* not coming thither, King *Peter* return'd to *Arragon* and *Catalonia*.

I have been the longer upon this Subject, because it seems to me that the Acts in this Collection, relating to it, give us such an Idea of this Affair as is perfectly new.

THE other important Acts here, relating to the Quarrels between those two Families, of which King *Edward* was Mediator, are

Pope's Bull of Excommunication against the King of Arragon.

a *Bull* of Pope *Martin* IV. which excommunicates the King of *Arragon*, and gives his Kingdom to *Charles* of *Valois*, Son to *Philip* III. King of *France*.

P. 252.

Happy Deliverance of the Prince of Salerno.

HERE we likewise see what pains our King took to procure the Liberty of *Charles* the Prince of *Salerno*, who being taken Prisoner in a Sea-fight by *Roger Lauria*, Admiral of *Arragon*, would certainly have suffered the same Death as *Conradin*, by way of Reprisal, had it not been for Queen *Constantia*, *Peter* of *Arragon*'s Wife, who commanding at that time in *Sicily*, took him by force out of the hands of Revenge, and sent him into *Arragon* to the King her Husband. The Liberty of this Prince was the present Subject of King *Edward*'s Negotiations, and of a great number of Acts

P. 346. and Letters in this Tome. The chief are the Articles which *Edward* agreed to with the King of *Arragon*, at *Oleron* in *Bearn*.

P. 358. A *Bull* of Pope *Nicholas* IV. which disap-

P. 371. proves those Articles. The Confirmation of those Articles made at *Campo Franco* in

P. 375. *Arragon*. The Bond, into which *Edward* himself entered for the Security of the King of *Arragon*, by virtue whereof the Prince of *Salerno* was set at liberty, on condition of returning to his Prison if he did not

P. 435. perform the Treaty. A *Certificate* by the said Prince, called afterwards *Charles* King of *Sicily*, of his coming to a certain Place

P. 450. to surrender himself to Imprisonment; and two Letters from the King of *Arragon* to

P. 456. our King *Edward*, complaining of the Prince of *Salerno*'s Insincerity, and Non-performance of the Treaty: which being altogether foreign to the History of *England*, I thought it sufficient to take notice of only the principal Acts relating to this Affair.

III. *The Affairs of* Scotland.

Settlement of the Succession of the Crown of Scotland.

FOR the better understanding of the Acts of this Tome which relate to *Scotland*, it must be noted, That it was stipulated by the Marriage-Contract between *Margaret*, the Daughter of *Alexander* II. King of *Scotland*, and *Erick* King of *Norway*, that if *Alexander* should happen to die without Male-Issue, his Daughter *Margaret*, and her Descendants, should succeed to the Crown of *Scotland*. This Contract is to be seen amongst the *Acta Omissa*, and is P. 1079. dated on St. *James*'s Day 1281. It happened that the two Sons of *Alexander* died in their Father's Life-time, and that their Sister *Margaret*, Queen of *Norway*, died also, leaving a Princess of the same Name behind her, who was just born. Now as *Alexander* II. died in the same Year, *viz.* 1282, young *Margaret* of *Norway* ought to have been recogniz'd as Heiress of the Kingdom of *Scotland*, immediately after the Death of her Grandfather; but the Nobility of *Scotland* did not oblige themselves to own her for their Queen till 1284, which P. 266. was about two Years after, as appears by the *Act* itself. In the mean time *Margaret* continued in *Norway*, undoubtedly because of her Minority; and *Scotland* was governed by Regents till the Year 1289, that her Father *Erick* sent Ambassadors to *Edward*, to *treat* with him about certain P. 416. Affairs relating to his Daughter, who was the said *Edward*'s Grand-Niece. *Edward* being returned home from *France* that same Year, the Regents of *Scotland* sent Ambassadors to *England* to treat in the King's P. 431; presence with the Ambassadors of *Norway*. These Ambassadors met at *Salisbury*, and drew up certain Articles, wherein it was stipulated that *Margaret* should be sent to *Edward*, free from any Engagement of Marriage, and that this Prince should deliver her in the same Condition to the *Scots*, provided the latter would engage on their part not to match her without the Consent of the King of *Norway* her Father, and of the King of *England* her Great-Uncle. These P. 446. Conventions are recorded here both in *Latin* and *French*. Mean time, King *Edward* ha- P. 448. ving a mind to marry his Son of his own Name to *Margaret*, sollicited and obtained P. 450. a *Dispensation* from *Rome* for the Marriage, which he afterwards proposed to the Regents of *Scotland*, by whom it was approved. Then Articles were drawn up P. 471, &c. to be inserted in the Contract; by which it appears, that the *Scots* took all the pre- P. 482. caution possible that the Liberty of *Scotland* might receive no manner of prejudice by means of this Marriage, which was to unite the two Kingdoms under the Dominion of young *Edward*. They stipulated, that the Kingdom of *Scotland* should always remain entirely separate from, and independent upon *England*, to which *Edward* made no opposition. But all these Projects vanished into Smoke by the Death of young *Margaret*, who died before she left *Norway*; or rather, as some say, on a little Island where she was obliged to put in for Refreshment. Amongst the *Acts omitted*, there's a Letter

Scots take care to secure their Independency on the Crown of England.

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to *Edward* from the Biſhop of *St. Andrew's*, wherein he lets him know the Report of the young Queen's Death, and expreſſes his Apprehenſion of the Troubles which the Loſs of her was like to occaſion in *Scotland*.

EDWARD I.

Diſputes about the Succeſſion betwixt Baliol *and* Bruce.

UPON the Death of *Margaret*, the main thing in diſpute was to ſettle the Succeſſion; to which ſome great Men, who were deſcended from the Royal Family by the Mother's ſide, laid claim. The two moſt conſiderable Competitors were *John Baliol* and *Robert Bruce*, both very powerful and highly eſteemed in *Scotland*; ſo that in a ſhort time the whole Nation was divided into two Parties, which rendered the Determination of this Conteſt exceeding difficult: and had they been able to have aſcertain'd which of the two Claimants had the beſt Right, it would have been very difficult to execute the Sentence without involving the Kingdom in a Civil War. The *Scots* Hiſtorians ſay, that their Countrymen pray'd *Edward* to be the Arbitrator of the Difference, while the *Engliſh* affirm, on the other hand, that *Edward* was the natural Judge or proper Umpire of it, by virtue of the direct Right of Lordſhip which he had over *Scotland*. 'Tis difficult to know whether *Edward* made uſe of this Pretenſion at firſt, or whether he declared it before he accepted of the *Scots* Propoſition; and there is nothing in this Collection which ſeems to juſtify what *Buchanan* ſays upon this Subject: on the contrary, we find that *Edward* neglected nothing for eſtabliſhing his Sovereignty over *Scotland*; but all the while this is no Proof that he diſcover'd his Pretenſions before he was acknowledged as Arbitrator of the Difference. Be this as it was, he ſummoned the States of *Scotland* to *Norham*, a Town upon the *Tweed*; which, whether he did as an Act of mere Authority, or at the Deſire of the *Scots*, is a Point which I think cannot eaſily be ſettled; but however 'tis certain, that King *Edward* look'd upon this as a very favourable opportunity to eſtabliſh his Authority over *Scotland*, ſo as not to be diſputed for the future.

King Edward *convenes the States of* Scotland *at a Town on the* Engliſh *Borders.*

THE States of *Scotland* being conven'd at *Norham*, *Edward* went thither attended by a great many of the *Engliſh* Nobility, and a ſmall number of Troops, as appears by the Summons he ſent to ſeveral Lords to repair to *Norham* by ſuch a day, with the Arms and Horſes with which they were obliged to furniſh the King. The firſt Aſſembly was held on the 10th of *May Anno* 1291, from which Day, to the very end of the Seſſion, Mr. *Rymer* has given a Journal of what paſſed, of which I ſhall here give an Abridgment. Mean time, I think myſelf obliged to advertiſe, that the ſaid Journal ought to be read with precaution, becauſe it was wrote by Mr. *John de Cadam*, Clerk to King *Edward*, and probably by order of this Prince; who being accuſed by the *Scots* of having nothing in view from firſt to laſt but his own Intereſts, and ſacrificing thoſe of *Scotland* to his Ambition, it may be preſumed he took ſpecial care that nothing ſhould be inſerted in the ſaid Journal to his own prejudice, or that might diſcover a Deſign of which he had been ſuſpected, of making uſe of this Conjuncture to aggrandiſe himſelf, under the ſpecious Pretext of rendring exact and impartial Juſtice. The Remarks I ſhall add at the end of the Journal, which is a ſort of verbal Proceſs, will ſhew that this Caution is not unneceſſary.

Journal of their Proceedings.

P. 525.

P. 542, to 589.

I have already ſaid, that *Edward*'s Project was to make uſe of this Opportunity to extort a Recognition from the *Scots* that *Scotland* was a Fief of the Crown of *England*; an Acknowledgment which the laſt King of *Scotland* had abſolutely refuſed: and this was the Buſineſs he intended to bring firſt upon the Stage, poſtponing the grand Point of all, which was the Affair of the Succeſſion, till this was determined. For this end, in the firſt Aſſembly at *Norham*, on *May* 10. 1291, he tells the *Scots*, by his Spokeſman *Roger Brabanzon*, Chief Juſtice of *England*, that the Conſideration of the State of the Realm of *Scotland*, which was then without a King, had engag'd him to require them, by his Letters Patent, to repair to that Place; and that he was come thither to meet them in order, as direct Sovereign Lord of the Kingdom of *Scotland*, to do juſtice to the Claimants of the Crown, and to eſtabliſh a ſolid Tranquillity in the Realm: That it was not his Intention to retard Juſtice, nor to uſurp the Right of any body, or to infringe the Liberties of the Kingdom of *Scotland*, but to render to every one their due. And to the end this might be done with the more eaſe, he required the Aſſent of the States of *Scotland ex abundanti*, and that they ſhould own him as direct Sovereign of the Kingdom, offering upon that condition to make uſe of their Counſels to do what Juſtice demanded. Upon this Propoſal, the States deſired time to conſult their abſent Members, and to conſider of a proper Anſwer. *Edward* cauſed it to be ſignify'd to them, that tho' he had reaſon to be perſuaded that they were come ready prepared to anſwer that Article, becauſe they could not be ignorant of his Intention, he would give them time till next day. The ſame Propoſal being accordingly made to the *Scots* on the day following, they inſiſted again upon more time; whereupon *Edward*, by the Advice of his Council, granted three Weeks, reckoning from the 10th of *May*, to prepare what they had to alledge againſt his Pretenſion.

King Edward's *Pretenſion to the Sovereignty of* Scotland.

ON the ſecond of *June* another Aſſembly was held, which, according to the Time given by King *Edward*, ought to have met the Day before: The Reaſon of this Remark will appear by and by. In this Aſſembly the Biſhop of *Bath and Wells*, then Chancellor of *England*, was Spokeſman for the

P. 544.

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the King, and told the States that in the preceding Aſſembly the King had granted them three Weeks to prepare what they had to object againſt his Pretenſion; but that ſince they had not given any abſolute Anſwer, nor ſet forth any thing to invalidate his Right, it was his Majeſty's Intention to act in the Affair in queſtion, by virtue of his acknowledged Right of Sovereignty, and to examine and determine the Difference, in quality of direct Sovereign of *Scotland*. Then the Chancellor, addreſſing himſelf to *Robert Bruce*, one of the Claimants of the Crown of *Scotland*, demanded of him whether he was willing to receive Judgment, as to his Pretenſions to that Crown, from the King of *England*, as Sovereign and direct Lord of the Kingdom? to which the latter anſwered in clear and expreſs Terms, that he recognized him for ſuch, and that in that Quality he was ready to ſubmit to his Deciſion.

P. 545.

Competitors for the Crown of Scotland. P. 546.

THE ſame Queſtion was afterwards put to the other Claimants, *viz.* *Florence* Count of *Holland*, *John Haſtings* *, *Patrick Dunbar* Earl of *March*, *William Roſs*, *Walter de Huntercumbe*, *William Veſey*, *Robert de Pynkeny*, and *Nicholas de Soules*, who all returned the ſame Anſwer as *Robert Bruce*. After this, a Knight ſtood up, who made an excuſe for the Abſence of *John Baliol*, and deſired he might have time granted him for his Appearance till the next day; and *Baliol* appearing accordingly in the next Aſſembly, the ſame Queſtion was put to him, and he returned the ſame Anſwers as the others.

P. 548.

P. 549.

IN the fifth Aſſembly, the Biſhop of *Bath and Wells*, after having recapitulated all that had paſſed to that time, proteſted on the behalf of King *Edward*, That altho' in the Diſpute which was ariſen between the ſeveral Claimants, touching the Succeſſion of the Kingdom of *Scotland*, that Prince acted in quality of Sovereign, in order to render Juſtice to whomſoever it was due; yet he did not mean thereby to exclude himſelf from the hereditary Right which he himſelf might have to that Kingdom, which Right he intended to aſſert and improve when he ſhould think fit: and the King himſelf repeated this Proteſtation with his own Mouth in *French*. This made *John Comyn*, Lord of *Badenoch*, deſire leave to exhibit his Pretenſions to the Crown; which was accordingly granted him, after he had owned *Edward* for direct Lord and Sovereign of *Scotland*, as the others had done.

P. 555.

Their Recognition of Edward's *Sovereignty over* Scotland. P. 555.

P. 529.

BEFORE they proceeded further, the Recognition which the Claimants had made of *Edward* for Sovereign of *Scotland*, was committed to writing, and formed into an authentic Act, which was ſigned by all the Claimants; which Act we find at length in the Journal, in the *French* Tongue. Next day the Claimants made and ſign'd another Act, whereby they conſented that King *Edward* ſhould be put in poſſeſſion of the Kingdom of *Scotland*, in order that he might deliver it up afterwards to the Candidate to whom it ſhould be awarded.

EDWARD I.

THE Sovereignty of *Scotland* being thus eſtabliſhed, they came at laſt to the grand Affair; I mean, to the Examination of the Claims of the ſeveral Competitors to the Crown; and that the ſame might be conducted impartially, it was agreed, that *John Baliol* and *John Comyn* on the one part, for themſelves and all the Claimants who ſhould approve of their Nomination, ſhould chuſe forty Commiſſioners of Inquiry; and that *Robert Bruce* on the other part, for himſelf, and the reſt of the Claimants, ſhould in like manner chuſe forty others; and that King *Edward* ſhould add twenty-four on his part, to be as Mediators between the eighty Commiſſioners, who were all to meet in a Body, and make a Report of their Opinions to the King, that he might judge of the Merits of each reſpectively.

P. 555.

IN the Aſſembly of the 5th of *June* they did nothing but read and regiſter the Names of the Perſons choſe Commiſſioners, whom King *Edward* appointed next day to agree among themſelves about the Time and Place of meeting, to hear the ſeveral Pretenſions; and they pitched upon the Town of *Berwick*, about four Miles from *Norham*, on the other ſide of the *Tweed*, and in the Kingdom of *Scotland*; for it muſt be obſerved, that the *Scots* had obtained of King *Edward* that the Affair might be tried in their own Kingdom, tho' the Letters Patent which he granted them for this end are not dated till the 12th of *June*, which was ſix Days after the Nomination of *Berwick*; but 'tis not unlikely that he gave them a verbal Promiſe. The Commiſſioners not being able to agree about the time, King *Edward* himſelf fix'd it on the ſecond of *Auguſt* enſuing.

P. 554.

P. 554.

ON the 11th of *June* the Regents reſign'd their Commiſſions to the King, who took, but delivered them back again to them to govern in his Name; after which, he made the Biſhop of *Caithneſs* Chancellor of *Scotland*, with whom he joined in Commiſſion one *Walter* of *Hamondeſham*, an *Engliſhman*.

P. 557.

ON the 12th the Chancellor took an Oath of Allegiance to *Edward*.

Scots ſwear Allegiance to Edward. P. 558.

ON the 13th the Regents and chief Nobility of *Scotland* did the ſame.

P. 567 to 573.

ON the 14th, and following Days, all the other Lords, Magiſtrates, Governors of Places, *&c.* took the ſame Oath.

P. 574.

KING *Edward* removing afterwards to *Berwick*, together with all the Commiſſioners, made a Proteſtation there; in which he declared, that tho' he had granted that the Affair of the Succeſſion ſhould be tried in *Scotland*, yet he did not thereby intend to prejudice the Right which he had in the like, or any other caſe, to exerciſe Juſtice in *England* hereafter, touching Affairs which might relate to *Scotland*.

* Lord of *Abergavenny*.

FOEDERA Tom. II.

ON the third of *Auguſt*, the Commiſſioners being met at *Berwick*, every one of the Claimants preſented his Petition, ſetting forth his Pretenſions to the Crown of *Scotland*; which, as they were all founded on their Deſcent from ſome Perſon of the Royal Family of *Scotland*, would appear plainer to the Reader in a Genealogical Table than in a long Diſſertation. But the Nature of this Work will not admit of Trees of Genealogy; ſo that we can but juſt touch upon the Deſcents by which they claim'd.

Claimants Pleas of Deſcent. P. 575, to 580.

Florence, Count of *Holland*, deſcended from *Ada* Siſter to King *William*.

Patrick Dunbar, Earl of *March*, deſcended from *Ilda* Daughter of King *William*.

William de Veſci, deſcended from *Margaret* Daughter to King *William*.

William de Roſs deſcended from *Iſabel* Daughter to King *William*.

Robert de Pynkeny, deſcended from *Margery* Siſter to King *William*, by a Daughter of King *William*, named *Alice*.

Nicholas de Soules, deſcended from *Margaret* Daughter of *Alexander* II.

Patrick Galythly, deſcended from *Henry* the Son of *William*.

Roger de Mandeville, deſcended from *Aufrica*, ſecond Daughter of King *William*.

John Comyn, Lord of *Badenoch*, deſcended from *Donald* formerly King of *Scotland*.

John Haſtings, deſcended from the third Daughter of *David* Earl of *Huntingdon*, Brother to King *William*.

John Baliol, deſcended from *Margaret*, eldeſt Daughter to *David* Earl of *Huntingdon*.

Robert Bruce, deſcended from *Iſabel*, the 2d Daughter of *David* Earl of *Huntingdon*.

IN order to form a right Notion of all theſe Pretenſions, 'tis neceſſary to obſerve that *Florence* Count of *Holland*, *Robert de Pynkeny*, and *John Comyn*, being deſcended, the two firſt from the two Siſters of *David* Earl of *Huntingdon*, and the laſt from *Donald*, younger Brother to *Malcolm* III. 'tis manifeſt they could not in Law claim Preference before the Deſcendants from *David*. As to *Nicholas de Soules*, *William Roſs*, *Patrick Dunbar*, *William Veſci*, *Patrick Galythly*, and *Roger de Mandeville*, if their Genealogy was well ſet forth, 'tis certain, that in the Succeſſion of a Fief which was not Male, they ought to have been preferr'd before the Deſcendants of the Earl of *Huntingdon*, becauſe they were deſcended from *William* King of *Scotland* his elder Brother; but 'tis probable either that they had not well ſet forth their Genealogy, or that they from whom they derived their Deſcent, were Baſtards, and by conſequence incapable of tranſmitting any Right to their Deſcendants. What confirms this Conjecture, is, that in the Petition preſented by *Baliol*, wherein he gave a particular Account how the Crown ſhould have devolved from one to another, till it came to him, after having mentioned the Death of *Margaret* of *Norway*, he ſaid, That after the Death of that Princeſs the Crown ſhould have devolved to *Margaret* her great Aunt, Daughter of *Alexander* II. and from the ſaid *Margaret* to one *Magoth* her Daughter; but that this *Magoth* dying without Iſſue, the Succeſſion came to *Margery* her Siſter, who died alſo, as he ſays, without Iſſue: and yet *Nicholas de Soules* called himſelf the Son of this *Margery*, and conſequently by *Baliol*'s own Acknowledgment, this ſame *Nicholas* ought to have been preferred before him, if he had been really *Margery*'s Son, as he had aſſerted he was. It is not to be ſuppoſed, that *Baliol* would have been contented with combating the Right of *Nicholas de Soules* with a bare Negative, if it had not been manifeſt and notorious to the whole World, that this *Margery*, the pretended Mother of *Nicholas de Soules*, died without Iſſue. EDWARD I.

IN like manner *Baliol*, in his Petition, after having ſaid that *Iſabella*, the third Daughter of *Alexander* II. died without Children, aſſerts, that the Crown ought to have returned to the Deſcendants of *David* Earl of *Huntingdon*; and at once leaps over all the Heads of *Henry de Galythly*, *Iſabella*, *Ilda*, *Margaret*, and *Aufrica*, Daughters of King *William*, from whom *Patrick de Galythly*, *William Roſs*, *Patrick Dunbar*, *William Veſci*, and *Roger de Mandeville* claimed their Deſcent. What gives room to conjecture that the above *Henry* and his three Siſters, admitting they were *William*'s Children, were no more than Baſtards, is, that afterwards the Competitors who derived their Origin from them, very readily gave up their Pretenſions, even before they came to be examined; a certain proof that *Baliol* was in the right to paſs them over in ſilence, as what could be no great advantage to him.

WHAT remained therefore to be done, was only to regulate the Succeſſion between the Deſcendants of *David* Earl of *Huntingdon*, Brother to King *William*, whoſe lawful Branch was juſt extinct by the death of young *Margaret* of *Norway*. This *David* had ſeveral Children, four of whom died before him; and he left three Daughters, *Margaret*, who married *Alan* of *Galway*; *Iſabella*, Wife of *Robert Bruce*; and *Ada*, who was married to *Henry Haſtings*, an *Engliſhman*. From *Margaret*, the eldeſt of the three, came *Devergulde* and *Marione*; the latter of whom was married to *John Comyn*, and in all probability died without Children: but be this as it was, neither ſhe nor her Children, if ſhe had any, appeared in this Proceſs. *Devergulde* her eldeſt Siſter, who was married to *John Baliol*, had by him this *John Baliol*, who demanded the Crown by virtue of his Mother's Right, who was ſtill living. *Iſabella* the ſecond Daughter of *David*, Wife of *Robert Bruce*, had a Son named *Robert* after his Father, which Son was one of the Claimants. Laſtly, *Ada* had by

FOEDERA Tom. II. by *Henry Haſtings* her Husband, *John Haſtings*, who had alſo formed Pretenſions; but foreſeeing that the Deſcendants of his two Aunts, who were his Mother's eldeſt Siſters, would carry it from him, he contented himſelf with the Plea that *Scotland* was a diviſible Fief, and that by conſequence it ought to be ſhared between the three Daughters of *David* Earl of *Huntingdon* his Grandfather. The main Point in diſpute lay therefore between *John Baliol* and *Robert Bruce*: The firſt alledged for himſelf, that he was Grandſon to *Margaret* the eldeſt Daughter of *David*; and the latter pleaded, that he was Grandſon to *David* himſelf, and that by conſequence he was nearer by one Degree: and it being objected to him, that *Devergulde*, who was ſtill alive, was in as near a degree of Conſanguinity as he, and that ſhe had the advantage of being the Daughter of *David*'s eldeſt Daughter; he anſwered, that where the Degrees of Proximity were equal, the Men ought to be preferred to the Women. That was the Sum and Subſtance of the Reaſons on both ſides, and the Subject-Matter of the enſuing Inquiry. Let's go back now to what paſſed in the following Aſſemblies.

ALL the Petitions of the Claimants being read, *Edward* fixed the ſecond Day of *June* in the following Year 1292, for hearing the Report of the Commiſſioners of Inquiry, who had by this means nine or ten Months to inform themſelves.

P. 580. WHEN the Day appointed was come, the Ambaſſadors of *Erick* King of *Norway* appeared, and demanded, in the name of their Maſter, that he might be admitted into the number of Claimants, as the Father and lawful Heir of *Margaret* his Daughter; which was granted him after his Ambaſſadors had firſt of all recogniz'd the Sovereignty of the Kings of *England* over *Scotland*.

THIS done, the Commiſſioners proceeded to the Examination of the Petitions of each of the Parties; but *Edward* thinking that this way of proceeding would ſpin out the Affair to a great length, he was for examining the Rights of *Baliol* and *Bruce* before all others, without prejudice to thoſe of the other Claimants. This being ſettled accordingly, he ordered the Commiſſioners to examine by what Laws they ought to proceed to Judgment; upon which the Opinions were ſo various, that in order to give them time to agree, or to inform themſelves better, he prorogued the Aſſembly to the 12th of *October*, with a deſign, as he ſaid, for his own part, to conſult the Lawyers of foreign Countries.

P. 581, &c. IN the next Aſſembly, which was held on the 14th of *October*, *Edward* put two Queſtions to the Commiſſioners of Inquiry, and wiſhed to have their Opinion. 1. By what Laws and Cuſtoms they ought to proceed to Judgment; and ſuppoſing there could be no Law or Precedent found in the two Kingdoms, how then? 2. Whether the Kingdom of *Scotland* ought to be taken in the ſame View as all other Fiefs, and to be awarded in the ſame manner as Earldoms and Baronies? To the firſt of theſe two Queſtions it was unanimouſly anſwered by the Commiſſioners, That the King ought to give Judgment in this Affair conformable to the Cuſtoms eſtabliſhed in the two Kingdoms, if any certain Laws or Precedents could be found for that purpoſe; but that if there were none to be had, then the King might, by the Advice of the great Men of his Kingdom, eſtabliſh a new Law. As to the ſecond, Anſwer was made, that the Succeſſion of the Kingdom might be awarded in the ſame manner as that of Baronies and Earldoms. Theſe two Articles being done with, King *Edward* addreſſed himſelf to *Baliol* and *Bruce*, demanding to know if they had any thing more to alledge in maintenance of their Right: and each of the two having ſpoke for himſelf, and inſiſted on the Pleas already mentioned, which they always laid down as the Baſis of their Right, King *Edward* declared, that on the 6th of *November* he would pronounce Sentence; and when that Day came, *Robert Bruce*'s Pretenſions to the Crown of *Scotland* were entirely ſet aſide; whereupon he proteſted, that he had a Deſign to proſecute his Right under another Form. EDWARD I.

THEN *John Haſtings* ſtood up, and after aſſerting that the Kingdom of *Scotland* was a diviſible Fief, he demanded that it might be divided between the Deſcendants of the three Daughters of *David* Earl of *Huntingdon*, whoſe third Daughter was his Mother. *Robert Bruce* ſtood up at the ſame time, and made the ſame Demand; whereupon King *Edward* ordered the Commiſſioners to examine whether *Scotland* was a diviſible Fief; and gave them time to conſider of it till the 17th of that Month.

WHEN that Day came, King *Edward* demanding to know the Opinion of the Commiſſioners of Inquiry, they anſwered, that the Kingdom of *Scotland* was not diviſible; whereupon the King pronounced, that neither *John Haſtings* nor *Robert Bruce* had any Claim to the Succeſſion of the Crown. This Sentence was as yet of no advantage to *Baliol*'s Cauſe, becauſe there were ſo many other Claimants beſides; but theſe at length ſpared King *Edward* and the Commiſſioners the trouble of further Inquiry, by intirely dropping their Pretenſions. There being nothing now remaining which could ſtand in the way of *Baliol*'s Right, King *Edward* pronounced Sentence in his favour, and declared him King of *Scotland*; after which he exhorted him to govern his People with Equity, and in ſuch a manner, as to give them no reaſon to complain of him, and to bring their Complaints to the direct Lord and Sovereign of *Scotland*. He then appointed a Day for him to take the Oath of Allegiance, and another for him to perform Homage for the Kingdom of *Scotland*: which things were done accordingly; the firſt at *Norham* upon the 20th of *November*, and the ſecond at *Newcaſtle* upon St. *Stephen*'s Day, the 26th of *December*. Here it may not be improper to remark, that

Crown of Scotland awarded by K. Edward to Baliol. P. 589.

His Oath and Homage to K. Edward. P. 591, 593.

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that King *Edward*'s Chamberlain, demanding perhaps too much of *Baliol* for his Fee, when that Prince performed his Homage, or not knowing what to demand, *Edward* fixed his Fee himſelf at twenty Pound; which was double to what was paid by an Earl, as appears by the King's Order eſtabliſhing the ſaid Fee.

P. 600.

Mr. Rapin's *Remarks on the whole Proceſs, as well as on the Merits of the Cauſe.*

Now, to look no further than this Journal, one would think nothing could be more exact nor more impartial than *Edward*'s Proceeding in the Determination of this famous Proceſs. In the firſt place he demands of the *Scots*, that they own *ex abundanti* that *Scotland* is a Fief depending on *England*; and the *Scots* Convention making no oppoſition to his Pretenſions, he ſets himſelf up for Judge of this Difference, by virtue of his recogniz'd Sovereignty; and that he may be able to judge of the matter impartially, he cauſes eighty Commiſſioners of Inquiry to be choſe by the two principal Claimants, and does not pronounce Sentence till he has had the Opinion of the ſaid Commiſſioners. This ſeems ſo fair, ſo exact, that what in the World could have a better Face? Yet for all this, the *Scots* do not fail to complain of him, and affirm that he had regard only to his own Intereſts. Therefore to have a clear and diſtinct Idea of this Affair, 'tis worth while to look into the Complaints of the *Scots*, and to ſee on what they are founded, tho' this is what Mr. *Rymer*'s Collection takes no notice of.

The *Scots* ſay therefore, that King *Edward*'s only view was not to make *Scotland* eaſy, but to improve this Conjuncture, that he might be recogniz'd Sovereign Lord of the Kingdom, and that the Crown might be plac'd on the Head of that Perſon who was leaſt able to diſpute this Right with him; that is to ſay *Baliol*, who had a Genius far inferior to his Rival, and fewer Friends and leſs Credit in *Scotland*. They charge King *Edward* with obſtructing the Freedom of voting; and that while he profeſs'd the ſtricteſt Impartiality in publick, he acted underhand by Threats and Promiſes to incline the Commiſſioners to vote as he would have them. They ſay, that at firſt he offer'd the Crown to *Robert Bruce*, if he had been diſpos'd to engage to do him Homage for it; and that the latter refuſing it upon thoſe Terms, the King propos'd it to *Baliol* on the ſame Terms, which he accepted, and was therefore promiſs'd the Crown. They obſerve in excuſe for *Robert Bruce*'s recognizing King *Edward* as Sovereign of *Scotland* afterwards, That he did it becauſe he was very ſenſible of what prejudice his Refuſal was to him. They add as a Proof, That the Meeting of the States at *Norham* was not a free Aſſembly; that in the firſt place King *Edward* brought Troops thither; and ſecondly, that they made no Anſwer to the Propoſal which King *Edward* made to them, of owning him for Sovereign Lord; but if they had thought this Right was indiſputable, why did they deſire time to conſider of it? And if they thought the contrary, how came it to paſs that the Aſſembly of States could not find ſo much as one ſingle Reaſon to diſpute the Right pretended to? which 'tis certain the late Kings of *Scotland* always oppoſed. The *Scots* add moreover, that for all this it does not appear that the States recogniz'd this Sovereigny; and that 'tis plain, what Recognition was made, only came from the Regents corrupted by King *Edward*, or from the Claimants, whoſe Intereſt it was to court his favour, and who were, for moſt part, his Vaſſals or his Subjects; and who, when all's done, had no power to bind the whole Nation of *Scotland* by their particular Submiſſion. They ſay alſo, that it was King *Edward*, who by his intrigues ſummon'd all the Competitors to meet together, excluſive of *Baliol*, *Bruce*, and *Haſtings*, on purpoſe to embaraſs the Affair, to ſhew the two principal Candidates that they had need of his Favour, and that he might have the Majority of Voices among the Candidates to favour his own Ends; which, ſay they, manifeſtly appears from this Circumſtance, *viz.* That as ſoon as ever *Robert* loſt his Cauſe, all the other Competitors (except *Baliol* and *Haſtings*) dropped their Pretenſions; an evident Proof that what they had done, was but mere Grimace, in compliance with the King, by whom they were acted. For how can it be imagined, ſay they, that the Sentence paſſed againſt *Bruce* ſhould be prejudicial to the other Claimants, and oblige them to quit their Pretenſions? It appears ſtill more evident, that the Intervention of the King of *Norway* was ſollicited, becauſe 'tis very unlikely that his Ambaſſadors would have dared to betray the Intereſt of their Maſter, if they had not had ſecret Orders to act according to the Directions of King *Edward*, who had no longer need of him after *Robert Bruce* was ſet aſide. It ſeems likewiſe as if there had been ſomething myſterious in the Conduct of *Baliol*, who abſented himſelf from the firſt Aſſembly at *Norham*, on purpoſe to let others make the firſt ſtep in acknowledging the King of *England* for Sovereign, as if he was the fartheſt of any from ſuch an Intention; which, ſay they, could only proceed from the Aſſurance he had of obtaining the Crown: but, notwithſtanding this Precaution, he could not hinder publick Fame from accuſing him, as the firſt of the Candidates for the Crown who had engag'd himſelf to King *Edward*. This was alſo what they ſtill continu'd to upbraid him with; and tho he afterwards loſt the ſaid Crown for offering to retract, yet he could never regain the Eſteem of his Subjects, who afterwards tack'd about to his Rival's Son.

EDWARD I.

HERE I cannot avoid making a Remark, which, by the way, I only give as my own private Conjecture; namely, That in the ſecond Aſſembly, which was held at *Norham* on the 2d of *June* 1291, *Edward* granted

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a Delay of three Weeks, reckoning from the 10th of *May*, in order to give time to the *Scots* to prepare what they had to anſwer to his Pretenſions to the Sovereignty of *Scotland*. According to this Delay, the Aſſembly ought to have been held on the firſt of *June*, and yet we don't find that they met held till the ſecond Day; on which, tho' it does no where appear that the *Scots* had been asked what they had to offer by way of Anſwer, the Chancellor opened the Conference by ſaying, that ſince they had not given in any anſwer, the King of *England* was reſolved to make uſe of his Prerogative. This gives me cauſe to conjecture, that probably another Aſſembly was held the Day before, in which the States of *Scotland* produced their Reaſons, but did not think fit to inſert them in the great Roll of *Scotland*, from whence this Journal was taken; for how could the Chancellor be ſuppoſed to open the Aſſembly by ſaying, that the *Scots* had not returned any Anſwer, before he had ſummoned them for that purpoſe? And if they were ſummoned, and did return any Anſwer, it was perhaps either that the Homage demanded was not due, or that they owned *Scotland* to be a Fief of *England*. In the former caſe, there was an abſolute neceſſity of inſerting at leaſt a part of their Anſwer in a Journal ſo exact as this, where the very Words are reported, and often repeated *verbatim*; and in the latter caſe, nothing ſurely could have been of more advantage to the King's Intereſts than ſuch a Confeſſion. And if, in ſhort, no Anſwer was returned, tho' demanded, the Summons given them for that purpoſe ought at leaſt to have been inſerted, with the Addition that they remained mute; for it muſt be obſerved, that this is a ſort of verbal Proceſs, in which the very Words made uſe of are ſet down; and not a Narrative, the Expreſſions of which depend on the Caprice of him that gives it.

Proofs fetch'd from Antiquity, of the King of England's Sovereignty over Scotland. P. 559, to 573.

THIS Conjecture, and what the *Scots* oppoſe, ſeems to have a Foundation the more ſolid, becauſe the Reaſons which King *Edward* made uſe of, to ſhew that *Scotland* had been always heretofore a Fief dependent on the Crown of *England*, ſeem not to be concluſive. 'Tis this Act which I am now to examine, having not done it hitherto, tho' it is inſerted in the middle of the Journal, becauſe I was not willing to interrupt the Proceſs.

IN the Speech which the Chancellor made at the ſecond Aſſembly at *Norham*, he ſays, that the King his Maſter would prove his Right to the Sovereignty of *Scotland* by indiſputable Documents; and it was with this Deſign therefore that King *Edward* cauſed the Proofs of it to be drawn up in writing. The Act being by much too long to tranſcribe here, I ſhall only take notice in a word, that all the Proofs are founded upon Paſſages extracted from certain Hiſtorians, ſuch as *Marianus Scotus* an *Iriſhman*, *William* of *Malmsbury*, *Roger* of *Hoveden*, *Henry* of *Huntingdon*, *Raoul de Dicet*, and other *Engliſhmen*; that the main Point for which thoſe Hiſtorians are quoted, is to ſhew that the Kings of *England* have often vanquiſh'd the *Scots*; that they have ſometimes placed Kings upon the Throne of *Scotland* by force of Arms, and that the Kings of *Scotland* have often rendered them Homage. The *Engliſh* Hiſtorians, who boaſt of the Sovereignty of their Kings over *Scotland*, lay mighty Streſs upon this Memorial or Manifeſto of King *Edward*; out of which, by the way, they give us but few Particulars. Tho' this is a Diſpute which not many are concerned in at preſent, yet I perſuade myſelf that there are curious Perſons who would be glad to ſee ſome Remarks upon the Proofs here produced by King *Edward*.

EDWARD I.

Mr. Rapin's Remarks on them.

1. THE Authors from whom the Paſſages are extracted are all *Engliſh*. To go about to prove by *Engliſh* Writers, that *Scotland* is a Fief of *England*, ſeems pretty extraordinary; and is no leſs than making the Parties Judges in an Affair which was then the Subject of the Proceſs between the two Nations. It would be a very good Jeſt if ſuch Paſſages ſhould be brought only to confirm more authentick Proofs.

2. THE Diſcovery that the Kings of *Scotland* have paid Homage to the Kings of *England*, is far from amounting to a Proof that *Scotland* was long ſince a Fief depending on the Crown of *England*, becauſe it ought to be proved beyond diſpute, that they paid the Homage for *Scotland*. For, by example, if the King of *France* ſhould go about to prove that the Kings of *England* ever paid Homage to his Predeceſſors, he could eaſily do this by a Cloud of Hiſtorians; but if he ſhould offer to conclude from thence, that *England* is a Fief of the Crown of *France*, ſuch Conſequence would be perfectly ridiculous, becauſe the Homage which the Kings of *England* have formerly paid to the Kings of *France*, was not for *England* itſelf, but for the Provinces which they poſſeſſed in the Kingdom of *France*. The ſame thing may be pleaded with reſpect to the Kings of *Scotland*, who poſſeſſed *Huntingdonſhire*, and ſome Lands upon the Frontiers of both Kingdoms, for which they did Homage to the King of *England*.

3. BUT if they had not enjoy'd a Foot of Land in *England*, it would not follow from their having done Homage to the Kings of *England*, that *Scotland* was a Fief of that Crown, becauſe 'tis certain that Homage was often performed for mere annual Penſions, without expreſſing the Cauſe of the Homage; of which there are more Inſtances than one, in the firſt Volume of the *Fœdera*, P. 1. with reſpect to the Earls of *Flanders*, who did Homage to the Kings of *England* for a Penſion of 500 Marks. So that there's no Concluſion to be drawn in ſupport of this Claim of Sovereignty, from the Homages

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performed by the Kings of *Scotland*, unleſs it had been expreſſed that they were performed for the Kingdom.

4. EVERY body knows how punctually thoſe to whom Homage was due, had it paid to them upon every Change, either of Sovereign or Vaſſal, in preſence of many Witneſſes; that authentick Acts were drawn up for that end, and that he who had performed it, gave an Inſtrument of it under his Hand and Seal. How comes it to paſs then that King *Edward* did not produce any of theſe Homages in due Form, but was fain to prove his Right from Hiſtorical Paſſages? Was it not plainly confeſſing that he had no better Proofs?

5. IT may be objected perhaps, That in King *Edward*'s Memorial, there is a long Account of the Homage which *William* King of *Scotland* paid for *Scotland* itſelf to King *Henry* II. and his Son, and that moreover this Homage is not conteſted. But it may be anſwered, that this Homage having been extorted from the ſaid King *William*, as one of the Conditions of his Liberty, after he had been taken Priſoner by *Henry* II. ſo *Richard* the Son and Succeſſor of the ſaid *Henry*, voluntarily departed from it, as is affirmed by the *Engliſh* Hiſtorians themſelves, and may be proved by an Act in the firſt Volume of the *Fœdera*, among thoſe of King *Richard*: ſo that this Article makes no Proof at all.

P. 64.

6. IT is true indeed that the Kings of *England* have often demanded Homage of the Kings of *Scotland*, for *Scotland* itſelf: but this is a Proof of their Pretenſions only, not of their Right; for if ſuch a bare Demand be ſufficient to prove their Right, 'tis as certain that the bare Refuſal of the Kings of *Scotland* may prove the contrary: and 'tis notorious beyond all diſpute, that the Kings of *Scotland* have ſometimes refuſed to do Homage for their Kingdom. *Alexander* II. having performed Homage to King *Henry* III. his Father-in-Law, for the County of *Huntingdon*, *Henry* demanded the ſame Homage of him for *Scotland*: but this Prince, tho' very young at that time, excuſed himſelf, by ſaying that he could not do it without the Conſent of the States of his Kingdom: and 'tis particularly remarkable, that *Edward* in his Memorial quotes that Inſtance of the Homage paid by *Alexander* to *Henry*, to prove his Right, artfully confounding the Homage which *Alexander* paid for the County of *Huntingdon*, with that which he refuſed for the Kingdom of *Scotland*. For when *Alexander* came to perform Homage to King *Edward* himſelf, he proteſted that it was not for the Kingdom of *Scotland*; and his Homage was received with the ſaid Proteſtation, and with the following Reſtriction, as plainly appears by an Act in this Tome: *Et idem Rex Angliæ homagium ejuſdem Regis Scotiæ recepit, ſalvo jure & clamio ejuſdem Regis Angliæ, & hæredum ſuorum, de homagio prædicti Regis Scotiæ, & hæredum ſuorum, de Regno Scotiæ, cum inde loqui voluerint.*

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P. 126.

7. WHEN one reads the Paſſages quoted by King *Edward* from Hiſtorians, one cannot help perceiving how weak are the Conſequences which he would infer from ſome general Expreſſions.

8. IN the laſt place, as to the Paſſages produced to ſhew that the Kings of *England* have ſometimes placed the Kings of *Scotland* upon the Throne, this does not infer that *Scotland* was dependent on *England*. For example, if *Lewis* XIV. had been ſo lucky as to reſtore King *James* II. to the Throne, it would not follow from thence that *England* muſt have been obliged to recognize the King of *France*, and his Succeſſors, for its Sovereigns.

I might add ſeveral other Remarks upon the Proofs brought by King *Edward*: but this is ſufficient, I believe, to ſhew how aſtoniſhing it is that the States of *Scotland* ſhould return no Anſwer to King *Edward*'s Pretenſions; which makes me think either that the Journal is not exact, according to my former Conjecture, or that if they did not anſwer, they were intimidated by King *Edward*, from whom they had every thing to fear, as matters then ſtood.

I have been a little the longer upon this Journal, becauſe the Subject of it was the Foundation of all the Wars which afflicted the two Nations for 300 Years; and as to the Remarks which I have added, my View was to hinder every body from being prejudic'd in favour of a Writing which has ſuch an authentic Appearance, as if it ought to be the ſole Foundation of Truth, tho' it was drawn up by Order of one of the Parties concerned *.

THE other Acts of greateſt Importance in this Tome, relating to *Scotland*, are the Demand which *Baliol* made that the Cauſes of *Scotſmen* ſhould be tried in *Scotland*, together with King *Edward*'s Denial, and *Baliol*'s Declaration, whereby he gives up the Conceſſion which King *Edward* granted on the ſame account to the Regents and Claimants of the Crown, which we find in *p.* 532.

P. 596, 597.

NOT long after we come to an Act, whereby *Macduff* Earl of *Fife* was condemn'd to Impriſonment by the Parliament of *Scotland*. This is a remarkable Piece, becauſe that Complaint or Appeal which *Macduff* made to King *Edward*, was one of the principal Reaſons of the

Macduff's Impriſonment.

P. 604.

* To juſtify what has been ſaid by Mr. *Rapin*, a great deal more might be added from ſeveral eminent Hiſtorians, both *Engliſh* and *Scots*: but there being not room here for Quotations, the Curious who have a mind to be more fully ſatisfy'd of the Independency and Sovereignty of the Kingdom of *Scotland*, will not take it amiſs to be referr'd to thoſe Pieces wherein this Subject is treated more at large; particularly Sir *George Mackenzie*'s Obſervations upon the Laws and Cuſtoms of Nations as to Precedency, *Cap.* 3. Sir *Thomas Craig*'s Diſpute concerning Homage, entitled, *Scotland*'s *Sovereignty aſſerted*; Mr. *Tyrrel*'s General Hiſtory of *England*; Sir *James Dalrymple*'s Collections concerning the *Scottiſh* Hiſtory; Mr. *Anderſon*'s Eſſay, ſhewing that the Kingdom of *Scotland* is Imperial and Independent; and to cloſe all, the late *Treaty* of *Union* concluded betwixt *England* and *Scotland* as two Independent Nations.

Foedera Tom. II. the Quarrel that happened betwixt him and the King of *Scotland*. The Fact was as follows:

Edward I.

While King *Edward* was in poſſeſſion of *Scotland*, by the Conceſſion of the Regents, and of the Competitors for the Crown, he order'd that *Macduff* Earl of *Fife* ſhou'd be put in poſſeſſion of certain Lands, to which he laid Claim. The Affair of the Succeſſion being ſettled, and *Baliol* acknowledg'd for King, *Macduff* was ſummon'd to Parliament, for having put himſelf in poſſeſſion of thoſe Lands which ought to be left to the King of *Scotland*, and he was therefore condemn'd to ſuffer Impriſonment. When he was ſet at liberty, he went and complain'd to King *Edward* of the Injuſtice that had been done him, and upon his Complaint *Edward* ſummon'd the King of *Scotland* to appear before him; which the latter obeying, he was treated like a private Man, ſays *Buchanan*, and oblig'd to go and ſtand at the Bar to plead his Cauſe; which exaſperated him to the laſt degree.

P. 606.

King Edward's *Summons to* Baliol.

But this was not the only occaſion which *Edward* took to aſſert his Sovereignty over *Scotland*. Here are no leſs than eight ſeveral Summons ſent to *Baliol* upon very trifling occaſions, to appear in Perſon before King *Edward*. It was this Treatment that made *Baliol* think of ways and means to ſhake off ſuch a cruel Yoke. The War which then broke out between *France* and *England*, ſeem'd to give him a favourable opportunity. He made an offenſive and defenſive Alliance with *France*, and marry'd his Son *Edward* to a Daughter of *Charles de Valois*, Brother to *Philip* the Fair; and at laſt by an Act for the purpoſe, renounc'd the Homage he had paid to King *Edward*. *Baliol* imagin'd that *France* wou'd cut out ſo much work for King *Edward*, that he wou'd not have time to think of him: but the contrary happen'd; for *Edward* did not ſo much mind his Affairs in *France*, becauſe he had ſet his Heart upon the Puniſhment of the King of *Scotland*, who was vanquiſh'd and oblig'd to go to King *Edward* and reſign his Kingdom to him: after which Act of Reſignation he was committed to the Tower.

P. 605, to 641.

P. 695.

P. 697.

P. 707.

Baliol forced to reſign his Crown to King Edward. P. 718.

Scots recogniſe King Edward's *Sovereignty*. P. 950.

The *Scots* revolted ſeveral times, but were always defeated, and at laſt oblig'd to own King *Edward* for their Sovereign.

J. Comyn *murdered by* Robert Bruce. P. 988.

Robert Bruce, Son to him who was a Candidate for the Crown, fled from *England* into *Scotland*, where he kill'd *John Comyn* who had betray'd him, and caus'd himſelf to be crown'd King of *Scotland*. He was defeated, and endeavour'd to hide himſelf, while thoſe of his Party that were taken Priſoners, were ill treated by King *Edward*. We have no other Acts here that make mention of King *Edward*'s laſt Expedition to *Scotland*, in which he died.

Bruce's *Overthrow*. P. 1012.

IV. *The Affairs of* France *in this Reign.*

K. Edward's *Treaty with* France. P. 134.

The firſt Piece we ſhall mention is a Treaty dated at *Amiens*, *May* 23, 1279. between King *Philip* III. call'd the Hardy, and King *Edward*, which confirm'd that made between *Henry* III. and St. *Louis*, whereby the King of *France* was oblig'd to quit the Diſtrict of *Agenois* to the King of *England*.

Here is a Letter from King *Edward*, wherein he deſires the Biſhop of *Agen*, to whom according to Cuſtom he ought to have taken the Oath in Perſon, that he wou'd pleaſe to receive it by his Seneſchal of *Guienne*. 'Tis dated at *Abbeville*, *June* 4, 1279.

His Letter to the Biſhop of Agen. P. 139.

The next is a Letter from King *Edward* to *Philip*, wherein he intreats him to make no Alteration in the Cuſtoms of the Province of *Gaſcoigne* without his Conſent. 'Tis dated *March* 4, 1281. *Gaſcoigne* and *Guyenne* were at that time ſynonymous.

P. 167.

Here we have a Letter to King *Edward* from the Nobility of *Gaſcoigne*, deſiring him not to ſubject their Lands to *Arnold de Seuil*. This Letter begins, *Domino præ cunctis mortalibus diligendo, Edwardo*; i. e, To our Sovereign Lord *Edward*, belov'd above all Mortals: Yet they don't ſpare to tell him their Minds, *Dominationem veſtram volumus pro conſtanti, quod nullatenus nobis placet, ut altam juſtitiam terrarum noſtrarum in Arnaldum Raimundi de Solio, vel aliquem alium, maxime ignobilem, conferatis*; i. e. We wou'd have your Majeſty to take it always for granted, that we ſhall by no means be pleas'd with your Subjecting of our Lands to *Arnold Raymond de Seuil*, or any other Perſon of mean Rank. And a little lower they ſay, *Nunquam enim præmiſſa proponimus ſuſtinere, niſi id faceremus, quod abſit, coacti a vobis*; i. e. For we never propoſe to bear the Premiſes, unleſs, which God forbid, we ſhou'd be compell'd by you. 'Tis dated the firſt of *May*, 1281.

Letter from the Nobility of Gaſcoigne, *to King* Edward. P. 168.

Here we have the Reſtrictions contain'd in the Homage which King *Edward* paid to King *Philip*, *A. D.* 1286. the Biſhop of *Bath and Wells* being his Spokeſman; where it muſt be obſerv'd, that under the Reigns of *John* and *Henry* III. King *Edward*'s Grandfather and Father, *France* had taken ſeveral Provinces from the Kings of *England*; and that after frequent Wars upon this very ſcore, there were ſome Treaties of Peace, which King *Edward* complain'd were not obſerv'd. Therefore after having proteſted againſt thoſe Infractions, he only made his Homage in general Terms, for fear of excluding himſelf from the Claim which he intended to make to thoſe Provinces, if he only perform'd Homage for the Lands then in his poſſeſſion, and mentioned them particularly by name. The Homage therefore was couch'd in theſe Terms: *I become your Man for the Lands which I hold of you on this ſide of the Sea, according to the Form of the Treaty which was made betwixt our Anceſtors.* And after this manner was the Homage received.

K. Edward's *Homage to* Philip *of* France. P. 320.

In this Page we have a Treaty of Peace between *Philip the Fair*, and our King *Edward*, dated in *Aug. A. D.* 1286.

Treaty between King Edward *and* Philip the Fair. P. 336.

FOEDERA Tom. II.

A particular Quarrel between two Seamen, one an *Engliſhman*, the other a *Norman*, having occaſion'd a Rupture between *France* and *England*; *Philip* ſummon'd *Edward* to appear in perſon at *Paris*, before the Court of Peers.

The King of France *ſummons our K. to* Paris. *P. 617.*

FOR the better underſtanding of the Acts that follow, and the Grounds of the Controverſy between *Philip* the Fair and *Edward*, the Reader muſt be acquainted that *Edward* being engag'd in the *Scots* War, ſent *Edmund* his Brother to *Paris* to appear for him, with Orders to do whatever he cou'd to prevent a War with *France*. The *French* Hiſtorians ſay, that *Philip* being angry with *Edward* for not appearing in his own Perſon, confiſcated *Guyenne*, and ſent into this Dutchy his Conſtable *Raoul de Nelle*, who made himſelf Maſter of it. To hear how eaſily this General took *Guyenne*, is at firſt ſurprizing, till one turns to the Page in the Margin, where we find the whole Affair unriddled, together with the Stratagem which *Philip* made uſe of. He gave *Edmund* to underſtand, that all he had a view to upon this occaſion, was his Honour and his Right of Sovereignty; and that provided *Edward* wou'd but make ſome Advances to ſatisfy him, he wou'd be content with Externals. For this end he demanded that *Edward* ſhou'd deliver up to him certain Towns in *Guyenne*, together with ſome Perſons in that Province, of whom he had reaſon to complain. *Edward*, who was for avoiding a War, did not only give the King of *France* this external Satisfaction, but delivered up all *Guyenne* to him, believing that *Philip*, content with ſuch Submiſſion, wou'd reſtore it back to him out of hand, according to his Promiſe. But he was trick'd by the King of *France*, who ſent the Conſtable into *Guyenne* to take poſſeſſion of the Province, which was done without Oppoſition, and *Philip* afterwards refus'd to part with it.

Ground of their Quarrel.

P. 620.

HERE we find King *Edward*'s Order to his Officers of *Guyenne* to pay his Brother *Edmund* the ſame Obedience as to himſelf; together with *Edmund*'s Order, in conſequence hereof, to deliver up *Guyenne* to the King of *France*. 'Tis ſcarce to be doubted, but the thing was tranſacted in the manner as it is related in the above Page by *Edmund*, becauſe divers Acts and Letters of *Edward*, under the Pages in the Margin, do manifeſtly hint at the Cheat complained of by *Edward*.

P. 619.

P. 642 to 645, 652, 687, 789, 937.

IN the Year 1294. King *Edward* made a formal Renunciation of the Homage which he had paid to *Philip*.

King Edward's Renunciation of his Homage to K. of the France. *P. 650. P. 741.*

IN 1296. we find certain Conventions made for a Marriage between *Edward*, Son of King *Edward* I. and *Philippa* Daughter of *Guy* Earl of *Flanders*. But as ſhe was kept at *Paris* by *Philip* the Fair, who was againſt the Marriage; *Edward* and *Guy* made new Conventions for a Match betwixt young *Edward* and *Guy*'s youngeſt Daughter *Iſabella*.

THERE's a Letter from King *Edward* to the Gentry of *Gaſcoigne*, to apologize for ſuffering himſelf to be trick'd by *Philip*, in the ſecret Treaty betwixt him and his Brother *Edmund*, without conſulting with them.

P. 789.

HERE we have a Com-promiſe between *Philip* and *Edward*, to make *Boniface* VIII. Umpire of their Differences, not in quality of Pope, but as a private Perſon, under the Name of *Benedict Cajetan*.

Kings of England *and* France *refer their Quarrel to the Pope. P. 808, 812, 817.*

POPE *Boniface* annuls the Conventions for the Marriage betwixt young *Edward* and *Philippa* of *Flanders*.

P. 818.

IN the next Page we have the Pope's Sentence of Arbitration, for putting an end to the Diſpute betwixt the two Kings. This is the Sentence which, *Mezeray* ſays, ſo nettled the Court of *France*, that when it was deliver'd to *Philip* by an Ambaſſador from *Edward*, *Robert* of *Artois* ſnatch'd it from him, and threw it into the Fire. Other means were therefore to be conſulted, for putting an end to this Quarrel. For this purpoſe, the Ambaſſadors of the two Kings met at *Montreuil* upon the Sea-coaſt, and concluded a Truce, by agreeing to a Marriage between King *Edward* the Father, and *Margaret* Siſter to King *Philip*, and to another between *Edward* the Son and *Iſabella Philip*'s Daughter *. Several Hiſtorians have ſpoke of this Truce as of a final Treaty of Peace, in which they are miſtaken; for it appears by the very Terms of the Treaty, that that which was made in 1299, was no more than a Truce. The Peace was not made till the Year 1303, by the Articles whereof printed in this Volume, it may be obſerv'd, that the two Kings entirely abandon'd thoſe of their Allies who were moſt attach'd to their Intereſts; *Philip* having left the *Scots* in the Curch, and *Edward* the Earl of *Flanders*, of whom there's not one word ſaid in the Treaty.

P. 819.

Another Miſtake of Hiſtorians rectify'd. P. 840, &c.

Peace between England *and* France. *P. 923.*

Both Kings drop their faithful Allies. P. 929.

THERE's a remarkable Letter upon this occaſion from ſome *Scotſmen* at the Court of *France* to their Friends in *Scotland*, wherein they tell them, that they ought not to be ſurpriz'd if they are not included in the Treaty, becauſe *Philip* had promis'd not to abandon them; and that he wou'd do them more Service in an Interview which he was to have with King *Edward* at *Amiens*, than if he had cauſed them to be compriz'd in the Treaty: but what the King of *France* told them, was only to amuſe them, for he had no Interview with *Edward*, and did nothing for them. On the other hand, the *Flemiſh* Hiſtorians tax King *Edward* with the blackeſt of Treachery, for having thus abandon'd their Earl, and ſolely contributed to his Ruin, in deſpite of the moſt ſolemn Oaths which he had taken, never to conſent to any Peace with *France* without including him in it.

P. 952.

AMONGST

* By conſulting the *Fœdera*, it appears that Mr. *Rapin* was miſtaken when he calls this *Iſabella*, *Philip*'s Siſter. We have alſo rectify'd ſome of his Pages, which are miſprinted from the Original.

FOEDERA Tom. II. P. 1083.

AMONGST the Acts omitted in this Tome, we find that the King of *France* was offended with the Clause *Regnante Edwardo Rege Angliæ*, in the Charters of *Guyenne*, which he insisted shou'd be *Regnante Philippo Rege Franciæ*. After a great many Debates upon this Clause, it was agreed between *John de Grailly* the Seneschal of *Guyenne*, and the Court of *France*, that it shou'd be alter'd thus, *Regnante Philippo Rege Franciæ, Edwardo Rege Angliæ tenente Ducatum Aquitaniæ*: i. e. *Philip* being King of *France*; and *Edward* King of *England*, holding the Dutchy of *Aquitain*. But it does not appear in this place, that King *Edward* approv'd of this Expedient.

V. *The Acts which relate to* England *in particular*,

IT may be observed in the first Acts of this Tome, that by their being passed in *England*, during the absence of King *Edward* who was in *Palestine*, he was own'd for King, tho' he had not been crown'd, the bare Proclamation of him being thought sufficient to vest him with all the Authority of a King: Consequently all those Acts were pass'd in his Name, and by his Authority, only with this difference; that whereas when the King was present, the Words *Teste Rege*, or *Teste me-ipso*, i. e. Witness the King or myself, were under-written; while he was absent, the Subscription was *Teste W. Eborum Archiepiscopo, Ed. Cornubiæ, & Gilb. Gloucestriæ Comitibus*, i. e. Witness *W.* Archbishop of *York*, *Edward* Earl of *Cornwall*, and *Gilbert* Earl of *Glouceſter*, who were the three Regents of the Kingdom; or else they put, *per manum W. de Merton Cancellarii nostri*, i. e. by the Hand of *W. de Merton* our Chancellor.

Provision for King Edward's Coronation. P. 21.

AMONG the first Acts, after the King's Return from the *Holy Land*, we find one that ascertains the necessary Provisions to be made for the King's Coronation, every County being taxed to furnish a certain Quantity therein specify'd. For example, *Glouceſterſhire* was oblig'd to furnish 60 Beeves, 60 Hogs, 2 fat Boars, 60 Sheep, all alive; 3000 Capons and Hens, and 40 Gammons of Bacon; and other Counties in proportion, which were all to be brought to *Windsor*, and delivered to the Constable of the Castle, on pain of incurring the King's Displeasure.

P. 34. HERE we have a Memorandum of the Day, when King *Edward* arriv'd at *Dover*, and of that also on which he was crown'd.

P. 49. THERE's an Act in 1275, the third Year of this Reign, by which Sir *John Bohun* and his Lady resign to King *Edward* the Serjeantship of his Chapel, and the Office call'd *Officium Spigornellorum*, of which I know not what to make. *Du Cange* speaks of it, but he does not explain it to my liking; for he only quotes a Passage which seems to import that it was an Office belonging to the King's Chapel. Sir *Henry Spelman* mentions also in his Glossary, the word *Spigurnelli*, and quotes a Passage or two where 'tis us'd, but he does not say what it was *.

ANNO 1277, King *Edward* writes to his Chief Justice in *Ireland*, that 8000 Marks were offer'd him to establish the *English* Laws in that Country; and that he consents to it, because, says he, those which the *Irish* make use of, are abominable in the sight of God, and by consequence ought not to be deem'd Laws. Mean time he orders him to get in the Money with all the dispatch possible.

Irish offer a great Sum to K. Edward to establish the English *Laws among 'em.* P. 78.

IN 1278, *Alexander* King of *Scotland* being upon a Journey to *England*, King *Edward* orders all the Bailiffs to take care that Provisions be sold to him at the Market price. Such a Precaution is often wanted elsewhere, especially in *Holland*. P. 124.

IT appears that the Kings of *England* formerly permitted Duels between private Persons.

Duels permitted by the Kings of England. P. 56, 157.

'TIS recorded that *Guildhall*, now the Town-house of *London*, belong'd in the Year 1280 to *German* Merchants.

Guildhall *to whom it belong'd formerly.*

WE find, that formerly Wolves came down from the Mountains of *Wales*, which infested the neighbouring Counties of *England*; for in the Year 1281, King *Edward* gave a Commission to one *Peter Corbet*, to destroy all the Wolves he could find in the Counties bordering upon *Wales*. P 161.

An Order to destroy Wolves. P. 168.

HERE we have another Memorandum of the Day on which King *Edward* landed at *Dover*, when he return'd from *France* in 1289, after 3 Years stay in that Kingdom. P. 417.

IN 1297, there's an Act wherein King *Edward* excuses himself to his Subjects, for loading them with heavy Taxes; and tells them the reason why he took away the Offices of Constable and Grand Marshal from *Humphry Bohun*, and *Hugh Bigot*, in order to obviate the Reports which were spread abroad; that he did it because those Lords had made some Remonstrances to the King for the publick benefit of the Nation. P. 783.

IN 1298, we find a Commission from King *Edward*, to enquire into his Subjects Grievances, with a design to redress them. P. 813.

IN 1307, King *Edward* made *Gaveston* a Favourite of his Son *Edward* take an Oath never to set foot again in *England*; and compell'd his Son *Edward* to take another Oath never to recall him. This Act may be of some use to refer to in the following Reign.

Pierce Gaveston's *Banishment.* P. 1043.

THIS King *Edward* died the 7th of *July* 1307, of which here is a Memorandum.

K. Edward's *Death.* P. 1059.

BY a Grant pass'd in 1281, it appears that the High-Priest, or Head of the *Jews* Synagogue at *London*, was appointed

The Jews *banished.*

* This was the Office for sealing the King's Writs, so called from *Galfridus Spigurnel*, who was appointed to the Office by King *Henry* III.

FOEDERA Tom. II.

by the King. In this Reign the Jews were all drove out of *England* *.

EDWARD I.

VI. *Affairs betwixt King* Edward *and the Popes.*

IN this Tome there's a great number of Letters from *Edward* to the Popes, and likewise of Bulls from the Popes to the King. The Subject of most of those Bulls and Letters, was an Expedition which *Edward* pretended he would make into the *Holy-Land*, that he might obtain leave to raise the Tenths upon the Clergy of his Kingdom, as well as on those of *Scotland* and *Ireland*: He endeavoured to amuse the Popes with this pretence, during the whole Course of his Reign. The Popes, who were afraid of being bubbled, were willing enough to grant an Order for levying the Tenths; but they insisted that the King should first of all take the Cross upon him for the Holy War, and then they would consent that he should receive a part of the Tenths so rais'd, on condition that the rest should remain in the hands of their Commissioners, to be disposed of according to their discretion, and always under the specious Pretext of the Holy War; but this was what King *Edward* would by no means consent to. If the Clergy of *England* were to be ruined, he was resolved that no body should be the better for it but himself; and this sort of Game was carry'd on to the very end of his Reign. Sometimes the King and the Pope were good Friends upon this Subject, and at other times as much at variance: However it was, 'tis plain, by the History of this Prince, that after he came back from *Palestine*, he never intended, in good earnest, to go thither again.

Bulls and Letters betwixt King Edward *and the Popes.*

THE Bulls and Letters betwixt the Popes and King *Edward*, upon this Subject, are to be found in these Pages, 119, 122, 202, 235, 259, 273, 316, 321, 323, 341, 413, 432, 459, 460, 475, 495, 499, 501, 509 to 523, 872, 876, 915, 968, 1006, 1036, 1039.

Pope's Receipts for the Tribute from England. *P.* 107, 267, 280.

IT appears by several Acquittances of the Popes, inserted in this Collection, that King *Edward* punctually paid them that annual Tribute, for which King *John* engaged himself to the See of *Rome* †. Indeed he once made an Attempt to alter the Nature of this Tribute, by proposing to the Pope to assign the Revenues of certain Abbeys in his Kingdom for the Payment of it; but the latter would not consent to it. P. 121.

AMONG others, here is a Bull of Pope *Gregory*, exhorting King *Edward* not to meddle with the Revenues of the Churches vacant in *Gascoigne*, in the Year 1274. P. 36.

AND in 1279, *Edward* on his part intreats Pope *Nicholas* not to usurp the Privileges of *England*. P. 130.

IN 1282, King *Edward* forbids his Subjects to export the Money, rais'd for the Service of the *Holy-Land*, out of the Kingdom. 'Tis not improbable that the Pope had a design to lay hands on it. P. 201.

IN 1284, Pope *Martin* IV. issued a Bull for absolving King *Edward* of all Crimes which he had committed, as well during the Barons War in the Reign of his Father, as in the War against *Wales*. P. 272.

IN 1289, Pope *Nicholas* IV. issued a Bull for abrogating the Custom in *Scotland* of refusing to admit Foreigners into their Monasteries; and denying them, if not the Habits, at least the Honours of their Orders. P. 417.

NEXT Year King *Edward* complained to the Pope, of the Abuses committed by the Court of *Rome* in *England*, in Collations to Churches: and there's a Letter of the like nature from the Nobility. P. 493.

THE Pope's Answer, inserted in the next Page, is perfectly shuffling; and several Acts testify that the Popes continued their old Pranks. P. 494.

IN 1296, Pope *Boniface* VIII. issued a Bull, forbidding the Clergy to pay any Tax to their Princes without his leave ‖. The Clergy of *England*, thinking this Bull a sufficient Warrant for them to refuse the King the Money which he demanded, were outlaw'd: which made them comply. P. 706.

NEXT Year, King *Edward* having caus'd some private Persons Corn to be seiz'd, forbad P. 787.

* Dr. *Kennet*, in his Notes upon Mr. *Daniel's* History of this Reign, after having observed that their High-Priest was confirmed in his Office by the King, says, the Jews came in with *William the Conqueror*, and were settled in certain Streets by themselves in *London*, of which *Old-Jewry* was the chief; and that being always hated by the People for their Extortion and Usury, they were rather tolerated than loved by our Kings, because they now and then fleeced them: but now they were grown so intolerable by their Witchcraft, Poisoning, clipping of Money, counterfeiting Hands and Seals, crucifying of Children privately, and cruel Usury, that nothing would satisfy the People but the utter extirpating them out of the Kingdom; to which King *Edward* did not very unwillingly consent, because they were allowed to carry nothing away with them, except some small matter to bear their Charges, and so left him a vast Treasure. They went most of them into *Italy* and *Germany*. Dr. *Howel* says, 297 Jews were executed at *London* at one time, for defacing this King's Coin.

† Here Mr. *Rapin* seems to question the Truth of a Quotation from *Coke's* Institute, Fol. 13. inserted in the Memorial presented by the *English* Protestants to the Prince and Princess of *Orange*; which asserts, That King *Edward* I. refused this Tribute to Pope *Gregory* X. This Memorial was published in *Holland*, and suppos'd to be written by Dr. *Burnet*, afterwards Bishop of *Sarum*. Vide *Collection of State-Tracts in King* William's *Reign*, Vol. I.

‖ This Bull is inserted likewise in *Fox's Martyrology*, fol. 320. And the same Author tells us, That not long after, at a Parliament at *St. Edmondsbury*, an Eighth being granted to King *Edward* of all Cities and Boroughs, the Clergy, by reason of this Bull, stood out stoutly, and refused to pay a Farthing; and that insisting still upon the same, in the next Parliament at *London*, the King was so offended, that he declared them *out of his Protection*, and that they should have no Benefit of his Laws: and *justly* too, says our Author; for why should they that will contribute nothing to the Support of the Government, expect any advantage by it? As for *Pecham* the Archbishop of *Canterbury*, who was the Ringleader of the Nonsolvents, the King caused all his Goods to be seized; which so terrify'd the rest of the Clergy, that they freely contributed a Fifth of their Goods to his Majesty's Use, and so were received into favour.

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bad the Archbiſhop of *Canterbury* to excommunicate his Officers that made the Seizure. And as 'tis probable that Prelate threatned them, notwithſtanding the King's Prohibition, we find in the very next page an Order from his Majeſty, to commit to Priſon all Perſons that ſhou'd dare to publiſh the Excommunication.

P. 989, 1002, 1020, 1021.

We find afterwards, that King *Edward* complain'd againſt that Archbiſhop to the Pope, and that at laſt he caus'd him to be ſuſpended.

P. 844.

In 1299, Pope *Boniface* iſſu'd a very haughty Bull, wherein he ſets himſelf up for Judge of the Controverſy betwixt the King of *England* and the *Scots*: and not content with ordering *Edward* to ſend his Ambaſſadors to *Rome*, there to ſee the Determination of the Affair, he begins with a flat Lye; for he ſays, That 'tis publickly notorious that *Scotland has at all times been a Fief of the Church.* 'Tis from this Bull that I took ſome of the Arguments which I have brought elſewhere againſt *Edward*'s Sovereignty over *Scotland*, in which point 'tis probable *Boniface* had been inſtructed by the *Scots*.

P. 873, 883.

To this there's a ſmart Anſwer from the *Engliſh* Nobility *, and the King return'd another every whit as ſharp, with a Writing inclos'd, in which he aſſerted his Sovereignty over *Scotlond*, from the Proofs contain'd in the Paper preſented to the *Scots*, as abovementioned: all the difference is, that in this he traces the Sovereignty of *England* over *Scotland* farther back, *viz.* from *Brutus* the firſt fabulous King of *Britain*; whereas in the former, he goes no higher than *Athelſtan*, one of the *Saxon* Kings. He knew very well that the Pope would not trouble himſelf to examine all thoſe Facts. In 1306, the King ſent a Letter to the ſaid Pope, wherein he prays him not to uſurp the Rights of the Crown of *England*.

P. 1016.

VII. *Acts relating immediately to* Edward I.

P. 290.

In the Year 1284, *Philip* Count of *Savoy* granted Letters Patent, by which he conferr'd a Right on King *Edward* to nominate his Succeſſor to the ſaid County.

King Edward *matches his Children.*

Ganday, in the Life of *Alphonſo* II. King of *Arragon*, ſays, That he might well be call'd the *Chaſte*, becauſe he was never marry'd: *Y dignamente ſe puede cognominar el Caſto, porque toda ſua vida vivio en caſtidad, ſin caſarſe jamas.* 'Tis true indeed, that he was never marry'd, or rather, that he did not conſummate his Marriage; but it was not his fault. We find in this Tome, that his Father *Peter* had agreed to a Match propos'd for him with the Princeſs *Eleanor*, the eldeſt Daughter of King *Edward*, *Anno* 1273. And his Agreement was confirm'd in 1281, by a Letter from King *Edward* to his Ambaſſadors, by the full Powers he gave them the Year following, and by Conventions that were paſs'd that ſame Year betwixt the two Kings. In 1287, King *Edward* promis'd by his Letters Patent to have the Marriage conſummat ed; but ſome Obſtacles retarded the Princeſs's being ſent into *Arragon*, and *Alphonſo* died before ſhe arriv'd †.

P. 14. P. 173. P. 187. P. 210. P. 349.

In 1273, we find alſo King *Edward*'s agreement to a Treaty of Marriage (during his firſt Voyage to *Guyenne*) betwixt his eldeſt Son *Henry*, and *Joan* the ſole Daughter and Heireſs of *Henry* King of *Navarre*; but the young Prince died before he came of Age to be marry'd.

P. 18.

Again in 1276, we find a Marriage concluded between *Hartman* Son of the Emperor *Rodolph*, and *Edward*'s ſecond Daughter *Joan*, but the Conſummation of it was prevented by *Hartman*'s Death. There's a great number of Pieces relating to this Marriage, in this ſecond Tome of the *Fœdera*.

P. 70.

Here are alſo ſeveral Acts relating to a Marriage propos'd *A. D.* 1281, between *Alphonſo* Son of King *Edward*, and *Margaret* the Daughter of *Florence*, Count of *Holland*; but the young Prince died at the Age of twelve.

P. 175.

It would be needleſs to make mention here of all the numerous Acts which relate to the Marriages, or Propoſals of Marriages of the other Daughters of King *Edward*, or of his own with *Margaret* of *France*, and that of *Edward* his Son with *Iſabella* Daughter of *Philip de Valois*, in purſuance of the Treaty of *Monſtreuil*.

King Edward *challeng'd to a Tournament*

The *Engliſh* Hiſtorians ſay, that King *Edward* paſſing into *Burgundy*, in his Return from the *Holy-Land*, was challeng'd by *John de Chalon* ‡ to a Tournament in that Province; that he accepted the Challenge, and that the *Burgundians* having play'd him an ill-natur'd Trick, the Tournament was chang'd into a real Combate, which was call'd the Skirmiſh of *Chalon*, in which King *Edward* had the advantage. Here are two Bulls of Pope *Gregory* X. ‖ who was then at *Lyons*, in which he exhorts King *Edward* not to be preſent at a *Tournament, which was to be in* France; which Bulls ſeem to have a regard to this Tournament of *Chalon*, only a Perplexity ariſes from the Difference of Dates, the Bull being dated in the middle of the Year 1274, whereas *Edward* in his Return from *Paleſtine* muſt have enter'd *Burgundy* in 1273; ſo that 'tis very probable the Hiſtorians have miſtaken the Time.

P. 29, 30. *Pope endeavours to diſſuade him from accepting it.*

VIII.

* Dr. *Howel*, in his *Medulla Hiſtoriæ Anglicanæ*, has given the Names of all the Subſcribers, to the number of a hundred Peers, which he calls *a Liſt of thoſe worthy Patriots who withſtood Papal Uſurpation.*

† This was *Alphonſo* III. who, ſay the *Spaniſh* Hiſtorians, drove the *Moors* out of *Majorca* and *Minorca*, but was deſpiſed by his Subjects, becauſe of a ſcandalous Treaty he made with the Pope and the King of *Naples*: he died of the Plague.

‡ Dr. *Kennet* calls him the Count *de Chalons*.

‖ This Pope was choſe while he was in *Syria* with King *Edward*, after the Chair had been vacant almoſt three Years; wherefore to prevent the Inconveniences of ſuch tedious Elections for the future, in a Council held at *Lyons* in 1273, they contrived and ſettled the Form of the Conclaves.

FOEDERA Tom. II.

VIII. *Acts relating to different Affairs.*

EDWARD I.

IT is agreed both by *French* and *Engliſh* Hiſtorians, that when *Edward* return'd from the *Holy-Land*, he went firſt to *Guyenne* in order to be recogniz'd by the *Gaſcons*; and that *Gaſton* Viſcount *de Bearn* refuſing to pay him Homage, he was ſent for to *Bourdeaux*, where he was arreſted, and at laſt compelled to pay the Homage demanded. 'Tis ſurprizing, that of ſuch a number of Acts in this Collection relating to *Gaſton de Bearn*, there is not one touching this Homage, but only about ſome Diſputes betwixt him and King *Edward*, in which the Vaſſalage of *Gaſton* is evidently ſuppos'd. For example, in 1273 *Gaſton* engages himſelf not to leave the King of *England*'s Court without his Conſent, on pain of loſing the Lands which he holds of him. This Dependance is farther ſuppoſed in one other Act of that Year, and in ſhort in all the reſt relating to *Edward*'s Differences with this Nobleman. 'Tis true, that in *pag.* 16. we find King *Edward* complaining that *Gaſton* had not obey'd a Summons that was ſent to him; but it does not follow from thence that he diſputed the Homage which he owed to King *Edward*. Yet this is what *Mezeray* aſſerts poſitively, and probably he had his Authorities for it; but however it was, 'tis ſtrange that in none of the Acts of this Tome relating to this *Gaſton*, (ſpecify'd in the Margin) there is any mention of the Homage which 'tis pretended he refuſed.

Gaſton de Bearn's *Homage to King* Edward. *P.* 3.

P. 13. *P.* 14. *P.* 16. *P.* 25. *P.* 28. *P.* 93, 94. *P.* 106, 107.

P. 185, 188, 189, 192, 193, 197, 1068, 1069, *and* 1077.

IN the Year above-mentioned, we have the Proceſs of Pope *Gregory* X. againſt *Guy de Montfort*, Son to *Simon* the late Earl of *Leiceſter*, for having murdered in the Church of *Viterbo*, *Henry* Son to *Richard*, King of the *Romans*, and Earl of *Cornwal*. This was done at the Sollicitation of this King *Edward*, Couſin to the ſaid *Henry*, who, during his Stay at *Rome*, in his Return from the *Holy-Land*, obtain'd the Condemnation of the Murderers. As for the Conſequences of this Affair, which is in itſelf of ſmall importance, ſee the Pages in the Margin.

P. 17, 143, 144, 145, 156, 178.

AS in the firſt Tome of the *Fœdera*, we find that the Earls of *Flanders* paid Homage to the Kings of *England* merely for Penſions; ſo we ſee the ſame thing in this with reſpect to the Courts of *Savoy*, *Burgundy*, and *Kaſenellebogen* in *Germany*. All the difference is, that the latter mortgaged ſome of their Lands, which they owned they held in Fief of the King of *England*, on the Payment of a Penſion agreed on betwixt them.

P. 1, &c. Tom. 1.

P. 12, 41, 56, 162, 663.

THE famous Civilian *Francis Accurſius*, Profeſſor at *Bologna*, was in the Service of King *Edward*, who made uſe of him upon ſeveral Occaſions, and eſpecially in his Affair with the above-mentioned *Gaſton de Bearn*. He likewiſe ſent him to the Court of *France* to ſupport his Intereſts in the general Aſſembly of the States of that Kingdom, and gave him an annual Penſion.

P. 4, 25, 28, 37, 50, 52, 125, 180, 496.

THIS Extract is ſufficient to ſhew of what great uſe the Acts contained in the ſecond Tome of the *Fœdera* may be to all that have a mind to write the Hiſtory of *England*, or of the Countries with which it has had any diſpute. Tho' ſome of the Acts may appear of leſs Importance than the others, nevertheleſs the Collector was certainly in the right not to omit them, becauſe 'tis difficult to foreſee all the Occaſions for which any one of the Acts may be wanted *.

We

* It may not be improper to conclude this Reign with the general Character Mr. *Rymer* has given of it, in the Dedication of this ſecond Tome to the late Queen *Anne*.

" This ſecond Tome, *ſays he*, gives a View of what paſs'd worthy of Memory during the Reign of your " moſt noble Progenitor King *Edward* the Firſt, a Prince the *moſt Renowned for Arms* in that Age.

" And *that* this was an Age of much War and Action, and of many famous Captains; among others *Albert* " *the Great*, Duke of *Brunſwick*; *William the Great*, Marquis of *Montferrat*; *Amadeus the Great*, Count of " *Savoy*; three of King *Edward*'s neareſt Kindred, and his Familiars: each of whom by their ſignal Conduct " and Bravery had the Title *Great* added for their Surname." *Thus far* Mr. *Rymer*.

As to the firſt of theſe Heroes, he was the ſecond Son and Succeſſor to that *Otho*, who according to Mr. *Diſney*'s Genealogy of this Family was created Duke of *Brunſwick* and *Lunenburg* in 1235. by the Emperor *Frederick* II. whoſe Diploma is ſtill in the Archives of *Zell*. This *Albert* marry'd *Adelheid*, Daughter to *Henry* the *Magnanimous*, Duke of *Brabant*, whoſe Portion was to be paid by *Henry* III. King of *England*, who adviſ'd him to the Match; as appears by a Letter at the end of this Tome, *p.* 1063. amongſt the *Acts omitted*, from the Dutcheſs herſelf to King *Edward*, wherein after congratulating him upon his Succeſs in the *Holy-Land*, and upon his Return from thence, and his Coronation, ſhe puts him in mind of the Portion which his Father had promis'd her with his Conſent; and *A. D.* 1280, after the Death of her Husband the Duke, ſhe wrote to him again, *p.* 1076. deſiring he wou'd take her Sons into his Protection. 'Tis obſervable, that in theſe Letters ſhe calls herſelf *Adelheid*, ſo that there muſt be a Miſtake both in Mr. *Diſney*, and the *Atlas Hiſtorique*, who make *Adelheid* Daughter to the Marquis of *Montferrat*, *Albert*'s ſecond Wife, and the Mother of his Sons: And the Author of the Hiſtory of the Houſe of *Brunſwick-Lunenburg*, printed at *London* in 1715, muſt alſo be miſtaken in calling her *Elizabeth*, ſince the contrary appears by her Letters in the Appendix to his Book; and p. 40. of the Book itſelf, where he calls her *Adelhaiza*, and ſays ſhe was Queen *Leonora*'s Couſin, and marry'd in *England*. 'Tis farther obſervable, that this *Albert* her Husband muſt have had *Bremen*, for there's a Letter of his *p.* 1065. in 1276. to King *Edward* I. in behalf of the Townſmen whom he calls his Subjects, there being then a Controverſy betwixt them and the *Londoners* about Trade. The *Atlas Hiſtorique* adds, that *Albert* made War upon *Gerrard* Archbiſhop of *Mentz*, and *Conrad* Count of *Eberſtein*, that he took them both Priſoners, and ordered the latter to be hung up by the Feet. He died afterwards of a Wound he receiv'd in Battle againſt the Marquis of *Miſnia* in 1279, having had Iſſue ſix Sons and a Daughter.

The ſame Author gives the following Account of the laſt of theſe Heroes, *viz.* *Amadeus* V. He defeated the Count of *Geneva* and Dauphin of *Vienne*, who made War upon him. He join'd with *Albert* of *Auſtria* againſt *Adolph*, who diſputed the Empire, and went afterward to aſſiſt King *Edward* I. againſt the *Scots*. He was ſucceſsful againſt the Marquiſſes of *Montferrat* and *Saluſſes*. Having made Peace betwixt the King of *France* and the Count of *Flanders*, he went with a powerful Fleet to aſſiſt the Knights of St. *John* of *Jeruſalem*, againſt the *Turks*, whom he defeated, took their Admiral, kill'd their Commander, ſunk moſt of their Brigantines and Galleys; and

by

FOEDERA Tom. III. *We come now to give an Account of the* Third Volume *of the* Fœdera, *which Mr.* Rapin, *in order to communicate a more perfect Idea of the general Uſefulneſs of that noble* Collection *of* Records *than yet he had done, introduces after this manner.* EDWARD II.

AS every one of the numerous Letters, Treaties, Proclamations, Memorials, Patents, and other Pieces of that kind, relating to the *Engliſh* Hiſtory, which are inſerted in the *Fœdera*, bear the Dates not only of the Year, but of the Month and Day, there's no room to doubt but thoſe Dates muſt be of very great Uſe to illuſtrate Facts, and explain Paſſages even the moſt obſcure and perplexing. As we find that the Diſcovery of one ſingle Letter in a Cypher, leads us to find out a ſecond, and theſe to a third; juſt ſo the Date of an Act, be it of ever ſo little Importance, helps us very often to range a Fact of more Conſequence, in its due Place and Order. But what renders this Collection ſtill more valuable, is, that it mentions the Dates of Place as well as Time, which is of no little Service to the Reader, becauſe he is thereby enabled as it were to trace the Prince from one Place to another, from the beginning to the very end of his Reign.

BEFORE I had duly conſider'd this Advantage, I thought with myſelf that Mr. *Rymer* was a little to blame, and wonder'd that he ſhou'd ſwell his Collection with a very great Number of Pieces, which at firſt View ſeem'd to be of little conſequence, if not altogether unneceſſary; but after maturer Reflection, I am convinc'd that there is not one Piece in the *Fœdera* but may be of Uſe, eſpecially to ſuch as would write the Hiſtory of *England*.

THE Hiſtory of *France* is capable likewiſe of receiving great Lights from it, by reaſon of the Connection it has with the Hiſtory of *England*, on account of the Affairs that have been frequently tranſacted between theſe two Kingdoms in particular. For my own part I have diſcovered that the beſt Hiſtorians of *France* may be often improv'd by the help of this Collection.

I ſay the ſame thing of the Hiſtory of *Scotland*, the Hiſtorians of that Country having err'd many times in Dates, and even in Facts, as I could eaſily inſtance more than once in *Buchanan*.

THE Affairs which *England* had from time to time with the Princes of the *Netherlands*, occaſion'd the inſerting of ſome Pieces in this Collection, which probably never came from the Archives of thoſe Princes; ſuch as Letters, Treaties, and other Things which may be uſeful for the Hiſtory of thoſe Provinces.

WE need only look back to the firſt and ſecond Tomes of this Collection, to be convinced how the Hiſtory of *Sicily* may be illuſtrated with a great number of Particulars there mention'd, of which one does not ſee the leaſt Trace in the Hiſtorians either of *Sicily* or *Naples* *.

THE Hiſtories of *Caſtile*, *Arragon*, and *Portugal*, may alſo be furniſhed from this Collection with certain Facts that were not known to their beſt Hiſtorians, or elſe were never well explain'd; of this we had an Inſtance in the ſecond Tome, with reſpect to the Duel intended betwixt the Kings of *Arragon* and *Sicily* †.

Thoſe who undertake to write the Lives of the Popes, may alſo find in it the Popes Briefs or Bulls, and the Letters to them from the Kings of *England*; which, beſides the particular Facts they contain, may be of vaſt help to them, were it only for the exactneſs of the Dates.

IN ſhort, private Perſons may here find Circumſtances they knew nothing of before, relating to their Families, or the Perſons of their Anceſtors, which is no little Satisfaction; tho' indeed 'tis what ſcarce any will be the better for, but the *Engliſh* and the *Gaſcons*: I ſay, *Gaſcons*, becauſe *Guyenne* having been for a long time under the Dominion of the Kings of *England*, there's a multitude of Pieces in the *Fœdera* which relate to that Province.

'TIS plain therefore that this Collection is of vaſt uſe to thoſe who apply to the ſtudy of Hiſtory, and particularly that of *England*; for which reaſon ſuch can never enough extol the Bounty of thoſe Monarchs who made them ſo valuable a Preſent, or the Worth of thoſe Noblemen who procured it. If all other Nations wou'd follow this Example, one might have a Hiſtory of the ſeveral States of *Europe*, at leaſt as to what relates to the ſeven laſt Centuries, as perfect as cou'd be wiſh'd ‖.

AFTER

by this famous Victory ſaved the Iſle of *Rhodes*, when it was juſt ready to ſurrender to the *Turks*. He had the Town of *Aſt* from the Emperor *Henry* VII. and was his Vicar in *Italy*. Thoſe of *Bern* and *Geneva* ſubmitted to him, and he was ſucceſsful over the *Dauphin* and ſeveral other Princes. When the Emperor *Henry* VIII. died, he was unanimouſly choſe at *Piſa* by the *Italians*, who prayed him to mount the imperial Throne; but he wou'd not accept it, and died in 1323, after having made thirty two Sieges, and very much enlarg'd the Domain of *Savoy*.

* Vide p. 59 *and* 60 *of* Acta Regia. † *See* p. 80, 81, &c. *of* Acta Regia.

‖ When Mr *Rymer* waited on her late Majeſty with his third Tome, he addreſs'd her with a Dedication ſo deſcriptive of the Reign it refers to, that we cannot help quoting a part of it as a neceſſary Preface to Mr. *Rapin's* Account which follows it.

"In this *Tome* you preſent the World with the *Acts of State* in the Reign of King *Edward* II. in a very nice "Juncture, or Time of great Struggling and Difficulty, of great Trouble and Diſorder all *Europe* over; your three "Kingdoms had each their ſhare, and drank deep of the bitter Cup.—In this the darkeſt Period of Time, from "your Royal Archives you ſet up as it were a *Pillar of Fire*, for the Direction of Travellers in their way to Truth; "and with an unparallel'd Bounty give out, and make ſuch Proviſion, that in this uncultivated, in this ſo barren "Tract, in this very *Deſart*, the Curious want not for their Entertainment, not to ſay their *Quails* and their *Manna*.

FOEDERA Tom. III.

AFTER these Remarks on the *Fœdera*, in general, 'tis time now to proceed to the 3d Tome, in particular, which takes in the first sixteen Years of the Reign of *Edward* II. The Method observed by the Collector in ranging all the Acts according to their Dates, tho' upon different Subjects, is somewhat confounding to such as have not the Events to which those Acts relate, fresh in their Memory. To remedy this Inconvenience in some measure, and to give a more distinct Idea of the most important Articles in the third Tome, I will range the whole under four Heads, which take in the chief Contents of this Tome.

I. THE domestic Troubles of *England* upon the account of *Gaveston*, and the *Spensers*, who were King *Edward* II*d's* Favourites.

II. THE Transactions betwixt this Prince and *Scotland*, which are a Continuation of the Account taken from the second Tome.

III. THE Disputes with the Court of *Rome*, and other Ecclesiastical Affairs.

IV. THE Affair of the Knights Templars, whose Order was abolish'd in this Reign.

ARTICLE I.

The Domestic Troubles of England.

King Edward *II's Character.*

EDWARD II. was a weak Prince, of a mean Genius, who engag'd rashly in Affairs, without considering the Consequences, and without the necessary Abilities to extricate himself out of the Difficulties into which he plung'd. His excessive Attachment to *Gaveston*, a Gentleman of *Gascoigne*, to whom he entirely abandon'd himself, and upon whom he heap'd his Favours without measure, embroil'd him with the most considerable Lords of the Kingdom, who united together to ruin the Favourite. In short, they demanded his Removal, and the King promis'd it, but afterwards did all that was in his power to be excus'd from his Engagement: and when he cou'd not come off any other way, he found means to turn his Favourite's Banishment to his Advantage, by making him Governor of *Ireland*; an Expedient with which the Nobility wou'd however have been well satisfy'd, if his extreme Fondness for *Gaveston* had not induc'd him to recall him almost as soon as he had sent him over; and not only so, but to bring him to a Tournament, where that imprudent Favourite eclips'd all the other Lords by the Splendor of his Equipage, and the numerous Train of Gentlemen who attended him, both as his Companions and Guards. The Nobility finding themselves deceiv'd by the King, took new measures. Being assembled in Parliament, they presented a Petition to him, setting forth in plain Terms that the State and his Household were both so ill govern'd, that there was a necessity of a proper Regulation; and therefore they pray'd him to let them chuse a certain number of Persons who might be impower'd to make Rules for better governing the State and the King's Household, and to cause the same to be duly observ'd. *Edward* being in no condition to resist them, granted what he did not dare to refuse: whereupon the said Commissioners, of whom *Thomas* Earl of *Lancaster* was Chief, were chose, and went by the Name of *Ordainers*. They made a Regulation, and had the necessary Powers from the King and Parliament, to cause it to be observ'd. There was no mention in it of *Gaveston*; but the *Ordainers* seeing that the King continu'd to heap his Favours upon him, made a new Regulation containing 41 Articles, by one of which *Gaveston* was condemn'd to perpetual Banishment, and the King was oblig'd to conform to it.

EDWARD II.

History of his Favourite Gaveston.

Insurrection of the Barons.

This Prince had scarce given Consent to the Exile of his Favourite, but he repented of it, and re-call'd him without saying any thing to the *Ordainers*; which made the Barons rise. They took Arms ‖, and march'd with the Earl of *Lancaster* at their head towards *York*, where the King then was, in order to force him to deliver up *Gaveston*. Upon the Report of their coming, *Edward* retired to *Newcastle*; but when he heard that the Barons Army was advancing that way, he thought it unsafe to stay there any longer; and being more in pain for his Favourite than for himself, he quitted that Town and carried him to *Scarborough* Castle, then the strongest Place in all the *North*, where he left him and went himself for *Warwick*, intending to assemble an Army there to oppose the Barons. The latter arrived at *Newcastle* the very day that the

"Amongst the Negotiations in this Book publish'd, may be noted, that during the most unprosperous and disastrous Administration, amidst the greatest Confusion, and dismal Jumble of Affairs (so it pleased Almighty Providence) an Alliance was contracted with *William the Third*, surnam'd the *Good* *, Count of *Holland*, whereby those Measures were concerted, which in the next succeeding Reign carried the *English* Arms into *France* to *Cressy* and to *Poictiers*; and thence brought the *French* King from the Field of Battle into this your Kingdom captive."

‖ Dr. *Kennet* in his Notes upon Mr. *Daniel's* History of this Reign says, that the BISHOPS were such zealous Confederates in this Action, that the Archbishop of *Canterbury* excommunicated *Walter* Bishop of *Coventry*, because out of a loyal Principle he refused to join with them.

* *He was the second Earl of* Hainault, *that was stiled Earl of* Holland, Zealand *and* Friesland; *which Provinces, according to* Guicciardine's *History of the* Netherlands, *fell to his Father by Marriage. This was a gallant Prince, and for his Piety, Justice, and Mildness, had the Surname of* Good; *as his Brother* John, *who was kill'd by the* Flemings, *was for his contrary Temper surnamed the* Merciless. *In his Reign* Holland *was afflicted with a Plague and Famine, which destroy'd many of their People. In* 1328, Philip *of* France, *by the assistance of this Earl, obtain'd a great Victory over the* Flemings *at* Mount-Cassel, *where they lost* 10000 *Men. There's a memorable Story of an Act of Justice done by this good Earl not long before his Death upon the Bailiff of* South-Holland, *who had taken away a poor Man's Cow (he refusing to sell her because she gave Milk enough to subsist his Family) and sent him another in exchange, that was not to compare with her. The Earl commanded the Bailiff in the first place for the wrong done to the Countryman, to pay him* 100 *Crowns, and afterwards for the Injury done to himself and his Government, to be beheaded. He reigned* 33 *Years, and had by his Wife* Jane *of* Valois, 3 *Sons,* William, Lewis *and* John, *with* 4 *Daughters,* Margaret *Dutchess of* Bavaria *and Empress,* Joan *Countess of* Juliers, Philippa *Queen of* England, *and* Elizabeth. *He advis'd his Son* William *upon his Death-bed to maintain Peace with his Neighbours, and lay no grievous Impositions on his Subjects.*——*See the* Atlas Historique.

FOEDERA Tom. III.

the King left it; and after pillaging his Moveables and Baggage, sent a Detachment to besiege *Scarborough*. The Earl of *Pembroke*, who had the Care of this Siege, carried it on with so much Vigour, that *Gaveston* was obliged to capitulate *, on condition he might have leave to speak with the King, and be tried according to the Laws and Customs of the Realm. The Confederate Lords were not very well satisfy'd with this Capitulation; but the Earl of *Pembroke* having engaged upon his Honour to carry *Gaveston* to the King, and afterward to bring him back to the Lords, they at length consented, notwithstanding the opposition made by the Earl of *Warwick*, and some others. As the Earl of *Pembroke* was upon the Road with his Prisoner, the Earl of *Warwick* hearing that *Gaveston* was in a Castle where there was not Accommodation for *Pembroke*, went thither in the Night, forc'd the Guard, took and carried the Prisoner to his own Castle of *Warwick*, and there cut off his Head †.

Gaveston's tragical Exit.

Peace betwixt the King and the Barons.

How nettled soever *Edward* was by the Affront which he had received, he was again obliged to sue to the Barons for a Peace, by the Mediation of two of the Pope's Legates, who happen'd to be in *England*. By the Agreement which was concluded not long after, the Lords engag'd to make the King publick satisfaction, and to restore all the Plunder carried off from *Newcastle*, together with the Jewels taken from *Gaveston*. And the King, on his part, promised to grant an ample Amnesty to the Barons, and all their Adherents. The Barons executed their part speedily, and *bonâ fide*; but the King delay'd almost a Year before he publish'd the promis'd Pardon; which made the Lords so diffident of him, that the Troubles would have broke out afresh, if *Edward*'s Father-in-Law, the King of *France*, had not sent his Brother, the Count *d'Evreux*, into *England*, along with *Enguerrand de Marigny*, who obtained of the King, that the Amnesty should be publish'd.

So much for the First Part of the domestic Troubles, which ended in *October* 1313: They were indeed attended with some Consequence in the following Years, to 1318; but 'tis not worth while to insist upon it.

The History of the Spensers.

In the Year 1314, fresh Troubles arose between the King and his Nobles, upon account of a new Favourite, *viz. Hugh Spenser*, who made the same ill use of his Favour, as *Gaveston* had done before: He got his Father *Hugh* to be made Earl of *Winchester*; and they two governed the whole Kingdom, *Edward* blindly approving every thing they did. The Earl of *Lancaster*, who after his Reconciliation with the King, received a terrible Affront from that Prince, made the great favour of the *Spensers*, a Pretext to renew the Confederacy of the Barons: He rais'd Troops, and caused the Lands of the said Favourites to be wasted by *Roger Mortimer*, jun. who committed as much Spoil on them as amounted to 60000 *l.* Sterling. This done, the Lords publickly demanded the Banishment of the *Spensers*, which the King did not dare to refuse, when he saw that the Commons of *England* took their part. *Spenser* jun. was carried to *Dover*, and there put on board a Ship ‡, the Father being at that time absent from the Realm about the King's Affairs. This Prince now found himself in a very miserable plight, being forced to receive Law from his own Subjects, and not knowing which way to extricate himself from such a State of Slavery; but at last a new Affront which the King received from one of the Confederate Lords, drove his Patience to its Extremity, and made him resolve to shake off a Yoke so disagreeable.

Another Revolt of the Barons.

King Edward's Queen grossly affronted. P. 897.

His Queen intending a Progress to *Canterbury*, order'd her Officers to provide a Night's Lodging for her upon the Road, at a Place call'd *Leeds-Castle*, belonging to *Bartholomew Badlesmere*, one of the Confederate Lords; but ‖ the Governor of the Castle deny'd Entrance to the Queen's Servants, some of whom were kill'd: Upon which her Majesty complain'd of it to *Badlesmere*; but he had the Insolence to approve of the Governor's Action, and to say, *That he had done nothing but by his Orders*. *Edward* cou'd not stomach such a gross Affront as this was; but rais'd Troops, went and besieg'd *Leeds-Castle*, and hung up the Governor. And having this Power in his hands, he laid hold of the Opportunity, and crush'd the Confederate Lords, without giving them time to look about; so that after having got most of their Castles in his own hands, they were glad to submit to his Will and Pleasure; and then he made no scruple to recall the *Spensers* to Court.

The Submission of the Barons.

Earl of Lancaster's Rebellion and Death.

The Earl of *Lancaster*, who was afraid to trust the King, rais'd Troops in his own defence; but being abandon'd by most of his Friends, he was not in a condition to make head against him, which made him resolve to withdraw to the *North*, and join the *Scots*, who had promis'd him Assistance. The King pursued him; and as the Earl, to avoid a Battle with him, endeavour'd to force the passage of a Bridge which was kept by *Harclay* **, he was taken Prisoner and carried to *Pontefract*, where the King took off his Head. This Lord, who was King *Henry* the

* Dr. *Brady* affirms, upon a Record in the *Tower* which he mentions in his Appendix to his *Comp. Hist.* that *Gaveston* did not surrender to the Earl of *Pembroke*, but to the Lord *Piercy*; and this is confirm'd by an Act in the 3d Tome of the *Fœdera*, p. 334.

† Dr. *Kennet* says, this was done on the 19th of *June*, 1312.

‡ *Adam Murymuth* in his History of this King, in *Magdalen* College Library, *Oxon*, writes, that the younger *Spenser* turn'd Pirate, and robb'd all the Merchant Ships he cou'd meet with.

‖ *Thomas Culpeper*.

** Sir *Andrew Harclay*, Constable of *Carlisle*.

FOEDERA Tom. III.

the Third's Grandſon, was cried up for a Martyr by the Populace, and was afterwards canoniz'd for a Saint in the Reign of *Richard* II. ††

THIS is the Sum and Subſtance of the Acts of this Tome, which relate to the domeſtick Troubles of *England*, as far as comes within the firſt ſixteen Years of the Reign of *Edward* II. the four others being referred to the fourth Tome of the *Fœdera*.

AMONG all theſe Pieces, which are very numerous, I ſhall but barely point out the chief that have a relation to the Events above-mentioned.

Edward's Gifts to Gaveſton. P. 1, and 87, 136, 164.

IN this third Tome of the *Fœdera*, we have the great Gifts which *Edward* made to *Gaveſton*, particularly the Earldom of *Cornwall*, the City of *Exeter*, and fifteen other Territories or Caſtles; which made him in an inſtant the greateſt Lord in the Kingdom.

THE firſt of thoſe Acts is dated from *Dumfrize* in *Scotland*, the 5th of *Auguſt* 1307, *viz.* a Month after the Death of *Edward* I. who had baniſhed *Gaveſton* but a little while before, and made his Son take an Oath that he would never recall him.

He makes him Guardian of the Kingdom. P. 47.

HERE is alſo a Patent conſtituting *Gaveſton, Cuſtos Regni*; that is to ſay, Guardian of the Kingdom during the King's Abſence in *France*, whither he went to conſummate his Marriage with *Iſabel*, Daughter of *Philip the Fair* *.

A Miſtake in our Engliſh *Hiſtorians rectified.*

I have taken particular notice of this Act, to ſhew the Error of moſt Hiſtorians †, who affirm, that *Gaveſton* accompanied the King into *France*; and, in particular, of Father *Orleans*, who ſays, that the firſt time the King ſaw *Gaveſton* after his Baniſhment, was at *Bologne*: Which cannot be, for he was then *Cuſtos*, or Guardian of the Kingdom; and, in the *Fœdera*, there are ſeveral Orders ſign'd by him in that quality during the King's Abſence, with this Subſcription, *Teſte* Gaveſton.

P. 57.

IN a Memorandum relating to the Coronation of *Edward* II. we find that *Gaveſton* carried St. *Edward*'s Crown at that Solemnity ‡.

P. 63.

IT was not long after, that the Lords demanded that *Gaveſton* might be baniſh'd; and here are the King's Letters Patent dated at *Weſtminſter*, *May* 18. 1308, in which he

P. 80.

engaged, that he ſhould be out of the Kingdom by the Feaſt of St. *John the Baptiſt* next enſuing. EDWARD II.

ON the 7th of *June* following, *Gaveſton* and his Wife, who was the King's Niece ‖‖, received a Preſent from that Prince which was worth 3000 Marks a-year, in Caſtles, Lands, and Tenements ‖‡. *P. 87.*

AND on the 16th of the ſame Month, he made him Governor of *Ireland* **. *P. 92.*

AFTER *Gaveſton*'s Return, we find that the King conferr'd many Grants upon him ‖. *P. 136, 164.*

THE firſt Regulation made by the Ordainers, is dated at *Weſtminſter*, *March* 16. 1310 *‡. *P. 204.*

THE ſecond Regulation they made conſiſting of forty-one Articles, one of which ſentenced *Gaveſton* to perpetual Baniſhment, is not to be met with here: but there are ſome Acts afterwards, which ſeem to confirm that there was ſuch a Regulation; and probably it was made in the Year 1311.

WE find afterwards a Protection for *Gaveſton*'s coming to Court, by the King's Order, dated *Oct.* 8. 1311, at *London*. *P. 278.*

THE Lords complaining of his being recalled, he lurk'd about *incog.* and the King was forced to grant a Warrant for diſcovering and apprehending him; 'tis dated at *Weſtminſter*, *Nov.* 30. 1311. *P. 294.*

THE King recall'd him again, and ſent an Order to all the Sheriffs, to make Proclamation in their reſpective Counties, that he look'd upon *Gaveſton* as a Loyal Subject: 'Tis dated *Jan.* 18. 1312, at *York*. *P. 298.*

AFTER this Favourite was beheaded, the King iſſued an Order for apprehending of thoſe who were guilty of his Death: 'Tis dated *July* 31. 1312, at *London*. *P. 334.*

Gaveſton's immenſe Wealth in Jewels. P. 388, &c.

AN Accommodation being made between the King and the Lords, towards the end of that Year, the Lords reſtor'd the Jewels, *&c.* that were taken from *Gaveſton*; which, according to the Liſt given of them in above five Pages, and the Weight and Price therewith mark'd, were very great both in Number and Value, and it appears that many of them belong'd to the King or the Crown ‖*.

AFTER this, we meet with two Amneſties, the one for thoſe who had favour'd *Gaveſton*'s Return, and the other for the Confederate Lords, to the Number of 468; each of which had a particular Pardon *P. 442, 443.*

to

†† The People flock'd in Pilgrimage to his Tomb at *Pontefract*; and after the *Spenſers* had got the King to order a Guard to prevent their coming, they did it privately. In the next Reign, a Church was built over his Tomb, and Queen *Iſabel* wrote to the Pope, to juſtify the Miracles done there, and to deſire his Canonization; which was granted *A. D.* 1389. An Honour, which indeed he deſerv'd much more than any of his Countrymen, who had acquir'd it ſince the Conqueſt; for if the Love of his Country may be call'd Piety, he was truly, and unalterably, a pious Man. *Dr.* Kennet's *Notes on Mr.* Daniel.

* 'Tis ſign'd by the King at *Weſtminſter*, *Dec.* 26. 1307.

† This is an Error which has eſcap'd the Correction of the Learned Annotator upon Mr. *Daniel's* Hiſtory of this Reign, as well as of Dr. *Howel*, and other celebrated Hiſtorians.

‡ It was perform'd *Feb.* 25, 1307-8. Thomas Wike's *Chron.*

‖‖ She was the Daughter of *Joanna* of *Acres*, Siſter of *Gilbert* Earl of *Gloceſter*, who was againſt the Match, according to *Kennet* upon *Daniel*; but his Notes upon that Hiſtory differ from the *Fœdera*, both in her Name, and in the Date of her Marriage, *October* being miſtaken for *June*, and *Joanna* for *Margaret*.

‖‡ The Grant is dated at *Langelye*.

** By Letters Patent dated at *Reading*.

‖ One of the Patents for this Purpoſe is dated at *Weſtminſter*, *May* 15, 1309. Another, the 28th of *Auguſt* following.

*‡ Mr. *Rapin* has miſtaken it; 'tis dated at *Northampton* the ſecond of *Auguſt*.

‖* The Acquittance, or Royal Receipt for them, is dated *Feb.* 27. 1313, at *Windſor*.

2

Foedera Tom. III.

to himself, Word for Word the same with the rest: They are dated *Oct.* 16, 1313, at *Westminster*.

Thereby an End was put to the first Troubles of this Reign.

p. 866, 867.

As for the last Period of Troubles, we find certain Orders made by the King, to enquire into and suppress the Confederacies which were form'd at *London* and elsewhere, against the *Spensers*: They are dated at *Westminster*, *Jan.* 14, and 30, 1321.

Parliament's Resolution against the Spensers. p. 891.

On the 20th of *August*, 1321, we have the King's Letters Patent, containing the Resolution of the Parliament at *Westminster* against the *Spensers*.

p. 897.

On the 16th of *October* following, there's the Letter from *Edward*, dated in the *Tower* of *London*, giving an Account of the (above-mention'd) Affront put upon his Queen at *Leeds* Castle, and the insolent Answer of *Eadlesmere*.

p. 898.

There's a Proclamation of the same Date, giving Notice that the King did not raise Troops to make War against his Subjects, but only to punish the Governour of *Leeds* Castle.

p. 907.

The Recalls of the *Spensers* are dated *Dec.* 8, at *Westminster*, and *Dec.* 26, at *Cirencester*.

p. 936, &c.

The Trial and Condemnation of the Earl of *Lancaster* at *Pontefract* is dated *May* 2, 1322, at *York*.

p. 1033.

There's a Letter from *Edward* to the Bishop of *London*, ordering him to put a stop to the Devotion the People paid to the Picture of the Earl of *Lancaster*, which was hung up with many others in St. *Paul*'s Church: 'Tis dated *June* 28, 1323, at *York*.

These being the chief Acts which are contain'd in the Collection under this Head, I leave the rest, for fear of dwelling too long upon this Article, and proceed to

Article II.

Of the Affairs of Scotland.

The Death of King *Edward* I. was the Preservation of *Scotland*; for after he had already conquer'd that Kingdom three times, he return'd thither with an absolute Intention to put it out of the Power of that Nation to revolt a fourth time; but Death prevented the Execution of his Designs. That was the Affair he had most at Heart during his whole Reign, and what he most vigorously recommended to his Successor: But *Edward* II. was otherwise dispos'd; for about a Month after the Death of his Father, he quitted *Scotland*, into which he was advanc'd as far as *Dumfriez*, and leaving his Army in the hands of *Cumin*, a *Scotsman*, he return'd into *England*, to consummate his Marriage, and be crown'd. In 1308, *Robert Bruce*, the new King of *Scotland*, being dangerously ill, *Cumin* took that Opportunity, and advanc'd to attack him. *Robert*, sick as he was, stood his Ground, beat him, and drove him out of the Kingdom. *Edward Bruce*, his Brother, won another Victory likewise, in the County of *Galway*, which put the Affairs of the *Scots* in a very good Situation. Edward II.

Cumin *defeated by* Bruce.

The King of *England* return'd into *Scotland* next Year with a powerful Army, but for want of having concerted proper Measures to subsist it, he was oblig'd to return without striking a Blow.

Bruce *enters* England;

In the Years 1310 and 1311, *Robert* enter'd *England* several times, and carried off great Booty.

Returns and takes Towns in Scotland.

In 1312, he took *Perth* alias *St. John's Town*, *Dumfriez*, *Lanerk*, *Roxburgh*, and at last *Edinburgh*; while *Edward* was so harrass'd with domestick Broils, that he was not in a Condition to oppose his Progress.

In 1313, he caus'd the strong Town of *Sterling* to be besieg'd by *Edward* his Brother; the Governour of which, after a brave Defence, capitulated, and promis'd to surrender the Place if it was not reliev'd in a Year; that is to say, before the Feast of St. *John Baptist* in the Year following.

Defeats King Edward *at* Sterling.

In 1314, *Edward* put himself at the Head of an Army of 100,000 Men, in order to go and raise the Siege, but was beat by *Robert*, and lost 50,000 Men, if we may believe the *Scots* Historians; after which time the *English* generally acted defensively *.

His Brother's Success in Ireland.

In 1315, *Robert* sent his Brother to *Ireland*, to support the Natives who had rebell'd against *Edward*; and his Brother made such a Progress there, that he was at length crown'd: But after having liv'd in that Island almost three Years, he was kill'd there in Battle, at a time when *Robert* was hastening to his Assistance.

In 1317, Pope *John* XXII. sent Legates into *England*, to make a Peace betwixt the two Kings, and by his single Authority caus'd a Truce to be proclaim'd for two Years; but *Robert*, who was never once consulted about it, made a Jest of the Pope's Proclamation, and took *Ber-*

* Dr. *Kennet*, in his Remarks upon Mr. *Daniel*'s History of this Reign, says, this was call'd the Battle of *Bannockbourn* (on the Banks of which River 'twas fought the 25th of *June*, 1314.) and is remark'd by our Historians as a Divine Punishment of the Lewdness and Excesses of the *English* Army, who spent the Night before the Battle in Drunkenness and Intemperance; but as a Reward of the Piety of the *Scots*, who enter'd upon it with solemn Confessions, and receiving the Sacrament; wherefore God gave them such a miraculous Victory, as so few Hands, without a special Assistance of God, could not have effected. —— Dr. *Howel* says also, that the *English* in this Expedition had adorn'd themselves as for a Triumph, with all sorts of Riches, Gold, Silver, and the like, in a kind of wanton manner, corresponding to the Prince they follow'd.

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wick, for which the Legates excommunicated him.

IN 1318, he was oblig'd to paſs over into *Ireland*, to relieve his Brother, whom he found there dead. The King of *England* took the Opportunity of his Abſence to beſiege *Berwick*; and while he was employ'd in that Siege, the Earl of *Murray*, General of *Scotland*, enter'd *England* at another Place, and defeated the Militia of *Yorkſhire*, conſiſting of Ten thouſand Men, which oblig'd the King of *England* to raiſe the Siege of *Berwick*.

General Murray's *Expedition to* England.

THE Year 1319 was ſpent almoſt entirely in Negotiations, which were follow'd with a Truce for two Years.

Truces betwixt the two Nations.

AT the expiration of the ſaid Truce, in the beginning of the Year 1322, the *Scots* enter'd *England*, and carry'd off great Booty.

AT length, in *May* 1323, a Truce was concluded betwixt the two Nations for thirteen Years.

THESE Matters are the Subject of the Acts of this third Volume relating to *Scotland*.

THO' there's no expreſs mention in thoſe Acts of the Loſſes ſuſtain'd by the *Engliſh*, yet there are ſeveral which manifeſtly imply that they were very great; as for inſtance, *Orders* repeated every Year *for raiſing Troops*, and to prepare Armies againſt *Scotland*; which is a ſign that the Affairs of the *Engliſh* in that Country were not in the moſt flouriſhing ſtate; for 'tis ſaid in moſt of thoſe Orders, that it was to *repel* the *Scots*. One of the moſt expreſs Acts, which ſuppoſes the Loſs of the Battle at *Sterling*, is a Commiſſion to the Earl of *Pembroke*, to take upon him the Command of the Army; which Commiſſion, it muſt be obſerv'd, is dated at *York*, *Aug.* 10, 1314. The King's Words are theſe, *Ad refrænandam Scotorum inimicorum & rebellium noſtrorum obſtinatam malitiam, qui flagitiis per ipſos in terra noſtra Scotiæ, ac in propinquis finibus Regni noſtri Angliæ, diverſimode perpetratis, non contenti, ipſum Regnum jam hoſtiliter, in noſtri, ac omnium Fidelium noſtrorum dedecus, opprobrium & diſpendium, ſunt ingreſſi, ibidem homicidia, deprædationes, incendia, ſacrilegia, & mala innumerabilia committendo:* i. e. To reſtrain the obſtinate Malice of our rebellious Enemies the *Scots*, who not content with the flagrant Acts of various kinds by them committed in our Kingdom of *Scotland*, and on the Borders of our Kingdom of *England*, have now, to the Diſhonour, Reproach, and Damage of us and our good Subjects, enter'd this very Kingdom in a hoſtile manner, committing Murders, Depredations, Burnings, Sacrileges, and other Evils without number. By the Capitulation of *Sterling*, that Place was to be either

Edward's *Commiſſion to the Earl of* Pembroke. p. 491.

relievd or ſurrender'd before the 24th of *June*, 1314. *Edward* enter'd *Scotland* with a powerful Army to relieve it; nevertheleſs we find the *Scots* ravaging the *Engliſh* Borders upon the 10th of *Auguſt* following; an evident Proof that they had defeated and drove the *Engliſh* back.

EDWARD II.

I paſs over a great many Acts of leſs importance, to come to what is moſt curious upon this Article, and that is, to ſhew the Partiality with which Pope *John* XXII. acted againſt *Robert Bruce*. The Particulars which this Collection contains upon this Subject, are ſuch as perhaps are not eaſily to be met with elſewhere; and therefore I ſhall give a ſhort Hiſtory of it.

The Pope's Partiality againſt Robert Bruce.

KING *Edward*, who long'd mightily to put an end to the War with *Scotland* by a Truce, or by a Peace, as the Acts of this Collection abundantly manifeſt, had engag'd Pope *John* XXII. in his Intereſts, who for his ſake undertook to compel *Robert* to make a Peace with *England*. For this purpoſe he ſent over two Legates furniſh'd with ſeveral Bulls, the firſt of which being dated at *Avignon* in *Jan.* 1317, order'd a Truce of two Years between both Nations, *by vertue of the Authority* conferr'd on the Prince of the Apoſtles and his Succeſſors, as Vicegerents of the King of Peace, to procure a Peace throughout *Chriſtendom*, and to cauſe it to be punctually obſerv'd. The ſecond Bull, dated the 16th of *April*, impower'd the two Cardinals, *Gaucelin* and *Luke*, who had the Titles of St. *Marcellin* and St. *Mary*, to make a Peace between *Edward* King of *England*, and *Robert Bruce*, who aſſum'd the Title of King of *Scotland*. This Commiſſion was as ample as it could well be, for it not only gave them a Power to regulate the Conditions of the Peace as they thought fit, but it alſo authoriz'd them to force the two Parties into it, with their Subjects and Adherents, whether Clergy or Laity, of what Quality ſoever, by Suſpenſions, Excommunications, Deprivation of their Privileges, and of the Right of making Wills, or of ſucceeding to Eſtates, even tho' *Edward* or *Robert* ſhould obtain of the Holy See the Privilege of being exempted from all Excommunication.

p. 594. p. 613.

THE Pope knew very well that *Edward* would make no ſcruple to ſubmit to an Authority ſo extraordinary, and that he would be glad of a Peace, or a Truce upon any Terms whatſoever; therefore by a third Bull of the ſame Date with the ſecond, he gave a Power to the Legates to excommunicate *Robert Bruce*.

p. 614.

IN a few days after, he diſpatch'd three other Bulls, the firſt of which excommunicated all the Enemies of the King of *England*; the ſecond being directed to the Archbiſhops of *Dublin* and *Caſſels*, permitted them to excommunicate *Robert* and

p. 619. p. 620.

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Edward Bruce, who had invaded *Ireland*; and the third was againſt the Friars Mendicant of *Ireland*, who by their Intrigues and Preachments favour'd the Invaſion of *Edward Bruce*.

THESE were the Meaſures by which the Pope endeavour'd to procure a Peace between *England* and *Scotland*, not in quality of Mediator, for *Robert* had never own'd him for ſuch, but *by the Fulneſs of his Apoſtolical Power*; as if he had been born the Judge and Sovereign Magiſtrate of Chriſtian Princes.

THE other Acts relating to this Affair, ſhew that *Robert* refus'd to ſubmit to the Authority of the Legates, that he deny'd them admiſſion into his Dominions, and that he would not ſo much as return an Anſwer to the Pope's Letters, on pretence that the Pope did not own his Title of King; and that, in ſhort, he laugh'd at the pretended Truce which the Legates had proclaim'd in *England*, by making no ſcruple to beſiege and take *Berwick* that very Year. *Robert*'s Diſobedience provok'd the Pope to order his Legates to make uſe of the Authority they had received from him to excommunicate the ſaid Prince, of whom he ſpeaks in theſe Words, [a] *Ipſe vero intelligere nolens ut bene ageret, ſed aures ſuas, more aſpidis ſurdæ, ne audiret vocem Patris ſapienter exhortantis, obturans; quaſi de impenſa à nobis ſuper hiis benignitate, ſuperbiæ concepiſſe videatur audaciam, iniquitatem, de exhibita ſibi per Apoſtolicam ſedem manſuetudine, non abſque ingratitudinis vitio parturivit, contemnens ipſas noſtras recipere Literas, per Nuncios ipſos eidem oblatas.——Ne non fore poſſet ambiguum, quicquid malignitatis in hac parte conceperit, licet Treugæ prædictæ per vos, vel alium, ſeu alios de Mandato noſtro per Angliam ſolemniter publicatæ fuiſſent, ita quod veriſimiliter potuerat ad ejus notitiam hujuſmodi publicatio perveniſſet, ne lateret eum cominùs poſitum quod aliis eminùs conſtitutis non credebatur occultum: Ipſe tamen Treugas iſtas, non abſque multa inſolentiæ temeritate & plectibili noſtro & ſedis prædictæ contemptu, ſpretâque ſententiâ antedictâ obſervare contempſit, villam Berewici nequiter invadens.* i. e. But he refuſing good Inſtruction, like the deaf Adder, ſtopp'd his Ears, that he might not hear the Voice of his Father wiſely exhorting him; and as if our Good-Will towards him had made him proud and inſolent, he wickedly and ungratefully abus'd the Favour offer'd him from the Apoſtolical See, diſdaining to receive our Letters when brought to him by the Nuncios themſelves. And as a plain Indication of his malign Diſpoſition, altho' the aforeſaid Truces were by our Command publiſh'd in a ſolemn manner by you and others throughout *England*, ſo that the Publication thereof could hardly fail of coming to his Ears, unleſs it could be imagin'd that he who was nigh at hand was ignorant of what could not be ſuppos'd to be a Secret to thoſe afar off, nevertheleſs the ſaid *Robert* with daring Inſolence, in contempt of us and the See aforeſaid, and alſo of the Sentence aforeſaid, hath ſcorn'd to obſerve the ſaid Truces, and wickedly invaded the Town of *Berwick*, &c.

EDWARD II.

Pope's Excommunication of Robert Bruce. p. 707. p. 711.

MEAN time the Pope ſeeing that *Robert* deſpis'd all his Thunder-bolts, was not willing to expoſe his Authority to any further Contempt, and therefore recall'd his Legates.

IT appears from ſeveral Paſſages, that during the two Years Truce, which was at length agreed to about the end of the Year 1319, *Robert* ſollicited his Abſolution, of which the Pope gave Advice to *Edward*, by a Letter dated in *September* 1320 from *Avignon*, to this Effect. p. 848. "That he had appointed a certain time "for *Robert* to appear before him in Per"ſon, or by Proxy; and that not having "done either, the Pope had renew'd the "Sentence of Excommunication againſt "him, and put *Scotland* under an Inter"dict; but that at the Prayer of the *Scots* "Ambaſſadors, he had ſuſpended the Ef"fects of it."

'TIS very probable, as *Buchanan* poſitively aſſerts, that *Robert* had obtain'd the Pope's Promiſe, that the Excommunication and Interdict ſhould both be taken off; for we find by the reſt of theſe Acts, that the Pope, inſtead of acting authoritatively and imperiouſly as before, offer'd to be a Mediator between the two Kings, and p. 846. that he exhorted the King of *England* to p. 860. Peace.

THE laſt Act we find in this Volume relating to *Scotland*, is the Truce of thirteen Years, which was made the 30th of *May* 1323. [b] In this Treaty, the Title of King is not given to *Robert*; but that Prince's Ratification of it, dated the 7th of *June* following at *Berwick* upon *Tweed*, begins with theſe Words, *Robert Bruce*, &c. and ends with theſe, *We* Robert *King of* Scotland *aforeſaid*.

Truce of 13 *Years with* Scotland. p. 1022. p. 1030.

IT is plain from diverſe Paſſages, that *Elizabeth*, *Robert Bruce*'s Wife, was detain'd Priſoner in *England*, from the beginning of *Edward*'s Reign, 'till *July* 1314 at leaſt, as appears from ſeveral Orders made for removing her from one Priſon to another, 'till at laſt, in *July* aforeſaid, *Edward* caus'd her to be brought

[a] In his Bull dated *July* 4, 1318, from *Avignon*. [b] At *Thorp*, near *York*.

before

FOEDERA Tom. III. p. 489.

before him at *York*. This was done in all likelihood to restore her to her Husband, for there is no mention of her afterwards. It seems that *Edward* allow'd her but twenty Shillings a Week for her Maintenance. [a]

THE Countess *Isabella*, Wife to *John* Earl of *Boghan*, whom *Edward* I. had confin'd in a Cage for assisting at the Coronation of *Robert Bruce*, was deliver'd out of it by *Edward* II. and committed to the Custody of *Henry de Beaumont*. [b]

ARTICLE III. *Affairs Ecclesiastical.*

KING *Edward* II. had not those notable Disputes with the Court of *Rome*, which were the occasion of so much Disturbance in *England* during the Reigns of King *Henry* II. and King *John*; but there was the same Cause for a Quarrel with that Court in this Reign, as in theirs. Tho' the two Kings I have now mention'd were brought under subjection to the Popes, one may venture to say that the Kingdom of *England* was not, but always preserv'd its Prerogatives without ever abandoning them; and the several Accommodations that were made between the Popes of *Rome* and the Kings of *England*, were never approv'd by the Kingdom, and in Consequence the *English* always kept up their Pretensions: Which will not seem strange to those who know the Constitution of the *English* Government. It is certain that the Parliament never fail'd to defend the Rights both of the Laity and Clergy, upon all occasions that offer'd; and if they did not act always with the same Vigour, it was because the *English*, when they lost their King *John*, had the misfortune to fall into a weak and impotent Reign, under a King who was a Minor at first in Age, and always in Understanding, and who ran headlong as one may say into the Pope's Clutches, instead of making any Efforts to stop what the *English* look'd upon as Usurpations of the Court of *Rome*. The King I mean was *Henry* III. His Successor *Edward* I. having been both an Eye-Witness, and an Agent in the Troubles which had disturb'd the Reign of his Father, was afraid of renewing them, by giving a handle to the Popes to meddle with the Affairs of his Kingdom, and to support the Malecontents. It may be said therefore that the Controversies between the *English* and the Court of *Rome*, were rather hush'd than determin'd by that scandalous Accommodation which King *John* made with Pope *Innocent*; and that neither the Lords nor Commons did in the least imagine that their Rights were forfeited by the superior Force which oblig'd *John* to take that step, or by the Complaisance of *Henry* III. for the Pope, or by the Moderation of *Edward* I. Nor did they fail upon proper occasions to make the Court of *Rome* sensible that they were not in a Humour to suffer themselves to be robb'd of their Privileges, tho' in good truth the Opposition which they made to the Enterprizes of that Court from time to time, seem'd to be rather a precaution to avoid Prescription, than a formal Resistance: Which made the Popes always gain ground. EDWARD II.

THIS was the state of Affairs when *Edward* II. came to the Crown. The Popes undertook from time to time to confer Benefices, and even Bishopricks, contrary to the Right of Patrons and Chapters, and very seldom troubled themselves to ask the Consent of the King, who insisted nevertheless that his Approbation was necessary, before a Bishop could be put in possession of the Temporalities. The Popes cited Clergymen to their Court, in spite of the King's Prohibition, and would not suffer them to be tried by the Laity, notwithstanding all the Protestations that both the King and Parliament could make upon that Head. They frequently sent over Nuncios and Legates vested with such a prodigious share of Power, as swallow'd up all the Authority of the two Archbishops. This is not a place to examine which of the two had Right on their side, whether the Pope or the *English*; it being sufficient to observe here, that it was a perpetual subject of Disputes and Quarrels between *England* and the Court of *Rome*. But the Court of *Rome* had a great Advantage over the other, in that it acted always uniformly and consistently; whereas *England* being govern'd by Rulers whose Interests were sometimes different from those of the State, was always a Loser by the Cowardice, by the Complaisance, and sometimes by the private Interests of its King. This is a general View of the Subject of the Acts of this Volume, that relate to the Affairs of the Church, out of which I shall only select three Articles, upon which this Volume furnishes some Particulars. 1. The Disposal of Benefices. 2. Ecclesiastical Jurisdiction. 3. Personal Citations to the Court of *Rome*, or before the Pope's Delegates. *Incroachments of the Court of Rome.*

As to the Disposal of Benefices, this Collection abounds with Complaints made by the Kings of *England* upon this Article, setting forth that the Popes very of-

p. 385. p. 401. [a] As appears by his Warrant directed to the Sheriff of *Somerset* and *Dorset*, and dated at *Windsor* in *February* 1313, when she was a Prisoner at *Shaftsbury*. [b] By vertue of the King's Warrant, dated *April* 28, 1313, at *Westminster*, and directed to the Constable of *Berwick Castle*.

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ten injur'd the Rights, not only of private Patrons, but of the King himſelf. The Popes on their part were no leſs perſuaded that they had an extraordinary Right to the diſpoſal of Benefices, when the Good of the Church requir'd it, of which they pretended to be the ſole Judges. And as if this had not been a Reaſon ſufficient, they did not fail to back their Pretenſion with other Pleas, which ſeem'd rather to hurt their Cauſe than ſtrengthen it.

Popes Preſentations to Benefices, in violation of the Rights of Patronage, &c.

FOR Example, They had made a Decree, that when a Biſhop happen'd to die at their Court, it was their Prerogative to diſpoſe of the vacant See. And it was upon this Foundation that *Clement* V. diſpos'd of the Archbiſhoprick of *Armagh* in *Ireland*. In like manner when a Biſhop reſign'd his Biſhoprick to the Pope, the latter never fail'd to fill the See vacant by ſuch Reſignation, as that very Pope did in the caſe of the Archbiſhoprick of *Dublin*. Sometimes the Pope reſerv'd to himſelf before-hand, the diſpoſal of a Biſhoprick when it ſhould come to be vacant. Thus *Clement* diſpos'd of the Archbiſhoprick of *Canterbury* in favour of *Walter Raynold* Biſhop of *Worceſter*, tho' the Prior and Chapter had canonically elected *Thomas Cobham*, a Prebendary of *York*, whoſe Election was therefore made void. *Non perſonæ dicti Thomæ vitio*, ſaid the Pope, *ſed utpote poſt Reformationem, & Decretum prædicta attemptatam*, i. e. Not for any perſonal Fault in the ſaid *Thomas*, but becauſe it was undertaken after the Reform and Decree aforeſaid.

p. 13.

p. 273.

p. 439.

As to inferior Benefices, the Popes never wanted a Pretext to confer them, and often produc'd no other Reaſon for it, but their own Will and Pleaſure; which rais'd a great Clamour among the Patrons who had the Right of Preſentation. Beſides the Pretences juſt mentioned, that of the Vacancy of the See on which the vacant Benefices depended, was one of the chief; and foraſmuch as the See was look'd upon to be vacant 'till the Pope had confirm'd the Perſon elected, there was often a great Interval of Time between the Death of a Biſhop, and the Confirmation of his Succeſſor, which gave the Pope an opportunity to confer the Benefices that happen'd to become vacant in ſuch Biſhoprick, on whom he thought fit.

Benefices given by the Popes to Aliens.

BUT what moſt of all provok'd the *Engliſh* was, to ſee that very often the Pope gratify'd Foreigners * with thoſe Benefices, ſometimes Cardinals, or others who ſuck'd the Revenues thereof without exerciſing the Functions, and who moreover perpetually plagu'd thoſe who had a Dependance upon them, by the Credit which they had with the Pope, and by Citations and Appeals to his Court. For Example, the Deanery of St. *Paul's* in *London*, was conferr'd by the Pope upon the Cardinal *de St. Marcel*, Archbiſhop of *Bourdeaux*, tho' it is a Benefice which abſolutely requir'd Reſidence. a

* BY an Inquiſition taken of this matter in 1253, it appear'd that the Eccleſiaſtical Revenues in *England*, enjoy'd by Aliens, of whom many were Boys, and more Dunces, amounted to no leſs than 70,000 Marks a Year, which was then reckon'd a greater Revenue than that of the King; which occaſion'd the ſharp Letter of *Robert Groſthead* to the Pope, and the Pope's diſdainful Reception of it, related at large by *Matt. Paris*.

AT a Parliament held *Anno* 1379, (*Rot. Parl. Ang.* 3 Rich. II.) great Complaint was made of Foreigners holding Eccleſiaſtical Benefices; many Cardinals at *Rome* having the beſt Promotions and Livings conferred on them, or granted to hold in *Commendam*, of which there are Catalogues yet extant. (Acts and Monum. *Tom.* 1. *f.* 589.) And from hence many Miſchiefs aroſe; as little or no Divine Service, or Inſtruction of the People: No Hoſpitality kept for relief of the Poor: Decay of Houſes, and Increaſe of Barbariſm; ſo that between the *Italian* Hoſpitality, which none could ever ſee, and a little Latin Service, which few, or none could underſtand, the poor *Engliſh* were ill fed, but worſe taught: And laſtly, the exhauſting the Wealth of the Land, to the impoveriſhing of the People, and weakning of the King and Kingdom, in caſe of Invaſion or any Attempts againſt them.

'TIS memorable alſo, that in the Reigns of *Henry* VII. and VIII. the Biſhoprick of *Worceſter* had four *Italians* ſucceſſively that never liv'd there, whoſe Names we find in *Godwin de Præſulibus Angliæ*. And ſuch prevalence had the Popes and Cardinals in this matter, that once King *Edward* I. having promis'd the Cardinal Biſhop of *Sabina*, at his Inſtance, to preſent one *Nivianus* an *Italian*, his Chamberlain, to a Benefice in *Lincolnſhire*, then in his Gift by the Death of another *Italian*, the Pope's Chaplain, and forgetting his Promiſe, preſented his own Clerk to it; but being reminded of his Promiſe, he revok'd his firſt Preſentation in favour of *Nivianus*, as appears by his Patent for that Purpoſe, ſtill preſerv'd among our Records (Pat. 25. E. I. m. 16. *De Præſentatione pro M. Antonio de Nivians.*) Matt. Paris *An.* 1240, *f.* 540, ſays, that while *Rubeus* and *Ruffinus*, two of the Pope's Factors, were buſy in *England*, collecting Money for the Pope, one *Mumelinus* comes from *Rome* with 24 *Italians*, and Orders to admit them to ſo many of the beſt Benefices as ſhould next become void; and that in the ſame Year, the Pope made an agreement with the People of *Rome*, that if they would effectually aid him againſt the Emperor *Frederick*, their Children ſhould be put into all the vacant Benefices in *England*: And thereupon Orders were ſent to the Archbiſhop of *Canterbury*, and the Biſhops of *Lincoln* and *Salisbury*, to make Proviſion for three hundred *Romans* Children, to be ſerv'd of the next Benefices that ſhould fall; which, ſays the Hiſtorian, ſo aſtoniſh'd all that heard it, that it was fear'd they would have been drown'd in the Abyſs of Deſpair. And this made ſuch an Impreſſion on the Archbiſhop, being a tender-hearted Man, to ſee the Church in that manner wounded, and ſo much Evil in his Days, that he diſpos'd of his Affairs, and retir'd into *France*, where bewailing the deplorable ſtate of his Country, he died not long after of Grief at *Pontiniac*. See *Godwin* in this Archbiſhop's Life.

p. 134. a As appears by ſeveral Reaſons mention'd in a Letter here from King *Edward* to the ſaid Cardinal, dated at *Weſtminſter May* 12, 1309. perſuading him to relinquiſh it.

FOEDERA Tom. III.

IT had been no great matter if the Pope had only diſpos'd of *ſome* Benefices from time to time contrary to the Right of the Patrons; but this was not enough, he ſometimes challeng'd the Diſpoſal of *all*; of which we have two Examples in this Volume. The firſt is of *Clement* V. who gave the vacant Benefices in the Province of *York* to Cardinal *Ademar*, who had the Title of St. *Anaſtaſius*, on pretence of enabling him to ſupport his Dignity: And not long after, he likewiſe gave him all thoſe that became vacant in the Province of *Canterbury*: And becauſe the King had conferr'd two Prebends out of the number of thoſe Benefices ſo given by the Pope, and becauſe the Cardinal had been ſummon'd to Parliament, Pope *Clement* * wrote a very ſharp Letter to the King in *November* 1311, from *Avignon*, wherein he
p. 284. calls the two Incumbents *Sons of Perdition*; and complains that it was a palpable Affront to GOD to hinder the ſaid Cardinal from enjoying their Revenues.

POPE *John* XXII. † went farther ſtill; it was not enough for him to diſpoſe of Benefices when vacant, but he aim'd at the diſpoſal of thoſe that were not vacant by revoking all the Diſpenſations granted by his Predeceſſors for holding a plurality of Benefices, and reſerving to the Holy See the Diſpoſal of ſuch as ſhould become vacant by ſuch Revocation. Upon this, King *Edward* a wrote ſo ſharply to the Pope, that 'tis very probable the Pope let the Affair drop; at leaſt we find no more of it in this Collection.

IT would be too tedious in ſuch an Extract to ſet down all the Examples which this Third Tome of the *Fœdera* is capable of furniſhing upon the preſent Head; yet I muſt not forget to obſerve that the Pope never conferr'd a Biſhoprick under any of thoſe Pretexts I have mention'd, but the King oppos'd him vigorouſly to outward appearance, tho' I don't know one ſingle Inſtance of his carrying his Point: So that after having made a great Outcry, and wrote Letters upon Letters to the Pope, or to the Biſhop nominated, he was forced at laſt to truckle to the Pope's Authority. The whole Collection ſwarms with Complaints of this nature. It was *Edward* II. if I am not miſtaken, who, when he could not longer refuſe admiſſion to a Biſhop preſented by the Pope, was the firſt that hit upon the Expedient of obliging the Pope's Nominee to ſign an Act before a Notary Public, by which he renounc'd the Clauſe in the Bull that aſſign'd the Biſhoprick to him, and own'd that he held the ſame meerly of the King's Favour. Of this we have many Inſtances in the preſent Tome, in the Caſe of the Archbiſhops of *Canterbury*, *Dublin*, *Armagh*, and the Biſhop of *Wincheſter*. But the Pope, who would not ſeem to know any thing of theſe Renunciations, ſtill continued to put the Clauſe in his Bulls.

EDWARD II.

p. 465, 273, 13, and 827.

THE ſecond Article which relates to *Eccleſiaſtical Juriſdiction*, may be conſider'd with reſpect to the inferior Clergy, and with regard to Biſhops. As to the inferior Clergy, it does not appear that *Rome* acted with ſo much Vigour to maintain the Juriſdiction of the Eccleſiaſtical Court, as the Magiſtrates of *England* did to ſupport the Rights of the Kingdom. The reaſon of it was, becauſe that on thoſe Occaſions, the Pope had to do with the Officers of Juſtice, who could not excuſe themſelves from executing the Laws of the Realm made in Parliament, without running a riſque of being puniſh'd for their Negligence; whereas in the Caſe of Biſhops, the Pope had only to deal with the King, who was not under thoſe Reſtraints of Fear. And we find that the Court of *Rome* was never backward to hinder Biſhops from being proſecuted in the Temporal Courts. Of this we have ſome remarkable Inſtances in the preſent Reign, in the Caſe of the *Scots* Biſhops of *Glaſgow* and *St. Andrews*, who being taken in Arms by *Edward* I. were detain'd in Priſon till *Edward* II. after having ſtood out againſt the Pope's Remonſtrances a long time, was oblig'd to ſet them at liberty. The ſame thing happen'd in the Affair of the Biſhop of *Litchfield*, High Treaſurer in the Reign of *Edward* I. whom *Edward* II. had impriſon'd for Miſdemeanor; which tho' it was a Crime within the cogniſance of the Temporal Court, yet *Clement* V. pretended that the ſaid Biſhop could not be detain'd in the King's Priſons, by reaſon of his Character, and at laſt obliged *Edward* to releaſe him.

Eccleſiaſtical Juriſdiction.

p. 73, 98, 118, 121, &c. and 710.

AS to the third Article, *viz.* ‡ Perſonal Citations to the Court of *Rome*, or before Judges delegated by the Pope, the *Engliſh* Magiſtrates ſpar'd no Pains to ſtop the abuſe thereof; but do what they could, they were not able to influence the Clergy, who from the Motives of Religion, or other

Citations to the See of Rome.

* THIS Pope was ſwallow'd up in ſenſual Pleaſures, and ſo inſolent, that he made *Francis Dandalo* a Noble *Venetian*, who had offended him by his Fidelity to the Republick, lie under his Table like a Dog. This was the Pope that condemn'd the Knights Templars, and remov'd the See to *Avignon*, where it continu'd ſeventy Years, and was for that Reaſon call'd by the *Italians* the Babyloniſh Captivity.

† HE was Son to a Shoemaker, but a Man of great Wit and Learning; and when he died, which was in the 19th Year of his Pontificate, he left a greater Treaſure behind him than any of his Predeceſſors. See *Platina*, *Atlas Hiſtor.* and *Geog.*

p. 691. ‡ In a Letter dated from *Windſor January* 10, 1318, and ſign'd by the King and Council.

‡ THIS and the foregoing Article are amply diſcuſs'd by that Great Oracle of Law and Divinity, Father *Paul* the *Venetian*, in one of his excellent Treatiſes, intituled, *The Rights of Sovereigns.*

FOEDERA Tom. III.

Views, chose to obey the Command of the Pope, rather than the Laws of the Realm. This prov'd to be a Bone of perpetual Contention betwixt the two Courts: And in this Tome we find a great many Letters from the King to the Pope upon this Subject, with Orders to the Archbishops not to admit of such Citations. *Nos volentes*, says *Edward* in a Letter [a] to the Archbishops, &c. *hujusmodi dispendio & præjudicio, remedio quo poterimus obviare, & omnes jura coronæ nostræ impugnantium conatus illicitos refrænare, vobis omnibus & singulis mandamus, firmiter injugendo, ne prætextu alicujus Commissionis, aut Mandati vobis, aut alicui vestrum, per quemcumque facti, vel fiendi, quicquam in hac parte, per citationes, vel inductiones, aut alio quovis modo, nobis inconsultis, facere præsumatis:* i. e. We being inclin'd to obviate all Loss and Damage of that nature, by whatsoever Remedy is in our Power, and to check all the illegal Attempts of those who impugn the Rights of our Crown, do command and firmly enjoin all and every one of you, that under colour of any Commission or Mandate, given or to be given, to you or any of you, by any one whatsoever, ye do not presume to do any thing in this case by Citations or Persuasion, or by any other Means whatsoever, without advising with us. We find also that the Parliament which was held at *Stamford* in *August* 1309, order'd a vigorous Letter to be written to the Pope, to complain of these Grievances.

King's Letter to the Archbishops, &c. against them. p. 500.

Parliament's Letter to the Pope. p. 159.

'Tis plain that the Court of *Rome* paid little or no Regard to all the King was able to say or write. This Prince, who thought he stood in need of the Pope, did not reckon it good Policy to push things too far; of which that Court was very sensible, and made an Advantage: But whenever the Parliament interfer'd, they were more upon the reserve, and paid greater Respect to that Body than to the King. Therefore *Edward*, who perceiv'd the Difference, often rely'd much upon the Credit of the Parliament, that his Instances might have the greater Weight and Effect; of which we have diverse Instances in this Collection of Records. *Edward* writing to a certain Cardinal [b], tells him, *Quod si nos nollemus facere, illas defenderet Communitas Regni nostri, ut jus nostrum hæreditarium ac nostra Regiæ dignitatis: i. e.* Which if we refus'd to do, the Commons of our Realm would defend them, as our Hereditary Right and Royal Dignity. And upon another Occasion, the King writing to the Pope himself [c], says, *Advertentes, si placet, quod, etsi dicti Clerici nostri à Jure, sibi in hac parte quæsito, seu Prosecutione ejusdem desistere vellent, nihilominus jus nostrum prædictum, in personis aliorum (vinculo juramenti prædicti Nos artante, & Magnatum Regni nostri Consilio perurgente, qui, etiam nobis dissimulantibus, toto Nisu contradicerent) prosequi cogeremur:* i. e. Considering, with submission, that altho' our said Clergy were inclin'd to depart from their Right in this Cause, or to desist from the Prosecution of it, yet should we be compell'd to prosecute our Right aforesaid in the Persons of others; not only inasmuch as we are bound by our Oath aforesaid, but as we are strenuously urg'd to it by the Advice of our Nobles; who, were we even to dissemble, would do their utmost to oppose it.

p. 573.

p. 965.

EDWARD II.

As the *English* on the one hand complain'd of the Court of *Rome*, the latter on the other hand complain'd no less of the *English* Magistrates. We have a Letter from the Pope in *November* 1309, to the Bishop of *Worcester*, which enumerates all the Complaints of the Holy See against the King's Officers, or rather against the Laws of *England*, which ran counter to their Pretensions; but forasmuch as the Articles they relate to are for the most part those which I have already glanc'd over, it is not material to insist upon them here; and therefore I dismiss them with this one Observation, that what the Pope was pleas'd to call the *Privileges and Immunities of the Church*, the *English* call'd the *Enterprizes and Usurpations of the Court of* Rome.

p. 187.

A MORE effectual Stand might have been made against the Pope, perhaps in this Reign, if the King had seconded his Parliament; but private Interests sometimes oblig'd this Prince not only to submit to the Pope's Pretensions, but also to corroborate them, by prompting him to exert his absolute Power. This he did in one particular Case, among many others, during the vacancy of the See of *Hereford*. The King had a mighty mind to place *Thomas Charlton* in that See, but being afraid that the Chapter would not elect him, he [d] desir'd the Pope to reserve to himself the Disposal of that Bishoprick by the *Fulness of his Apostolical Power*; and having obtain'd his Request without much Difficulty, he recommended *Charlton* to him. But hearing soon after that the Pope had a Design to gratify *Adam Orleton* with the said Bishoprick, he desired him [e] not to place his Thoughts upon a Person so disagreeable to him; and assur'd *Orleton* [f], that he would never suffer him to be placed in that See: But his Instances were of no Effect; for the Pope conferr'd the

p. 617.

p. 622. 637.

[a] From *Ely*, dated *Nov.* 3, 1314. [b] From *York*, *October* 1, 1316. [c] From *Newcastle* upon *Tine*, *August* 3, 1322. [d] By a Letter dated at *London*, *March* 28, 1317. [e] By a Letter from *Windsor* of *March* 30 following. [f] In a Letter from *Windsor* of *May* 30.

Bishoprick

FOEDERA Tom. III.

Biſhoprick on *Orleton*, who afterwards prov'd one of the principal Authors of his Ruin.

EDWARD II.

THOSE who are ever ſo little acquainted with the Hiſtory of this Century, know that the Period of Time, during which the Popes kept their Court at *Avignon*, was not the moſt honourable for the Holy See. There is a Proof of the irregular Steps which the Court of *Rome* took at that time, in a Letter from *Edward* II. dated at *Weſtminſter*, *November* 22, 1317, and directed to the Cardinal St. *Cyriacus*, which ſets forth, that when *Clement* V. conferr'd the Abbey of *Weſtminſter* upon an Abbot nam'd *Richard*, he exacted a Promiſe from him of Six thouſand Florins for himſelf, and another of Two thouſand for the Cardinals.

p. 679.

Diſpute between the Archbiſhops of Canterbury *and* York, *about carrying the Croſs.*

THE Difference between the Archbiſhops of *Canterbury* and *York*, about carrying the Croſs, ſtill ſubſiſted. The former pretended to the Right of having the Croſs carried before him in the Province of *York*, but refuſed the ſame Privilege to the Archbiſhop of *York*, who had the ſame Pretenſion in the Province of *Canterbury*. This Quarrel was carried to ſuch a height, that when both thoſe Prelates happen'd to be in one and the ſame Province, which was always the Caſe as often as the Parliament met, they were each attended by Guards. The King deſires the Pope to make a Regulation for healing this Difference [h].

King's Letter about it to the Pope, p. 659.

The ſame Diſpute in Ireland. p. 86.

THERE was the very ſame Diſpute betwixt the Archbiſhops of *Ireland*, as appears by a Letter to the King from the Archbiſhop of *Armagh* [i], wherein he pray'd his Majeſty to excuſe his Attendance at the Synods which met in the Province of *Dublin*, and to give him Leave to ſend his Proxy thither.

ARTICLE IV.

Of the Knights Templars.

Hiſtory of the Knights Templars.

THE Order of Templars was inſtituted in 1118, for Defence of the holy Places in *Jeruſalem*. Their firſt Houſe being ſituate near the *Temple* of our Lord, gave Occaſion to their Name; and all the Houſes which they liv'd in afterwards were call'd *Temples*. This Order was confirm'd in the Council of *Troyes* in 1127, according to Rules given by St. *Bernard*. The Friars, or Brethren of this Order, were divided into two Claſſes, one of Knights, and the other of Servitors.

AFTER *Saladine* had conquer'd the Kingdom of *Jeruſalem* from the Chriſtians, this Order diſpers'd it ſelf into moſt parts of *Europe*, where it became very potent, and acquir'd vaſt Riches *, thro' the Liberality of the People, and the Bounty of Sovereign Princes, who had a high Eſteem for the Virtues which were practis'd by theſe Friars; but Riches made them as proud as they were before humble, and alter'd that exemplary Life of Piety which they led at firſt, to one that was execrably vicious; which render'd them odious.

THE Author of their Ruin was *Philip* the Fair, King of *France*, to be reveng'd for a Tumult which ſome of them had rais'd in *Paris*. He had a Conference for this end with Pope *Clement* V. at *Poictiers*, where the entire Deſtruction of the whole Order was reſolv'd on. Some profligate Fellows, who were themſelves Members of that Body, whether they did it of their own accord, or whether they were brib'd to it by the *French* King, charg'd the whole Order with the groſſeſt Crimes: Whereupon *Philip* caus'd all of them who were in his Dominions to be apprehended, and Fifty-ſeven of them to be burnt; but thinking this Revenge not ſevere enough, he proceeded to aboliſh the Order; and the Pope, who had engag'd himſelf to favour the Deſign, call'd a General Council at *Vienna*, in which the ſaid Order was laid under an Interdict.

FORASMUCH as *England* was not a little affected by the Proceedings againſt the Knights *Templars*, becauſe of the great Eſtates they poſſeſs'd in that Kingdom, we find a great number of Acts upon the Subject in this Collection, the chief of which we will juſt run over.

THE firſt Piece is an Anſwer from *Edward* [k] to *Philip* the Fair, wherein he tells him, that he can ſcarce give credit to that part of his Letter relating to the *abominable Hereſy* ſpread in *Guyenne*; but that he has order'd the Seneſchal of *Agen* to inform himſelf of that Affair more particularly. Altho' the *Templars* are not ſo much as mention'd in this Letter, yet 'tis probable they were the Perſons intended.

p. 18.

Pope's Letter to Edward *about the Knights Templars*, p. 30.

AFTER this, we have a Brief from Pope *Clement* to King *Edward* [l], in which he ſet forth, That upon Information given to the King of *France*, that the *Templars*, at their Entrance into that Order, deny'd Jeſus Chriſt, ſpit at a Crucifix, worſhipp'd an Idol in their Chapters, and committed other enormous Crimes, as the Grand Maſter himſelf had confeſs'd; the ſaid Prince had in one Day caus'd all thoſe in his Dominions to be apprehended, and all their Eſtates to be confiſcated, in order to apply the ſame to the Service of the Holy War, if

[h] By a Letter dated from *Nottingham*, *Auguſt* 6, 1317. [i] In the Year 1308.

* *Matth. Paris* ſays they had 9000 rich Convents, tho' at firſt they liv'd upon Alms. Others ſay they had their ſubordinate Governours in all the Provinces of *Europe*, and no leſs than 16,000 Lordſhips; the Greatneſs of which Revenue was not the leaſt Cauſe of diſſolving the Order.

[k] Dated at *Weſtminſter*, *October* 30, 1307. [l] Dated *November* 30 following, at *Poictiers*.

thoſe

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those Crimes were prov'd. He adds, that upon these Informations, of which *Philip* had given him an Account, he had himself examin'd one of the Knights *magnæ generositatis & auctoritatis Virum*, a Man of great Generosity and Authority, who confess'd that he himself had deny'd Christ, as aforesaid, and that he had seen it done by another in the Isle of *Cyprus*, at the Command of the Grand Master, in presence of above two hundred Brothers of the Order, of whom a hundred were Knights: And the Pope concludes with exhorting King *Edward* to follow the Example of the King of *France*.

King's Letters on the same Subject, p. 35.

There's a Letter from King *Edward*[m] to the Kings of *Castille*, *Arragon*, *Portugal*, and *Sicily*, importing that a certain Clergyman came to him, who accus'd the Knights Templars of the most horrid Crimes, but that he could not give Credit to it; and therefore he exhorts them to suspend their Judgment, if such an Accusation came before them. And he sent another Letter to the Pope on the same Subject[n], to vindicate the Templars, who, says he, bear a good Reputation in *England*. And there's an Order placed in the *Fœdera*, before those two Letters, enjoining all the Sheriffs to arrest all the Templars in the Kingdom upon the Feast of *Epiphany*, in 1308; which Order has no Date to it[o].

p. 37.

p. 34.

p. 45.

Their Persons and Estates seiz'd.

In pursuance of this Order, all the Templars in *England* were apprehended upon that Day, and their Possessions seiz'd by the King.

Pope's Bull about 'em, p. 101.

After this came a Bull from the Pope, dated at *Poictiers* in *August* 1308, and directed to the Archbishop of *Canterbury* and his Suffragans, to let them know what had been done with respect to the Templars: He there repeats almost the very same Facts which he had mention'd to the King, with this Addition only, that he had caus'd seventy-two Knights, and other Brethren of the Order, to be examin'd by the Cardinals; who, after very strict Interrogatories, had reported to him, that the Persons accus'd had own'd the Crimes with which they were charg'd, *viz.* the denying of Jesus Christ, and the spitting at the Crucifix; and that some of them had confess'd Crimes which he was asham'd to mention. Then he tells them, that he has appointed a Committee of three Cardinals, four *English* Bishops, and certain Clergymen of *France*, to draw up the Informations, and to manage the whole Process that was to be carried on in *England* against the Templars.

When these Commissioners were arriv'd, the King expresly order'd the *English* Bishops of the Committee to attend every Day at all the Proceedings, as appears by an Order he sent to the Bishop of *Lincoln*[p], for fear no doubt of some Knavery on the part of the *Italians* and *French*.

Edward II. p. 162.

'Tis moreover remarkable, that in all the Orders which this King granted to facilitate those Informations, we always meet with this Clause, *ob reverentiam sedis Apostolicæ*, out of respect to the Apostolic See. Perhaps, as this Process was managed in the name of the Pope, the King was afraid lest it might be brought into a Precedent.

When this Examination was finish'd, a National Council was assembled at *London*, wherein the Knights Templars were condemn'd; but they were not treated with the same Severity as in *France*, for they were only confin'd to Monasteries instead of the common Prisons, and had small Pensions paid 'em for their Subsistence.

And the Council at Vienne.

The General Council at *Vienne*, which was summon'd partly for the Condemnation of the Templars, met in the Year 1311; but their Sentence was not publish'd 'till the second Session, which was held in *May* 1312. It is the common Opinion, that it was the Council which condemn'd them; but I think it safer to follow the Opinion of those Historians, who seem to know more of the matter, and have asserted that the Council did not think it just to abolish a whole Order for the Crimes of some of its Members, especially considering the Templars had been neither convicted, nor so much as summon'd before the Council. These same Historians add, that the Fathers of the Council being intimidated by the Presence of the Pope, who presided in Person, and of the King of *France*, who came to the second Session, did not dare to oppose the Bull of Condemnation, when read in their Presence. It is true, that in a following Bull from the Pope, in this Collection, dated from *Vienne* in *May* 1312, *Clement* affirms that the Council approv'd of what had been done in that Affair: But it appears likewise in the very same Bull, that because the Proceedings against the Templars had not been altogether according to the Forms of the Law, he could not entirely abolish that Order, and that all he could do, was to interdict it for ever. These are his Words, *Ejusdemque Ordinis statum, habitum atque nomen —— Sacro approbante Concilio,* NON PER MODUM DIFFINITIVÆ SENTENTIÆ, *cum eam super hoc secundum inquisitiones,*

p. 323.

[m] At *Reading*, *December* 4, 1307. [n] Dated at *Westminster* the 10th of the same Month. [o] Nevertheless 'tis signify'd in two Letters from the King, dated at *Byfleet*, *December* 20, 1307, and directed, the one to his Chief Justice and Treasurer in *Ireland*, the other to the Lords of the Mannors and Bailywicks in *Wales*. [p] Dated at *Westminster*, *Sept.* 13, 1309.

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& proceſſus, ſuper his habitos, NON POSSEMUS FERRE DE JURE; SED PER VIAM PROVISIONIS, SEU ORDINATIONIS APOSTOLICÆ, *irrefragabili, & perpetuâ valiturâ juſtulimus ſanctione; ipſum prohibitioni perpetuæ ſupponentes. Univerſa etiam bona Ordinis prælibati, Apoſtolicæ ſedis ordinationi & diſpoſitioni, auctoritate Apoſtolicâ duximus reſervanda*: i. e. We have by a Sanction irrefragable, which will for ever have Force, taken away the State, Habit, and Name of the ſaid Order, with the Approbation of the Sacred Council, *not by means of a definitive Sentence*, ſince according to the Examinations taken, and Proceſs made againſt them, *we could not paſs ſuch Sentence in Law, but by way of Apoſtolical Precaution or Ordination*; ſubjecting the ſame under a perpetual Interdict. Alſo we have thought it fitting that all the Eſtates of the ſaid Order be reſerv'd by Apoſtolical Authority, to the ordering and diſpoſal of the Apoſtolical See.

IT appears from hence, that tho' the Pope rely'd upon the Authority of the Council, yet he acted in his own Name, by virtue of his Apoſtolical Authority. And we may venture to ſay, that the Approbation of the Council mention'd by the Pope, ſeems very conſiſtent with the Explication we have of it from the Hiſtorians; for it is not at all likely that Perſons choſe for Judges, in an Affair of ſuch Conſequence, ſhould approve of a Sentence which they themſelves did not dare to pronounce. Beſides, it's very probable, that ſince the Pope had aſſembled that Council, principally for the Condemnation of the Templars, he would gladly have left that Work to the Council, if he had found that Diſpoſition in it which he wiſhed for.

IN the ſame Bull that I have juſt now quoted, the Pope declar'd, that after having reſerv'd the Diſpoſal of the Templars Eſtates to the Holy See, he had for a long time conſulted with the Cardinals, Patriarchs, Archbiſhops, Biſhops, Prelates, and others who were at the *Council* aforeſaid; and that at length he had thought fit to aſſign thoſe Eſtates to the Order of St. *John* of *Jeruſalem*, by the Fulneſs of his Apoſtolical Power. Nevertheleſs he excepted the Eſtates which were ſituate in *Caſtille*, *Arragon*, *Portugal*, and the Iſle of *Majorca*, ſtill reſerving the future diſpoſal thereof to himſelf. Obſerve by the way, that he does not ſay it was a Reſolution of the Council it ſelf, but only that he had taken the Advice of thoſe who were preſent at it. He added the Pains of Excommunication againſt all who detain'd the ſaid Eſtates, and refus'd to deliver them to the Order of St. *John*, within a Month after the firſt Call.

THIS Bull was follow'd in the next Month by a Letter to King *Edward*, exhorting him to ſubmit to the ſaid Diſpoſition, and enjoining all the Earls and Barons of the Kingdom to deliver up the Templars Eſtates, which were in their poſſeſſion, to the Knights of St. *John*. EDWARD II. P. 326.

WHEN *Edward* had contributed ſo readily to the Ruin of the Templars, he hoped to come in for his Share of their Spoil, and had already began to diſpoſe of it; ſo that he was not a little ſurpriz'd when he heard that he ſhould be compell'd to quit his Hold. The Pope's Letter ariv'd at a time when that Prince was more than ordinarily embarraſs'd by domeſtic Quarrels; that is to ſay, very ſoon after the Death of *Gaveſton*: yet he maintain'd himſelf in the poſſeſſion of thoſe Eſtates 'till the end of the Year 1313: But at laſt, the Prior of the Order of St. *John* in *England*, being furniſh'd with a Letter of Attorney from the Grand Maſter, having preſented a Petition to him upon this Subject, he did not dare to ſtand it out any longer, and granted him the Replevy of the Templars Eſtates that were in his Power. Mean time being perſuaded that great Injuſtice was done him, he made a Proteſtation before a Notary, in *December* 1313, in which he declar'd, that the only Reaſon of his diſpoſſeſſing himſelf of thoſe Eſtates, was the Fear of the Danger to which he ſhould expoſe himſelf if he refus'd it; conſidering the ſhort ſpace of Time which the Bull gave him, according to a Clauſe the Prior had taken care to inſert in his Petition. But he proteſted, that this ſhould not be any Prejudice either to his own Rights, or thoſe of his Subjects, which he reſerv'd to himſelf, to make the beſt of in due time. p 451.

THE *Engliſh*, who had receiv'd ſome part of thoſe Eſtates from the King's Bounty, or who perhaps had purchas'd them, were very loth to obey; and we find ſome of them ſo long poſſeſs'd of thoſe Eſtates, as 'till the Year 1322, which was the Occaſion of a very ſevere Complaint made to King *Edward* that very Year by Pope *John* XXII[q]. p. 956.

THOSE People thought themſelves upon ſure Ground, becauſe the Parliament had not given their Conſent to the King's Grant of the ſaid Eſtates, which according to the Laws of the Realm, ought to have been confiſcated to the Crown, and not to the Pope, or in favour of the Order of St. *John*. It ſeems alſo that the Knights of this Order were afraid, that ſooner or later the Parliament would bring this Queſtion upon the Stage; and therefore they preſs'd the Pope not to let the King reſt 'till he had obtain'd his Parliament's Conſent to what had been done. And we find in the next Tome, that in the Year 1324, *Edward* wrote a Letter to the Pope

[q] In a Bull dated at *Avignon*, in the Month of *June*.

dated

FOEDERA Tom. III. p. 46. in Tome 4.

dated at *Weſtminſter* the firſt of *April*, ſignifying that the Affair had been mov'd in Parliament, and that he hop'd that the Order of St. *John* would remain in poſſeſſion of the Templars Eſtates *.

THUS you have what is moſt remarkable in this third Tome of the *Fœdera*, relating to the four general Articles, under which I endeavour'd to range the principal Affairs. There is a vaſt number of other Pieces upon Subjects that have no relation to theſe four Articles, to give an account of which would exceed our Bounds; and therefore I ſhall only mention two or three of them.

German Notaries put down.

IT is remarkable that *German* Notaries were made uſe of in *England*, 'till the time of *Edward* II. which ſeems very odd; becauſe after the Reign of *Honorius*, none of the Emperors ever had any Juriſdiction in this Kingdom. But this King made an Order in Council at *Weſtminſter*, *April* 26, 1320, for ſuppreſſing all thoſe *German* Notaries, and forbidding any Regard to be had to the Deeds or Inſtruments which they ſhould paſs for the future.

p. 829.

Marry'd Clergy turn Wine-Merchants.

WE find alſo that in 1317, there were marry'd Clergy in *Guyenne*; which is prov'd by an Order of *Edward* II. [a] to the Conſtable of *Bourdeaux*, to make them pay the Cuſtoms for Wine, notwithſtanding their Privileges, which they had abus'd by ſelling of other People's Wine in their own Names, to cheat the King of his Duty.

p. 666.

IT may perhaps be thought ſtrange that the Count of *Savoy* was once a Vaſſal to the King of *England*, and that he ſhould pay him Homage for ſome Lands in *Chablais*, as we find in an Act dated by this King at *Woodſtock*, *June* 24, 1318. But it muſt be obſerv'd, that it was a very common Cuſtom in that, and the preceding Centuries, for petty Princes to receive certain Penſions from the great ones, for which they bound themſelves to pay Homage; and that very often, in order that they might have a Foundation for thoſe Penſions, they mortgag'd ſome part of their Dominions, and paid Homage for them as long as the Penſions were continu'd. Which is evident from ſeveral Places in the three firſt Tomes of the *Fœdera*, and alſo in the fourth.

p. 715.

IT appears that *Edward* I. was not very punctual in paying the Pope the anntial Tribute of 1000 Marks, which was eſtabliſh'd by King *John*, becauſe *Clement* V. demanded of his Son fifteen Years Arrears [b]. We have the Pope's Acquittance for the ſaid Tribute for the Year 1317 [c], and another for the Year 1318: But the reſt remain'd in Arrears, for we find in the next Tome that the Pope demanded thirty Years Arrears of *Edward* III.

EDWARD II. p. 187, 632.

WE come now to the IVth Tome of the *Fœdera*, which begins with the four laſt Years of the Reign of *Edward* II.

Hiſtory of the Spenſers.

THE Death of the Earl of *Lancaſter*, and the Severities exercis'd towards all his Adherents, of whom ſome were executed, others baniſh'd, and a great many depriv'd of their Eſtates, ſeem'd to have put the *Spenſers* in a fair way of enjoying their Fortune peaceably, without fear of any body's preſuming hereafter to oppoſe their Power. They wanted nothing now to make themſelves perfectly eaſy, but to get ſome People out of the way, whom they look'd upon as private Enemies; and among theſe the Biſhop of *Hereford*, and young *Mortimer*, who was actually a Priſoner in the *Tower*. Theſe were nevertheleſs ſtill ſo formidable to the *Spenſers*, that when they had contriv'd to ruin them, tho' their Credit was ſo great, they met with ſuch oppoſition as they did not expect. The Biſhop, whom they had charg'd with High Treaſon, was wreſted from the King's Judges with a ſort of Violence, by the Archbiſhops of *Canterbury* and *Dublin*, on pretence that a Lay-Court had no Power to judge him. This Action ſtopp'd ſome Proſecutions that were actually begun, and ſome that were intended againſt other Biſhops who were in the ſame Circumſtances; and the Affair was brought before the Parliament.

Biſhop of Hereford and Mortimer.

MORTIMER indeed was more eaſy to be come at, becauſe he had no Character to ſcreen him; and therefore he was try'd, and condemn'd to Death, but the King chang'd that Sentence into perpetual Impriſonment. Not long after, this very *Mortimer*, tho' a cloſe Priſoner, laid a Plot to ſeize the *Tower*, and the Caſtles of *Windſor* and *Wallingford*: But his Conſpiracy being diſcovered, he had the ſame Sentence paſs'd upon him again, and the King was ſo gracious as to give him his Life once more. If it be conſider'd that this Man had for his Enemies the two *Spenſers*, to whom (as was before obſerv'd) he had done as much Damage as amounted to 60,000 *l.* Sterling, it will not be diſputed that he had a very powerful Pro-

* THE Curious who would know more of the original Rule and Nature of both theſe Orders, may conſult *Dugdale* of *Warwickſhire*, *Henry de Knighton*'s Collection, *Thomas Walſingham*'s Hiſtory, and *Stow*'s Survey. As for the *Hoſpitallers*, or Knights of St. *John* of *Jeruſalem*, we ſhall find hereafter that King *Henry* VIII. diſſolv'd them and ſeiz'd their Lands; that Queen *Mary* replac'd them in their ſhatter'd Manſion at *Clerkenwell*; and that Sir *Thomas Treſham*, who was made Prior of the Order, was call'd up by Writ to the Houſe of Lords as a Baron; but that they were finally diſſolv'd by Queen *Elizabeth*. 'Tis ſaid that the Temple at *London* was anciently the chief Houſe of the Knights of this Order in *England*, and by them demiſed to ſome Students of the Law who came from *Thavies* Inn, for the yearly Rent of 10 *l.* about the middle of the Reign of *Edward* III. and that the Lawyers held as Tenants to the ſaid Hoſpitallers 'till their Diſſolution by *Henry* VIII.

[a] Dated at *York*, *September* 16. [b] By a Brief dated in *November* 1309. [c] Dated at *Avignon*.

tection,

Fœdera Tom. IV.

tection, since it was able to counterbalance the Interest of two such Favourites. This gives room to conjecture, that it was the Queen (*Isabella* of *France*) who rescued him from the Revenge of those two potent Enemies. And what fortifies the Conjecture, is the Passion which the Queen discover'd for him afterwards; from whence it may be inferr'd, that their good Understanding commenc'd before *Mortimer* was committed to the *Tower*. To this it may be added, that it was much about the same time that the *Spensers* began to mortify the Queen, by abridging her of part of the Money that was assign'd her for her Maintenance; which made her complain to her Brother, *Charles the Fair*, that she was treated like a Servant-Maid. As it does not appear that the *Spensers* had any other Reason to complain of this Princess, it is very probable the Vexation they gave her was only to be reveng'd for the Protection which she had granted their Enemy: But it was a Revenge that cost them very dear, and involv'd the King himself in their Destruction. *Mortimer* had not only the good Luck to escape the Doom that was awarded for him, but he soon after found Means to convey himself out of the *Tower*, and fled for refuge to *France*, notwithstanding all the Diligence that was us'd to retake him. These few Particulars were necessary, just to shew the Man who afterwards acted so considerable a Part on the Theatre of *England*. It is Time now to give the Substance of the Events of the four last Years of the Reign of *Edward* II. which concluded with his being deposed. Some Differences that happen'd betwixt *France* and *England*, touching *Guyenne*, furnish'd a Pretence for the late Troubles in *England*; but the Queen's Hatred of the *Spensers*, I will be bold to say, her Passion for *Mortimer*, and the Thirst after Revenge in those whom the *Spensers* had persecuted, were the real Causes; which must be a little explain'd, for the better understanding of the Acts contain'd in the Beginning of this 4th Tome.

Breach betwixt the French *and* English *in* Guyenne.

After the Treaty of *Montreuil*, between *Edward* I. and *Philip the Fair*, *France* and *England* had a very good Understanding together, 'till about the Beginning of the Reign of *Charles the Fair*, when an Accident happen'd, which, tho' inconsiderable in itself, made a Breach in the Union of the two Crowns. At a Town in *Agenois*, call'd *St. Sardos*, some Outrage was committed (what it was the *Fœdera* does not explain) and King *Edward*'s Officers neglecting to bring the Offenders to strict Justice, the Persons aggrieved appealed for it to the King of *France*, as sovereign Lord of *Guyenne*. Upon the said Appeal *Charles* issued an Arret, condemning some Gentlemen of *Gascoigne*, who were *Edward*'s Subjects, to Banishment, and confiscating their Estates to the Crown of *France*, particularly the Castle of *Montpezat*, on which the Town of *St. Sardos* depended. To prevent the Execution of this Arret, those who commanded in *Guyenne* for King *Edward*, put a Garrison in that Castle; which oblig'd the King of *France*, who was resolv'd to go thorough stitch, to raise Troops in *Perigord*, and other neighbouring Places, in order to besiege *Montpezat*. At the same time he sent a Summons to *Edward*, to come and pay him Homage for *Guyenne*, and the County of *Ponthieu*. This was a very unlucky Business for the King of *England*, or rather for the *Spensers*, who could not endure to hear of a War, because the whole Kingdom was full of Malecontents. They resolv'd therefore to send Ambassadors into *France*, to endeavour to put an End to this Difference by way of Negotiation; but the Ambassadors were not heard. *Charles* being resolv'd to strike while the Iron was hot, sent his Uncle, the Count *de Valois*, to command his Army in *Guyenne*, where he made himself Master of the District of *Agenois*, and some other Counties. *Charles* not content with these Advantages, threaten'd *England* it self with an Invasion; which gave the *Spensers* a Pretext for depriving the Queen of the County of *Cornwal*, of which she was in possession: As if they had thought that County ran too great a Risque, by lying in her Hands. It would be too tedious here to give the Particulars of all the Negotiations upon this Subject; of the Projects that were contriv'd, but ill executed, to relieve *Guyenne*; and of the little Resistance that was made by the Earl of *Kent*, the King's Brother, who was sent into that Country, to oppose the Progress of the Count *de Valois*: It will be sufficient to observe, that *Edward* finding himself in no condition to carry on the War, was resolv'd, cost what it would, to put an End to the Difference by a Treaty. Therefore he dispatch'd the Bishop of *Norwich*, and the Earl of *Richmond*, into *France*, with the necessary full Powers, to make what Concessions soever they thought fit, with respect to the Difference in question. After King *Charles* had drill'd them on for some time, he signify'd to them by the Pope's Nuncios, That if the King of *England* would send his Queen to *Paris*, it was not to be doubted but she would obtain favourable Terms from the King her Brother. *Edward* accepted of the Proposal, and sent his Queen over to *France*, where she concluded a Treaty, importing in substance, That all *Guyenne* should be deliver'd up to the King of *France*; but that if *Edward*

Treaty betwixt Edward *and* Charles *of* France.

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ward would come to *Beauvais*, and there do him Homage, then *Charles*, out of love to his Sister, would reſtore that Province to the King of *England*, except the Diſtrict of *Agenois*, and other late Conqueſts in that Country; as to which, *Edward* might form his Demands in the Court of Peers. *Edward* ratify'd this Treaty, and made Preparation to go and pay his Homage: But before the Time ſtipulated by the Treaty was come, an Expedient was agreed on to excuſe him from that ungrateful Drudgery; which was, that he ſhould give up *Guyenne*, and the County of *Ponthieu*, to Prince *Edward* his Son, who was then thirteen Years of Age; and that *Charles* ſhould receive the Son's Homage, and reſtore him thoſe two Provinces, on the payment of 60,000 Livres *Tournois*.

EDWARD, without any Heſitation, clos'd with an Expedient which ſuited well with his Inclination, and yielded thoſe Lands to his Son, who ſet out immediately to pay his Homage for them. That was the fatal Term or Period of that ſhort Calm which *Edward* enjoy'd, after he had ſubdued the Barons. As ſoon as the young Prince was got to *Paris*, the Queen his Mother, who, in all probability, had manag'd the whole Intrigue, that ſhe might have him under her own Wing, began almoſt openly to take Meaſures for putting the Deſigns ſhe had before concerted, in execution. She held ſecret Councils, to which ſhe admitted none but *Mortimer*, and the other *Engliſh* Exiles, who had conſtant Acceſs to her; while the Biſhops of *Wincheſter* and *Exeter*, who were *Edward*'s Ambaſſadors, were excluded. At this time, ſo great were her Familiarities with *Mortimer*, and ſo little her Caution to conceal the Paſſion ſhe had for a Man whom ſhe ought to have baniſh'd from her Preſence, as an Enemy to the King her Husband, that ſhe gave the whole Court of *France*, and eſpecially *Edward*'s Servants, Reaſon to ſuſpect that not only ſome dangerous Conſpiracy, but ſomething yet more criminal, was carry'd on under the Cloak of their ſecret Conferences. The Biſhop of *Exeter* could not but be ſcandaliz'd to ſee it. He thought it was his Duty to inform the King his Maſter of it, as well as of the Suſpicions he had that ſome Miſchief was hatching againſt him; which it was eaſy to conjecture from the ſecret Conferences which the Queen held with his Exiles: And for this purpoſe he ſtole away from *Paris*, without taking his leave, in order to inform the King of all Paſſages. *Edward* had already begun to think it ſtrange, that the Queen ſhould make ſo many frivolous Pretexts to delay her Return, after he had wrote to her ſeveral times to come back, and bring her Son with her. And the Information he receiv'd from the Biſhop of *Exeter* oblig'd him to repeat his Orders, which were no better obey'd. At length, when *Iſabella* could form no more Excuſes upon the ſcore of the Affairs that brought her to *Paris*, ſhe ſent Word to *Edward*, by the King her Brother, that ſhe was not willing to expoſe her ſelf any more to the ill Treatment of young *Spenſer*, who hated her. Mean time her Friends in *England*, eſpecially the Biſhop of *Hereford*, endeavour'd to debauch the King's Subjects, and to form a Party, which in a ſhort time became very conſiderable; and no wonder, conſidering how odious the *Spenſers* were to the People, and how contemptible the King. The Queen, on her part, was no leſs induſtrious to gain Friends: She had got a Promiſe of conſiderable Aſſiſtance from (*William*) the Earl of *Hainault*, by granting young *Edward* in Marriage to *Philippa* that Earl's Daughter. When ſhe had maturely concerted all her Meaſures, ſhe left her Brother's Court, from whence it was pretended that ſhe was expell'd, and took the Road of *Hainault*, where ſhe found Troops ready, the Command of which the Earl of *Hainault* gave to *John* his Brother, Lord of *Beaumont*, whom *Iſabella* was glad to own for her Knight. She embark'd with her Troops, and landed * in the County of *Suffolk*, where all her Friends came to join her, being headed by the Earl of *Kent*, the King's Brother, *Henry* Earl of *Lancaſter*, Brother to him who was beheaded, the Biſhops of *Lincoln* and *Hereford*, and many others, who brought her Forces, which they had muſtered privately for that Occaſion.

EDWARD II.

His Queen's Proceedings in France.

Her Invaſion of England.

EDWARD flatter'd himſelf all along that he ſhould be able to lay this Storm, by the Letters which he wrote to the Pope, the Cardinals, the King of *France*, his Wife, and his Son; not conſidering, that while he try'd thoſe fruitleſs Remedies, he gave the Queen and her Friends time to ſtrengthen their Party. They had ſuch good Succeſs, that no body had the Courage or Inclination to declare for the King, when he went about to raiſe an Army to oppoſe the Invaſion. The cold Reception he met with, almoſt wherever he came, oblig'd that unhappy Prince to retire to the Weſtern Counties, where he hop'd to find more Friendſhip. But the People of thoſe Parts were as diſaffected as their Countrymen; the Queen having given out every where, by her ſelf and her Friends, that ſhe only aim'd at the Favourites, for

* *At* Orewell, *near* Harwich, on *Sept.* 22, 1326. *See Dr.* Kennet's *Hiſtory of* England.

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whom the People had no great Affection. When ſhe was at *Wallingford*, ſhe publiſh'd a Manifeſto to this very Purpoſe, and continu'd her March to the Weſt, in purſuit of the King. In this Extremity, *Edward* being deſtitute of Friends, Troops, and Money, reſolv'd at laſt to ſubmit to his ill Fortune; and having left *Spenſer* the Father in *Briſtol*, embark'd on board a ſmall Veſſel, with a deſign to retire to *Ireland*: But the contrary Winds drove him on the Coaſt of *Wales*, where he was obliged to land, and not knowing which way to turn himſelf, lay hid for ſome time in the Abbey of *Neath*. Mean time the Queen came before *Briſtol*, which making no great Reſiſtance, *Spenſer* the Father was there taken, and hang'd without any of the Forms of Law, at the Age of fourſcore and ten *. The King being not to be found, and there being certain Advice that he was gone beyond Sea, the Lords who accompanied the Queen met at *Briſtol*, and nam'd for Guardian, or Regent of the Kingdom, young *Edward*, who took upon him the Adminiſtration. This done, the Queen march'd to *Glouceſter*, where ſhe put forth a Proclamation, inviting the King her Husband to come and reſume the Government; though, according to all Appearance, and as the Sequel plainly demonſtrated, ſhe did not deſign he ſhould. A Rumour being now ſpread, that the King lay hid in *Wales*, the Earl of *Lancaſter* made ſuch ſtrict Search after him, that he found him; and having ſecur'd both him, and the Companions of his Fortune, *viz.* Young *Spenſer*, *Baldock* † the Chancellor, and *Simon Reading*, he brought them to *Monmouth*. Upon this News the Queen went to *Hereford*, where ſhe ſent for *Spenſer*, and caus'd him to be hang'd on a Gallows fifty foot high ‡. Then ſhe ſummon'd a grand Council, wherein it was reſolv'd, That as the Commiſſion of Guardian was expir'd by the King's Return, the Biſhop of *Hereford* ſhould be ſent to the King, to demand the Great Seal, without which they who were then at the Helm could do nothing that was valid. *Edward* being a Priſoner, deliver'd it with a good Grace, and authoriſed his Wife and Son to make uſe of it as they ſhould think proper, even in Affairs of meer Grace and Favour. As ſoon as the Queen had the Great Seal in her Poſſeſſion, ſhe therewith ſeal'd all the Acts ſhe thought neceſſary, in the King's Name, and eſpecially an Order for calling the Parliament. This was one of the laſt Orders that was paſs'd in the Name and by the Authority of the King, tho' he had no hand therein, and concludes the Acts of the fourth Tome of the *Fœdera*, ſo far as they relate to his Reign. There being a ſmall Chaſm in this Collection, between the Calling of the Parliament, and the Beginning of the Reign of *Edward* III, I ſhall juſt obſerve, for the ſake of connecting the Hiſtory, that the ſaid Parliament, which met towards the End of *January*, 1327, reſolv'd unanimouſly to depoſe *Edward* II, and to ſet his Son upon the Throne: Which Reſolution would have been executed without any other Formality, if the young Prince had not proteſted upon Oath, that he would never accept the Crown, without his Father's Conſent. Upon this unexpected Reſolution, the Parliament ſent Deputies to *Kenelworth* (Caſtle in *Warwickſhire*) where the King was then in Cuſtody, to require him to reſign the Crown; which the wretched ſtate of his Affairs did not permit him to refuſe. Nevertheleſs this Reſignation paſs'd for voluntary; and it was upon this Foundation that young *Edward*, who was but fourteen Years of Age, accepted the Offer of the Crown.

EDWARD II. P. 242.

Edward *leaves the Kingdom.*

Old Spenſer *taken and hanged.*

King Edward's *Reſignation to his Son.*

WE proceed now to thoſe Acts of this fourth Tome, which relate to the Events abovemention'd: But as it would be a Task too tedious, to undertake to ſhew the Uſefulneſs of every one of thoſe Acts in particular, I ſhall therefore only ſingle out ſome of the moſt remarkable, by which one may judge of the Uſe that may be made of the others.

The young one executed in like manner.

IN the firſt Place, we find ſeveral Orders here, dated in *Auguſt* 1323, [a] for apprehending *Mortimer*, who eſcaped out of the *Tower*; which ſhew that *Mezeray* was miſtaken, when he aſſerted that *Mortimer* made his Eſcape in 1325, and went to wait on Queen *Iſabel* at *Paris*, ſince it appears, that he was there near two Years before her.

A Miſtake of Mezeray, *about* Mortimer, *rectify'd.* p. 7, 8, 9.

THE next we come to is a remarkable Piece, becauſe it makes mention of *Mortimer*'s being twice pardon'd. It was iſſued by the King at *Nottingham*, *Nov.* 14, 1323, and has this Title, *De huteſio & clamore*, which undoubtedly is underſtood by very few. It is a Tranſlation of

Hue and Cry againſt Roger Mortimer. p. 28.

* He was drawn and hanged in his Coat Armour, upon the common Gallows, ripp'd up before he was dead, and was beheaded and quarter'd. *Kennet*'s Hiſtory of *England*.

† SIR *Roger Baldock* was alſo Biſhop of *Norwich*. He was committed firſt to the Biſhop of *London*'s Priſon, from whence he was pull'd out by the common People, to be carry'd to *Newgate*; but they beat him ſo cruelly by the way, that he died of his Bruiſes, in great Torment. *Walſingham*'s *Chronicle*.

‡ HE was at this time Earl of *Glouceſter*, and hanged in his Coat Armour, with theſe Words writ on it, *Quid gloriaris in malitia?* Why boaſteſt thou thy ſelf in Miſchief? *Pſalm* 52. *Simon Reading* was hanged with him. *Daniel*'s Hiſtory of *Edward* II.

[a] And iſſued by the King, at *Kirkham* and *Pickering*.

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the *Engliſh* Words *Hue and Cry* *, which come from the *French Huer* and *Crier*. The *Engliſh* have a Way ſometimes to find out lurking Criminals, which is practis'd no where elſe. The Conſtables, aſſiſted by all the People of the Village or Pariſh, make ſtrict ſearch in the Houſes and Fields, with great Cries, or *Huées*, which they call *Hue and Cry*, which is carried from Pariſh to Pariſh, 'till they come to the Seaſide; and as no body can excuſe themſelves from aſſiſting the Conſtables, who have Power to ſearch every where, 'tis a very hard matter for the Malefactor to eſcape. Nevertheleſs *Mortimer* was not to be found, which ſhews he was already gone beyond Sea.

THE ſeveral Pieces we have in this Collection, relating to the Affair at *St. Sardos* (above-mention'd) make us perfectly acquainted with the Cauſe and Original of the Diſputes between *England* and *France*, which no Hiſtorian that I know of, either *French* or *Engliſh*, has clearly explain'd. *Mezeray* ſays, that the Ground of the Quarrel betwixt the two Kings was *Edward*'s refuſing to aſſiſt at the Coronation of *Charles the Fair*, and the putting of a Garriſon by the Seneſchal of *Bourdeaux*, into a Caſtle which the Lord of *Montpezat* had built in the Territories of *France*. But the Hiſtorian was certainly miſtaken in both; for in the firſt place, as to the Coronation, there's not a ſingle Act in this Collection, tho' there are a great many upon the Subject, which makes the leaſt mention of this firſt Cauſe of Quarrel; but there's a full Account of the Homage which *Edward* deferr'd, becauſe he pretended that the Summons was not made in due Form. As to the ſecond Particular, he is as much out in that as in the other; for the Diſpute was not about a Caſtle newly built, but about the Confiſcation of *Montpezat Caſtle*, on account of a Thing that happen'd at *Sardos*, which was a Village that belong'd to it. This Affair is perfectly well explain'd in ſeveral Pieces that we find in this Collection, both in the Reigns of *Edward* II. and *Edward* III.

Another Miſtake of Mezeray.

King's Order about the County of Cornwall. p. 84.

THERE's an Order from the King, dated *Sept.* 18, 1324, for taking the County of *Cornwall* into his own poſſeſſion again, becauſe of the riſque there was in leaving it in the hands of the Queen.

His Letter to the Pope about ſending his Queen to France, p. 140.

AND here we have a Letter from King *Edward* to the Pope [a]; which is a Piece the more remarkable, becauſe it ſhews that the firſt Propoſal of ſending *Iſabella* into *France* came from that Kingdom; that ſome eminent Members of King *Charles*'s Council open'd the Matter firſt to the Pope's Nuncios; and that the latter propos'd the Expedient to the *Engliſh* Ambaſſadors: Whereupon the Biſhop of *Exeter* was diſpatch'd into *England*, to make the Propoſal.

THE Treaty which *Iſabel* made with the King her Brother, is inſerted here at large; a Treaty ſo diſadvantageous to the King of *England*, that ſurely the *Spenſers*, who govern'd him, were terribly afraid of a War, or elſe they would never have adviſ'd him to ratifie it; for he not only engag'd to deliver up all *Guyenne* to the King of *France*, without any other Security for the Reſtitution of it beſides *Charles*'s bare Word; a Security which his Father *Edward* did not like in the Caſe of *Philip the Fair*; but he alſo conſented that *Charles* ſhould keep the Territory of *Agenois*, only ſaving to himſelf the Liberty of having his Right to it diſcuſs'd in the Court of Peers: And finally, in caſe he ſhould happen to carry his Cauſe in that Court, he engag'd to pay a certain Sum towards the Charge of the War. By all which 'tis evident that *Iſabel* was not very mindful of her Husband's Intereſts. This Treaty is dated *May* 31, 1325.

The Treaty with the French *King*, p. 153.

Queen's Conſpiracy againſt her Husband.

QUEEN *Iſabel*'s Conſpiracy againſt her Husband has been, I may venture to ſay, but lamely explain'd by the Hiſtorians. 'Tis perfectly ſurprizing to ſee this Queen, who had made no great Figure in *England* before ſhe went to *France*, return a Year after at the Head of an Army, and dethrone the King her Husband, without any previous Sign of her Intrigues. *Mezeray* only ſays, that her Brother *Charles* promis'd her Aſſiſtance againſt the *Spenſers*; but that afterwards, when he heard of her Conduct with *Mortimer*, he turn'd her out of his Dominions, and forbad his Subjects to aſſiſt her: Whereupon this deſolate Queen took Shelter in *Hainault*, where *John*, Brother to the Earl of that Name, gave her a welcome Reception, declar'd himſelf her Knight of Honour, and aſſembled Three hundred Knights to conduct her into *England*. This Collection gives abundance of Light upon this Head, and ſhews, if I am not deceiv'd, that this Conſpiracy was form'd before the Queen went into *France*, and was carried on all the time ſhe was at *Paris*.

I WILL not here repeat what I have already ſaid, touching the Probability there is that her Correſpondence with *Mortimer* began in the Year 1323, or ſooner; and that it was owing to her Protection that the Life of that Man was ſav'd, which brought upon her all the Uneaſineſs ſhe ſuffer'd from the *Spenſers*. This being premis'd, it may be inferr'd that the Queen her ſelf was the Author of her Journey to the King her Brother, ſince 'tis evident, as we have already ſeen, that the firſt Propoſal of it came from him.

* See Sir *Thomas Smith*'s Commonwealth of *England*, cap. 23.

[a] Dated *March* 8, 1325, at the Tower of *London*.

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him. 'Tis equally probable that it was the Queen who was the Contriver of the Expedient for the Ceſſion of *Guyenne* and *Ponthieu* to her Son; for the Uſe ſhe made of it ſhews that ſhe was very much concern'd to bring it about; whereas it could not be imagin'd what Advantage the ſame would have been to the King of *France*, if it had not been only to do his Siſter a Favour. The *French* Hiſtorians ſay, that *Charles* had no hand in his Siſter's Conſpiracy, and that he even expell'd her his Dominions: But this Collection, I think, ſhews clearly that he enter'd very far into the Secret: For, beſides that *Mezeray* makes no Scruple to own, that the King had promis'd his Siſter a Supply both of Men and Money, the deſire the King expreſs'd to ſee her, and his readineſs to come into the Alteration or Exchange of *Edward* the Father's Homage into that of *Edward* the Son, could proceed from no other Cauſe but a deſire to ſerve her; otherwiſe it would have been more honourable for him to receive Homage from the King of *England*, than from his Son. He had ſo few Objections to make to this Alternative, that the Negotiation was concluded in leſs than a Fortnight: For the

p. 163. Acts of this Tome ſhew, that on the 21ſt of *Auguſt*, 1325, *Edward* thought even of going himſelf to pay the Homage; but that on the 24th he wrote to the King of *France* [b], to deſire to be excus'd, on pretence of his being ſuddenly taken ill upon

p. 164. the Road: That by Letters Patent [c] on the 2d of *September* following, he made over the County of *Ponthieu* to his Son; that the Letters Patent by which King *Charles* conſented to it, are dated the 4th of *Sep-*

p. 165. *tember*; that on the 10th *Edward* made a Conveyance of *Guyenne* (according to a Form which had been ſent him from

p. 168. *France* [d]) and that on the 12th his Son *Edward* embark'd for *France*. If to this we add, that the King of *France* kept his Siſter at Court almoſt a whole Year after he had receiv'd the Homage of the young Prince, maugre all the Sollicitations of *Edward*, who preſs'd him many times to ſend her home again; that the ſaid Princeſs was

p. 226. ſtill in *France* on the 4th of *September*, 1326, as appears by a Letter from *Edward* of that Date, to the Inhabitants of *Bayonne*; and that ſhe landed in the County of *Suffolk* on the 22d *ditto*; we muſt be of Opinion that all Affairs were concerted before ſhe left the Court of the King her Brother, and by conſequence that ſhe was not expell'd, as is pretended, 'till it was time for her to enter upon Action.

Another Miſtake in Hiſtory diſcover'd.

p. 180. HERE is *Edward*'s Anſwer [e], *Decemb.* 1, 1325, to *Charles the Fair*, who had ſignified to him that the Queen could not return into *England*, becauſe ſhe was ſo much hated by *Spenſer* the Son. In this Anſwer *Edward* juſtifies *Spenſer*, and aſſures the King of *France*, that he had never been wanting in his due Reſpect to the Queen; and that if he had, he ſhould not have eſcap'd Puniſhment; *for by God*, ſays he, *there is neither* Hugh, *nor any Man living in our Power, who means her any Harm, but if we knew it, we would puniſh in ſuch a manner that others ſhould take warning; and this is, was, and always ſhall be our Will, and God be thank'd, we have the Power in our own hands.* He added, that he could not conceive what made his Wife complain of *Spenſer*, conſidering how extremely civil ſhe was to him when he took his leave of her, and the very affectionate Letters ſhe had ſent him ſince her Departure.

EDWARD II.

King Edward's Letter to the King of France, about his Queen and Spenſer.

HE wrote a Letter the ſame Day to his Queen, preſſing her to return, and told her that the Biſhop of *Wincheſter* had aſſured him, that in his Preſence the King her Brother had proteſted that he would not detain her contrary to the Tenor of her Paſſport. The Letter begins with the Word *Dame*, which I know not whether 'twas the ordinary Style, or whether he gave her ſo dry a Title by reaſon of the Matters of Complaint he had againſt her.

Another to his Queen, p. 181.

THE next Day he alſo wrote a Letter to his Son, which by reaſon of its brevity, and to give an Idea of the *French* Language at that time, I ſhall here inſert entire.

And to his Son, p. 182.

Treſcher Fiutz, tot ſoiez vous joefue, & de tendre age, remembrez bien ceo que nous vous chargeaſmes, & commandaſmes, a veſtre departir de nous, a Doure, & de ceo que vous nous reſpondiſtes lors, dount nous vous ſavions molt bon gre, & ne treſpaſſez, ne contravene, en nul poynt, ce que nous vous chargeaſmes adounque pur nully.

Et puis qu'il eſt enſi, que veſtre Homage eſt reſceu, eſploitez vous devers notre treſcher Frere le Roy de Fraunce veſtre Uncle, & parnez veſtre conge de lui, & venez, par devers nous en la compaignie, noſtre treſchere compaignie, la Roine, veſtre Mere, ſi ele veigne tantoſt.

Et ſi ele ne veigne, venez vous, oue tote haſte, ſanz plus longe demoere; car nous avoms treſgrant deſir de vous veer, & parler: Et ceo ne leſſetz, en nulle manere, ne pur Mere, ne pur autri, ſur noſtre beneizon.

i. e. MOST dear Son, remember in your Youth and tender Age, what we charg'd and commanded you when you left us at *Dover*, and what you ſaid to us in Anſwer, with which we were mightily plea-

[b] From *Langedon* near *Dover*. [c] Dated at *Langedon-Abbey* aforeſaid. [d] By an Inſtrument dated at *Dover*. [e] Dated at *Weſtminſter*.

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ſed; and do not treſpaſs or contravene what we then charg'd you, in any point, upon any account.

AND ſince your Homage has been receiv'd, go to our moſt dear Brother the King of *France*, your Uncle, and take your leave of him, and then come away to us in the company of our moſt dear Companion the Queen, your Mother, if ſhe arrives ſo ſoon.

AND if ſhe does not, come you with all haſte, without longer ſtay, for we have a very great deſire to ſee and ſpeak with you. And hereof fail not by any means, neither for Mother, nor for any other Perſon, as you tender our Bleſſing.

A Miſtake in many Hiſtories, confuted by the King's Letter to the Pope, about his Wife and Son. P. 200.

MANY Hiſtorians, even of the *Engliſh*, have affirm'd, that *Edward* being provok'd at the Diſobedience both of his Wife and Son *, baniſh'd them both by a Proclamation; but this has no other Foundation than a Report which had been current in *France*, as appears by a Letter which King *Edward* wrote to the Pope on this Subject, dated *April* 15, 1326 [a], wherein he complain'd of thoſe who were the Propagators of thoſe falſe Reports, and aſſures him, that ſuch a Thought never came into his Head, and that inſtead of hindring their Return, he did all that lay in his Power to bring them home. *Et idem filius noſter*, ſays he, *erga nos non deliquit, nec permittit ætatis teneritudo ut ſibi offenſa aliqua poſſit, aut debeat imputari. Propter quod inhumanum foret, nec fœdus permitteret naturale, tantæ crudelitatis ſævitiam contra eos exercere.* i. e. And as for our ſaid Son, he has not offended us; and indeed the Tenderneſs of his Age is ſuch, that he cannot be chargeable, either with the doing or intending any Harm. Wherefore it would be both inhuman and unnatural to treat them with ſo much Rage and Cruelty.

His Proclamation againſt the Invader, Mortimer, &c. P. 231, 232.

EDWARD no ſooner heard the News of the Queen's being landed, but he publiſh'd a Proclamation [b] on the 27th of *September*, 1326, for purſuing and deſtroying all the Invaders of his Kingdom; but he excepted the Queen, his Son, and the Earl of *Kent*, his Brother. And by another Proclamation from thence next Day, he put a Price upon *Mortimer*'s Head, promiſing to the Perſon who brought it, the Pardon of all his Crimes, and a Reward of Three Pounds † Sterling; which was ſuch a Trifle for ſo notable a Service, that I cannot help thinking there has been ſome Miſtake in the Tranſcript.

Manifeſto againſt the Spenſers. P. 236.

HERE is alſo the Manifeſto of the Queen, of *Edward* the Son, and of the Earl of *Kent*, againſt the *Spenſers*, in the uſual Style of Pieces of this nature, where the main buſineſs is to ſhew that nothing is aim'd at but the Good of the Publick [c].

EDWARD II.

THERE is likewiſe a Memorandum, dated the 26th of the ſame Month, at *Briſtol*, of the Nomination then and there made of *Edward* the Son, for Guardian or Regent of the Kingdom; and of the ſending the Biſhop of *Hereford* to the King, to demand the Great Seal. In it are theſe Words, *Et idem dominus rex, habitâ inde aliquali deliberatione penes ſe, reſpondebat, Quod placuit ſibi, mittere dictum magnum ſigillum ſuum, præfatis conſorti ſuo, & filio; & quod iidem conſors & filius, dictum ſigillum, ſub privato ſigillo ſuo tunc clauſum, aperiri facerent, & non ſolum ea quæ pro jure & pace eſſent facienda, ſed etiam quæ gratiæ forent, ſub dicto magno ſigillo, fieri facerent.* i. e. And the ſaid Lord the King, after having deliberated within his own Breaſt, made anſwer, That he approv'd of the ſending of his ſaid Great Seal to his Conſort and Son aforeſaid; and of their cauſing the ſaid Seal, then included in his Privy Seal, to be open'd; and that under the ſaid Great Seal they ſhould tranſact not only thoſe Things which might be done both by Law, and for the ſake of Peace, but alſo thoſe things which were Acts of meer Grace and Favour.

Edward the Son appointed Regent. P. 237.

THIS Great Seal was made uſe of to procure the Payment of ſome of the Queen's Debts, for reſtoring the Eſtate of the Earl of *Richmond*, which the King had cauſed to be confiſcated, becauſe the ſaid Earl had a Hand in the Treaty of *Paris*; and laſtly, it was made uſe of to aſſemble in the King's Name and Authority, that very Parliament which was to depoſe him.

P. 239, &c.

THESE being the moſt remarkable Pieces in the Beginning of this fourth Volume, which relate to the domeſtic Affairs of *England*, we proceed now to the

Affairs of Scotland.

Pope's Letter to Edward *about* Robert Bruce. *P. 28.*

DURING the four laſt Years of the Reign of *Edward* II, we find nothing remarkable in this Collection with reſpect to *Scotland*, but a Letter [d] *January* 1324, from Pope *John* XXII to this Prince; wherein he informs him of his Reaſons for giving *Robert Bruce* the Title of King of *Scotland*, a Style he had 'till then refus'd him; which, ſaid he, can be no Prejudice to the Rights of *Edward*.

FROM thence it may be inferr'd, that the Excommunication againſt the Perſon

* WE find it particularly in the *Compleat Hiſtory of England*.
[a] From *Kennelworth*. [b] From the *Tower* of *London*.
† MR *Daniel*, in this King's Life, in the Hiſtory aforeſaid, makes it 1000 *l*.
[c] It is dated at *Wallingford*, *October* 15, 1326. [d] Dated at *Avignon*.

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of *Robert* was taken off; but it was not ſo with reſpect to the Interdict on the Kingdom of *Scotland*, which lay under it 'till the Peace that was made in the Beginning of the Reign of *Edward* III.

EDWARD II.

transported them out of his Dominions. This occaſioned a great Number of Letters, which this Prince ſent to the Pope, but were of no Availment.

Affairs Eccleſiaſtical.

THE Collation to Biſhopricks bred freſh Quarrels from time to time between the Pope and the King, and by conſequence gave the latter freſh Mortification; a very great Inſtance of this was the Caſe of the Biſhoprick of *Wincheſter*, which I ſhall explain in a Word or two, becauſe it was one of the principal Subjects of the Acts of theſe four Years. *Edward* had ſent *Rigand* Biſhop of *Wincheſter*, and *John Stratford* Archdeacon of *Lincoln*, Ambaſſadors to the Pope. The former dying at *Avignon*, *John* XXII, according to the Uſage already eſtabliſh'd, being to diſpoſe of that Biſhoprick, and the King at laſt acknowledging the Pope's Right, which he had before in vain oppos'd, he immediately gave Orders to *Stratford*, to deſire that Biſhoprick for *Robert Baldock*, who was afterwards Chancellor. *Stratford* acted his Part ſo well, that he procur'd it for himſelf; which put *Edward* into ſuch a Paſſion with his Ambaſſador, that he called him a Prevaricator. He wrote ſeveral Letters to the Pope, to get this Nomination revoked: but it was in vain; for *John* ſtood by what he had done, and ſent home the new Biſhop, with a Letter of Recommendation, in which he aſſur'd *Edward*, that *Stratford* did all that was in his Power to get *Baldock* promoted to the Biſhoprick, but that *Stratford's* own extraordinary Merit had determin'd him to gratify him with it, in which he hop'd he had done the King a Pleaſure. When this Biſhop returned, *Edward* was reſolved to proſecute him for ſeveral matters charg'd upon him relating to the other Articles of his Embaſſy; but he could not carry his Point ſo far as to get him condemn'd: And this Affair came juſt to the ſame Concluſion as thoſe of this Nature generally did, that is to ſay, the new Biſhop was approv'd by the King, after having renounc'd the Article of the Pope's Bull which aſſign'd to him the Temporality.

Diſpute between the King and the Pope, about the Biſhop of Wincheſter.

EDWARD undertook another Affair, in which he ſucceeded no better. He would fain by the Pope's Authority have depos'd the Archbiſhop of *Dublin*, the Biſhops of *Lincoln*, *Bath* and *Wells*, *Hereford*, and *Condom* in *Guyenne*; or, at leaſt, have

IN *January* 1324, we find *Edward* complaining to the Pope, *&c.* [e] of a certain Prerogative called *Conſervatiæ*, which was pleaded by a certain Cardinal, Archdeacon of *Ely*, when he ſummon'd the Biſhop of the ſaid Dioceſs to appear before him. I know not what thoſe *Conſervatiæ* meant which *Edward* in his Letters call'd, *Novæ adinventiones, quæ à tramite juris communis exorbitant*; i. e. New Inventions, which ramble wide from the Path of Common Law *. It ſeems to have been ſome Privilege granted to the Cardinals, with reſpect to the Benefices they held in *England*; but I only give this by way of conjecture.

Edward's *Complaint of the* Conſervatiæ. *P.* 25, 26, 27.

AS the Pope took care to maintain his Authority, he was no leſs diligent to augment his Revenues. We find here, that *John* XXII, after having granted the King a Tenth upon the Clergy, for the War againſt *Scotland*, reſerv'd to himſelf for the Time to come, by another Bull, the fourth Part of the ſaid Tenth, for the preſſing Neceſſities of the Holy See. *Edward* refus'd for a while to pay the Pope the ſaid fourth Part, becauſe Reſervation had not been made of it in the firſt Bull: upon which the Pope wrote him a very ſevere Letter [f].

Pope's Letter to Edward, *about the Tenths. P.* 19.

NEVERTHELESS *Edward* did not flinch 'till 1326; when finding himſelf in very great Perplexities, he wrote to the Pope that he referr'd himſelf entirely to his Diſcretion upon that Head.

THE Obligation which the Archbiſhops of *Canterbury* were under, to go and receive the Pall in Perſon from the Pope's own Hand, was ſo eſtabliſh'd, that from the time of *Honorius*, who was the third Archbiſhop of that See, no body had been excus'd from it. And we find that in the Reign of *William the Conqueror*, *Lanfranc*, tho' he was in ſuch high Eſteem at the Court of *Rome*, could never obtain this Diſpenſation. *Walter Reynolds*, who was elected in 1313, had better Fortune; for he received the Pall at *Canterbury*, and obtain'd from *Clement* V, a Delay of five Years, which, we ſhall find in the Acts of this Collection, was often renew'd.

Archbiſhop's Pall, the Hiſtory of it.

THIS Pall was become ſo neceſſary to the Archbiſhops, that it was reckon'd ſuch an eſſential Mark of their Dignity, that they could not exerciſe their Functions without it: For we find here, that

[e] In three Letters dated from *Kennelworth*.

* IT is particularly remark'd of this Pope, that he was fond of Novelties, always changing the old Dignities and Societies in the Church for new ones.

[f] From *Avignon*, in *October* 1323.

ſome

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ſome Thief having ſtole away the Archbiſhop of *York*'s Pall, the King wrote a Letter to the Pope g, to deſire him to ſend his Grace another *. EDWARD II.

g From *Kenelworth*, *April* 1, 1326.

* THE *Pallium*, or Pall, was a ſort of Mantle, worn by the Emperors, as an Enſign of Power, and by them in the 4th Century imparted to the Prelates, as a Mark of their Authority over the inferior Orders. At firſt it reach'd from Neck to Heel, covering all the Body, reſembling a Prieſt's Cope, but that it was cloſe before. Afterwards it became a kind of Stole, which hung before and behind, with four ſcarlet Croſſes, one on the Breaſt, another on the Back, and one on each Shoulder. The Popes gave it at firſt to Primates and Apoſtolick Vicars only; but not to any Weſtern Prelate, before the 6th Century. In the 8th they granted it to all Metropolitans, or Abbots, and afterwards to ſeveral conſiderable Biſhops, who receiv'd this Pall at Conſecration; 'till when they could not exerciſe any Function. It was uſed only at the Altar, in the Celebration of ſolemn Maſs, when they put it about their Necks, over their other Pontifical Ornaments. Dr. *Howel* ſays, It is made of Lamb's Wool, without any artificial colour, ſpun by a peculiar Order of Nuns; that it is adorned with little black Croſſes, having two Labels hanging down before and behind; and that on certain Days it is caſt into St. *Peter*'s Tomb. We read that they ſometimes put it upon the Corpſes of Patriarchs and Archbiſhops when they are buried.

THE *Romiſh* Prelates pay a great Rate for this Pall; inſomuch that Dr. *Howel* tells us, That Dr. *Gray*, when choſe Archbiſhop of *York*, in the Reign of King *John*, gave for his, no leſs than 1000 *l*. By the ſuperſtitious Order of the Church of *Rome*, it ſhould be made of the Wool of thoſe two Lambs, which being offer'd at the High Altar, upon St. *Agnes*'s Day, are, after the hallowing of them, committed to the Sub-Deacons of that Church, and kept by them in a particular Paſture. It muſt be noted, that the whole Garment is not of the Woollen Manufacture, but only that Liſt or Plaite of it, which falls down before and behind, and goes round the Neck. *Claude Villette*, a Canon of St. *Marcellus*, relates this whole Affair at large, in his Book called *Raiſons de l'Office & des Ceremonies de l'Egliſe Romaine.*

The REIGN of *EDWARD* III. Surnam'd of *Windſor*. †

THE Acts in the *Fœdera*, which relate to the Reign of *Edward* III, take up the far greateſt part of the 4th Tome, all the 5th and 6th Tomes, and part of the 7th. To make an Extract of every Piece in thoſe Tomes, would be a Work too tedious and voluminous; therefore we ſhall confine our ſelves to thoſe Acts that are of moſt Importance, and moſt capable of giving any light into his Reign, one of the moſt conſiderable in the *Engliſh* Hiſtory.

THE chief tranſactions of this 4th Tome, which takes in the eleven firſt Years of *Edward* III, may be reduc'd to four principal Heads.

I. DOMESTICK Affairs.

II. THOSE common to *England* and *Scotland*.

III. *EDWARD*'s Quarrels with *France*. And,

IV. AFFAIRS Eccleſiaſtick, or Religious.

To give an account of the numerous Acts foreign to theſe four Articles, would ſwell this Work to a much greater Bulk than the *Fœdera* it ſelf.

General Character of his Reign.

† MR. Rymer *gives the following general Account of this Martial Reign in his Dedication of this fourth Tome to the late Queen, in the Year* 1707. "This Book, may it pleaſe your Majeſty, gives a Proſpect into the "Reign of your moſt noble Progenitor, King *Edward* III. a Time of great War, and great Succeſſes.

"SOME Years from the Beginning of his Reign, he wrote himſelf King of *FRANCE*; and before the "End of his Reign, he ſaw his younger Son (that was born at *Gaunt*) ſaluted King of *SPAIN*.

"HIS CONFEDERATES, the Counts of *Holland* and *Zealand*, the Marqueſſes of *Cleve* and *Juliers*, "the Dukes of *Brabant* and *Guelder*, of the *Naſſau* Family, the then Emperor, and other *German* Princes; "Names ('till now from your Archives reviv'd and rais'd to light) long buried in Oblivion: Theſe his CON-"FEDERATES ſeem much-what of the ſame Mould with YOUR MAJESTY'S ALLIES.

"IN the 20th Year of his Reign was the Battle of *Creſſy*.

"IN the 30th was the Battle of *Poictiers*.

"In the 41ſt Year of this Reign was that total Rout given to the United Forces of *France* and *Spain*; "whereby King *Pedro* was ſet upon the Throne, his Rival forc'd to quit the Kingdom, and flee into "*France* for ſhelter, *&c.*"

N. B. Dr. Nicholſon *firſt Biſhop of* Carliſle, *and afterwards of* Londonderry, *ſpeaking of this Prince, calls him the* GREATEST *in* EUROPE, *of his time, and the* GLORY *of our* ENGLISH THRONE. *And Mr.* Joſhua Barnes, *whoſe Account of his Reign is the beſt that can be conſulted, in the Opinion of that Learned and Right Reverend Antiquary, gives this general Character of* Edward III, *in his Preface.*

"*The Subject Matter of my Diſcourſe is the Honour of "my Country, the Life and Actions of one of the greateſt "Kings that perhaps the World ever ſaw.——It is an old "Obſervation,* That Subjects uſually conform themſelves "*to their Prince: And here certainly, if ever any "Great and Martial Monarch was Lord of any like himſelf, we ſhall find this King to have been ſo: Many great "and renowned Heroes and Captains, bold in Attempts, "wiſe in Conduct, and fortunate in Succeſs, being thick "almoſt in every Page of this Hiſtory: Wherein will appear the greateſt Variety of Adventures, the moſt hazardous Enterprizes of War, the moſt exact Counſels, and "politick Negotiations, and the moſt frequent inſtances of "courage, Piety, Generoſity, and Princely Conduct; with "the moſt wholeſom Laws and Rules of Government, that "perhaps the whole World can furniſh us withal, in ſo "ſhort a Period of Time.*"

And the Reverend Mr. Eachard, *in his Introduction to this Reign, ſays, The* Engliſh *Nation not only recover'd Vigour and Strength in it, but alſo Beauty and Glory.*

ARTICLE

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EDWARD III.

ARTICLE I.

Domeſtick Affairs.

King Edward III *enters on the Government. P.* 247.

EDWARD III was but fourteen Years of Age when he came to the Crown; which tho' his Father had been forc'd to reſign, yet in the very firſt Proclamation that was publiſh'd in the Name of the new King [a], his Miniſters make him ſay in the Preamble, that he took the Government of the Kingdom upon him, not only by the Conſent of his Father, but in Obedience to his Orders *. By this, and many other Acts of the like nature, 'tis manifeſt that the Declarations of Princes are not always the ſafeſt Vouchers for the Truth of Hiſtory.

His Guardians meer Cyphers.

THE ſame Parliament which depos'd *Edward* II caus'd *Edward* III to be proclaim'd, and choſe him twelve Guardians or Governours, of whom *Henry* Earl of *Lancaſter* was to take care of his Perſon: But this was a Nomination entirely uſeleſs; for the Queen, who had the Power in her own Hands, ſeiz'd the Government, and left the Guardians appointed by Parliament nothing more than the Shadow of Authority, while *Roger Mortimer* govern'd under her with abſolute Power. But the Parliament, far from reſenting it, vigorouſly ſeconded the Deſigns of the Queen and her Miniſter, Deſigns which had no other End but to run down the late Government. The Exiles were recall'd, the Conduct of the late Earl of *Lancaſter* was approv'd of, and the Judgment given againſt him revers'd, as contrary to the Laws of the Kingdom. The Biſhops of *Winchester*, *Norwich*, *Lincoln* and *Hereford*, were reſtor'd to their Temporalities, and had the chief Management of Affairs under the Direction of the Queen and *Mortimer*. And all the Sentences paſs'd againſt the Adherents of the Earl of *Lancaſter* were revers'd, upon a Suppoſition that they had been extorted by the Credit of the *Spenſers*. This is the main Subject of the firſt Acts of this Tome, which contain the Petitions preſented to the Parliament by thoſe who had been diſgraced in the late Reign.

Queen and Mortimer *govern all.*

Queen's Revenue.

ISABEL had a Dowry ſettled upon her, which ſwallow'd up two Thirds of the Revenues of the Crown, and ſhe paid the very Debts that ſhe had contracted in *France*, out of the publick Treaſury. Moreover, ſhe made an Aſſignment of a yearly Penſion of 1000 Marks to *John* Earl of *Hainault*, who had accompany'd her to *England*. This is the chief Affair from p. 249 to p. 262 of this 4th Tome.

ALL the Meaſures taken by the Queen, *Mortimer*, and the Parliament, were to render the late King's Conduct odious, in order to juſtify what they had done to him. When *Iſabel* undertook her Expedition againſt her Husband the King, ſhe relied chiefly on the Support of the Adherents of the late Earl of *Lancaſter*, who was beheaded at *Pontefract*; and it was they, properly ſpeaking, that depos'd King *Edward* II, and plac'd his Son upon the Throne. Therefore, in order to give ſome Colour for the exceſſive Rigour with which the late King had been treated, it was neceſſary, not only to juſtify that Earl's Conduct, but even to cry up his Merit, and ſet it in oppoſition againſt the pretended Injuſtice of *Edward* II. And the People being at that time ſo prepoſſeſs'd in favour of the Earl that they went even to St. *Paul's* Church to worſhip his Picture, as I have already mention'd; they did not let the favourable Conjuncture ſlip, but thought proper to write to the Pope in the Name of the King, deſiring him to canonize *Thomas* Earl of *Lancaſter*: And theſe were ſome of the Expreſſions made uſe of in the Letter [b].

Inſtance made for canonizing the Earl of Lancaſter.

Quadam floruit prærogativâ conſtantiæ ſingularis. Nam ſtatutis & ordinationibus Regni Angliæ, ſecundum Deum, pro utilitate Reipublicæ & defenſione libertatis Eccleſiæ, digeſto Regni Conſilio, rationaliter promulgatis, juratus corporaliter & adſtrictus, promiſſam Deo fidem inviolabiliter tenuit, & inſurgentes ex adverſo Regis & Regni perfidos ſeductores, zelo juſtitiæ corripuit magnanimiter & contrivit. Poſt plurima, atque longa, quæ ſic in puritate Spiritus, & ſpe cæleſtis retributionis, peregit, certamina, juſtus ab injuſtis capitalem devote ſubiit ſententiam, & ſic in Domino feliciter obdormivit. Qui jam velut fluvius de loco voluptatis ad irrigandum egregiens Paradiſum, in partes diviſus, terram Angliæ ſancti ſui ſanguinis effuſione, rubricatam rore cæleſti, temperat ſalubriter

[a] Dated at *Weſtminſter*, *January* 29, 1327.

* MR. *Daniel*, in his Hiſtory of this Reign, remarks, that this Preamble was intended to palliate the Wrong done to the Father, but that it made it more apparent.

DR. *Kennet*, in his Notes upon this Hiſtorian, would have the Reader obſerve, that he was no Friend to the Barons and their Cauſe.

BISHOP *Nicholſon* has a remarkable Note with reſpect to thoſe Barons, *viz.* That the Barons who join'd with the Earl of *Lancaſter* againſt *Edward* II, being too great and powerful to be nam'd Rebels, had the ſofter Name of *Contrarients* beſtow'd on them; and he takes notice of a Roll of Records in the *Tower*, which is from them call'd *Rot. Contrarientium.*

MR. *Barnes* ſays, a General Pardon was proclaim'd at his Acceſſion, which gave occaſion to ſucceeding Kings to follow the Example of ſo great a Precedent.

[b] Dated at *London*, the laſt Day of *February*, 1327.

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& fœcundat, dum ad piam ejus invocationem, tot glorioſa, ſuprà naturam, divinitus fiunt miracula & infinita ſalutis remedia, favente Deo, per ipſius preces & merita conceduntur.

i. e. HE was eminent for his ſingular Conſtancy, which he retain'd as a Prerogative; for having corporally ſworn, and bound himſelf before God, to keep the Statutes and Ordinances of the Realm of *England*, promulged by Order of the Council of the Realm, for the Benefit of the Republick, and the Defence of the Liberty of the Church, he inviolably kept his Oath to God; and out of his Zeal for Juſtice, magnanimouſly check'd and cruſh'd the perfidious Seducers who roſe up againſt the King and Kingdom. After many and tedious Conflicts which he went through, in the Purity of the Spirit, and the Hopes of a Reward in Heaven, the juſt Man devoutly ſuffer'd the Sentence of Death paſs'd by the unjuſt, and ſo ſweetly ſlept in the Lord: And now like a River deſcending from ſome pleaſant Place to water Paradiſe, being divided into ſeveral Branches, gives a wholeſome Temperature and Fruitfulneſs by its Celeſtial Dew to the Soil of *England*, which is dyed red with the Effuſion of his ſacred Blood; while through the pious Invocation of his Name, ſo many glorious ſupernatural Miracles are wrought by Inſpiration, and while the infinite Remedies of Salvation are by the Grace of God granted through his Prayers and Merit.

It is no wonder at all, conſidering the then Circumſtances of the Court of *England*, that thoſe who govern'd in the King's Name, ſhould write ſuch a Letter. But one cannot help thinking it ſtrange, that *Edward* III, when he came of Age, and was perfectly acquainted with the Wrong that had been done to his Father, ſhould ſollicit this Canonization more than once [d]. Nevertheleſs, this new Saint was not plac'd in the Calendar 'till the following Reign. But tho' his Canonization was a long time a coming, yet he was reverenc'd beforehand as a Martyr: And we find a Permiſſion from the King [e], to make a Collection for building a Chapel on the very Spot where the Earl was beheaded.

p. 421, *and* 478. *King* Edward's *Letters for canonizing the ſaid Earl.*

p. 291.

THUS the main Point was to blacken the Government of *Edward* II. The Condition of that depos'd King, as deplorable as it was, yet it gave Uneaſineſs to the Queen and *Mortimer*. *Henry* Earl of *Lancaſter*, who had him in his Cuſtody at the Caſtle of *Kenelworth*, had no reaſon to be fond of him; but his natural Generoſity did not permit him to inſult the Prince in his Miſery: And tho' he took care that his Priſoner ſhould not eſcape, yet he paid his Devoirs to him; at which the Queen was alarm'd. This, added to ſome particular Reaſons which that Lord had to be diſguſted with *Iſabel*, who had ſeiz'd the Government to his Prejudice, made that Princeſs of Opinion, that it was not ſafe to leave the King any longer in his Cuſtody. Therefore ſhe diſpatch'd an Order to Sir *John Maltravers* and Sir *Thomas Gournay*, to take *Edward* from *Kenelworth* Caſtle, and carry him to that of *Berkley* (in *Glouceſterſhire*.) Theſe two Gentlemen, the moſt brutiſh of the human Species, made that unhappy Prince ſuffer a thouſand horrid Indignities, enough to have broke his Heart; and thoſe who put him into their Hands intended no leſs: But his Conſtancy was proof againſt all their Barbarities: So that theſe Means failing, the two Guards had Orders to diſpatch him with all the Secrecy poſſible. They executed their Commiſſion in a manner the moſt ſhocking to human Nature, by thruſting a hot Iron into his Fundament, through a Pipe or Horn, and burning his Entrails *. This was done probably in *October* 1327, immediately after the young King's Expedition againſt the *Scots*. But the Miſcreants, inſtead of receiving the Reward they expected, were forc'd to fly, after they had ſeen the very Perſons that had employ'd them, the firſt to diſown them, in order to ſmother that Part which they themſelves had in their Parricide.

EDWARD III.

Murder of King Edward II.

NOT long after, *Edward* III ſolemniz'd his Marriage with *Philippa* of *Hainault*; which Match had been made up by his Mother before her Return to *England*. We have here the Pope's Bull of Diſpenſation for that Marriage [f], as alſo a Paſſport [g], for the Earl of *Hainault* to bring over his Daughter to *England*, to conſummate the Marriage.

Edw. III's Marriage with the youngeſt Daughter of William *the good Earl of* Hainault. p. 306. p. 323.

[d] Particularly by two Letters he wrote to the Pope and Cardinals from *Wincheſter*, *March* 7, 1330; and by two others dated from *Eltham*, the 3d Day of *April* 1331. [e] Sign'd at *York*, *June* 8, 1327.

* MR. *Barnes* ſays, this Murder was committed on the 21ſt of *September*, 1327, at Midnight, not when he was about to disburden Nature, according to Dr. *Howel* and others, but as he lay faſt aſleep in his Bed: And that the Keepers being a little ſtartled at the Orders from the Queen and *Mortimer* tho' they ſpar'd no other ill Uſage, ſent to the Biſhop of *Hereford* a fit Caſuiſt, who was, it is thought, the Adviſer of it, to know whether it was lawful; to which the Biſhop ſent this Anſwer, according to Sir *Tho. de la More*, *Edwardum occidere nolite timere bonum eſt*; i. e. *To kill King* Edward *you need not to fear it is good*: Which Anſwer, according to the placing of the Commas, was either a Plea for himſelf, or an Encouragement for them.

[f] Dated in *October*, 1327, at *Avignon*. [g] Dated by the King at *Clypſton*, the 28th of *November* following.

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His unsuccessful Expedition against the Scots.

NOT long before the King's Marriage, he had made an Expedition against the *Scots*, in which he had ill Success. *Robert Bruce* having broke the Truce, had sent his Troops to ravage the Frontiers of *England*, which oblig'd the *English* to raise a great Army to drive them out of the Country. *Edward* put himself at the Head of this Army; but after a great many fruitless Attempts to bring the Enemy to a Battel, he had the Mortification to see them retire. This War was concluded by a Treaty of Peace, not the most advantageous to *England*: For, by the Advice of the Queen-Mother, and of *Mortimer*, *Edward* quitted all his Pretensions to *Scotland* for the Sum of Thirty-thousand Marks Sterling, and concluded the Marriage betwixt *Joan* his Sister and *David*, Son to *Robert Bruce*. The Service which *Mortimer* pretended to have done by negotiating this Treaty, was rewarded with the Title of *Earl of Marche*, which the King gave him in full Parliament *.

Mortimer made Earl of Marche.

Peace with Scotland.

THE † scandalous Peace made with *Scotland*, without any Necessity, added to the Tragical Death of *Edward* II, and to the Insolence of the new-made Earl, made an Impression on the Populace, and much more on the great Men of the Kingdom. *Henry* Earl of *Lancaster* was one of those who were the most open in expressing their Disgust, which made the Queen and the Favourite take a Resolution to destroy him: They thought that the Protection he gave to a Gentleman who had kill'd the Lord *Holland*, furnish'd them with a good Pretence; for as he refus'd to deliver up that Gentleman to Justice, it was no difficult matter for them to persuade the young King, that there was a Necessity of chastising him for such a piece of Presumption; and Troops were rais'd for that end. *Lancaster* made Preparations on the other hand for his Defence, and brought over to his Interests *Edmund* Earl of *Kent*, the King's Uncle, with some other Lords; who being confederated, publish'd a Manifesto at large, exposing the Conduct of the Queen and her Minister. The Grievances therein set forth were so flagrant, that the Queen, for fear the whole Kingdom would be about her Ears, consented to an Accommodation, which was concluded by the Intercession of the Archbishop of *Canterbury*. Tho' there's nothing of this in the *Fœdera*, yet it was necessary to speak of it, to shew the Cause of that Hatred which *Isabel* and the Earl of *Marche* had conceiv'd against the Earl of *Kent*; such a Hatred as nothing could satisfy but that Earl's Death. For this End they hatch'd a deviliſh Conspiracy, which it would be difficult to parallel. As *Edmund*, who was but Twenty-eight Years of Age, was of a frank generous Temper, and no doubt a little too credulous, he was easily persuaded by the Queen his Sister-in-law, that the Deposition of his Brother was absolutely necessary for the publick Good; and it was this that made him concur with her in the Execution of the Project already mention'd: But it was not long before his Eyes were open'd, when he saw that he had been engag'd in wrong Measures: His Expressions, and the Repentance which he discover'd, made it plainly appear, that he wish'd heartily the Thing had never been done, and laid the Foundation of the Conspiracy which his Enemies form'd against him. Certain Persons were deputed to him, who made him believe that the King his Brother was still alive in *Corfe Castle*, and who engag'd him in Measures to rescue him out of Captivity. It seems that *Edmund* was himself present at his Brother's Funeral; but the Strength of his Hopes that the pretended Secret now discover'd to him was true, made him easily believe that he had been deceiv'd by a Sham-Funeral: He fell therefore into the Trap that was laid for him, and went to *Corfe-Castle*; where being assur'd that his Brother was a Prisoner, he desir'd Leave to see him. The Governour, who was properly instructed, excus'd himself upon account of the Orders he had to let no body see him; which throughly confirm'd the Earl in his Opinion; who finding therefore that he could not be admitted, gave the Governour a Letter for the King his Brother, in which he assur'd him that he would take Measures to gain him his Liberty. This Letter was carried to the Queen-Mother, who shew'd it to her Son, and obtain'd his Consent that his Uncle should be taken into Custody. It was at *Winchester*, where the Parliament was then assembled, that this unfortunate Nobleman was apprehended, condemn'd to lose his Head, and accordingly executed ‡.

English Lords provok'd to Arms by Mortimer's Insolence.

Edmund Earl of Kent trick'd out of his Life by a sham Plot.

EDWARD III.

* HE was made Earl of *Marche*, in the Parliament held at *Salisbury*, in *August* 1328.

† THE Parliament which concluded that dishonourable Peace with the *Scots*, was held at *Northampton*, in *March* 1328, when the King, by the Contrivance of his Mother, *Mortimer*, and Sir *James Douglas*, without the Privity of the Peers, surrender'd by Charter his Title and Sovereignty to the Kingdom of *Scotland*, restor'd many ancient Jewels and Monuments, among which one of great Value, call'd *The black Cross of* Scotland; also many Deeds, and other Instruments of their former Homage and Fealty, with the famous Evidence call'd *The Ragman Roll*, which was a Security and Memorial of the Fealty and Homage that the *Scots* ought to pay to the Kings of *England*; and besides, no *Englishman* was permitted to hold any Lands in *Scotland*, unless he would dwell there.

SEE Mr. *Barnes*'s History of this Reign, who says, that the Lady *Joan*, King *Edward*'s Sister, was married to *David Bruce*, the young King of *Scotland*, about the middle of *July* 1328; and that the *Scots* themselves afterwards, by way of Triumph, nicknam'd their Queen, *Joan Make-peace*; as if the Realm of *England* had made the Match out of Fear, to rid their Hands of the War.

‡ AT *Winchester*, *March* 19, 1330. See *Barnes*'s History.

IN

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IN this Tome we have the following Acts, relating either to *Edward* II, or the Earl of *Kent*.

p. 287, 294. Two Aſſignments to *Barclay* and *Maltravers*, for ſubſiſting the King's Father, then a Priſoner in *Berkley* Caſtle [g].

p. 304. AN Order to take the Bail offer'd by *William Aylmere*, charg'd with a Deſign of reſcuing *Edward* from Priſon [h], *Auguſt* 20, 1327.

p. 312, 337. AN Order appointing anniverſary Prayers for the Soul of *Edward* II. 'Tis dated in *October* 1327 [i].

p. 424. A LETTER to the Pope from King *Edward* III [k], the 24th of *March* 1330; wherein he tells the Pope, that the Earl of *Kent* had endeavour'd to foment Troubles in the Kingdom, by ſpreading a Rumour that the late King was ſtill alive; and that the ſaid Earl was the more juſtly puniſh'd, becauſe he himſelf was preſent at his Brother's Funeral. Nevertheleſs, 'tis not impoſſible but this Circumſtance, whether true or falſe, was added on purpoſe to prejudice the Pope againſt the Earl; for thoſe who were then at the Helm were not very ſcrupulous of the Truth: Moreover, we find ſo much Diſſimulation in many Letters in this Collection, that it is not always ſafe to credit every Tittle.

p. 430. AN Order from the King [l], for proclaiming the Death of the Earl of *Kent* throughout the Kingdom, and for taking up thoſe who ſpread a Report that *Edward* II was ſtill alive.

p. 447. ANOTHER Order [m] for apprehending *Rice ap Griffin*, a *Welſhman*, who was an Accomplice of the Earl of *Kent*, and rais'd a Diſturbance in *Wales*.

EDWARD being as yet but young, left every thing entirely to his Mother and the Earl of *Marche*, in whoſe Favour he was ſtrangely prepoſſeſs'd; while they on the other hand made the moſt of his extraordinary Confidence, and borrow'd the King's Name to procure themſelves all manner of Advantages. *Iſabella* got a Grant under the King's Privy Seal, dated

p. 410. the 17th of *January* 1330, at *Oſeneye*, for Ten thouſand Marks, part of the Thirty-thouſand which were to be paid by the King of *Scotland*; and it is very probable that the Earl of *Marche* finger'd the other Twenty-thouſand Marks, as was afterwards charg'd upon him.

IT was by their Advice, that *Edward* was perſuaded, tho' with a vaſt deal of Regret, to go over to *France*, to do Homage to *Philip de Valois*, whom he look'd upon to be an Uſurper of his Eſtate, as we ſhall find hereafter. It is very probable that he was inform'd, during his Voyage, of many Particulars which began to give him ſome Suſpicion of his Mother's Conduct; for as ſoon as ever he was return'd, he wanted to have it fully explain'd to him. They who took care to inform him of it, remark'd thoſe Errors to him which the Queen and the Earl of *Marche* had committed, as well in the firſt Expedition againſt the *Scots*, which was attended with ill Succeſs, as in the ſcandalous Peace which they had caus'd him to patch up, without any Neceſſity, with *Robert Bruce*. He was inform'd of the Barbarity with which his Father was murder'd, and had the whole Conſpiracy unravell'd to him, by which his Uncle the Earl of *Kent* loſt his Head. His Friends fully convinc'd him of the Prejudice he had done himſelf, by going to perform Homage to *Philip de Valois*. They magnify'd the Wealth and Expences of the Earl of *Marche*, which were by far too great for a Subject. They inſinuated to him, that it was very apparent that the Queen-Mother and her Favourite had a Deſign to keep him always in a ſtate of Minority; and laſt of all, to fill up the Meaſure of his Indignation, they told him, that his Mother was with Child by the ſaid *Mortimer* *. Theſe Informations had ſuch an Effect upon his Mind, that he reſolv'd to ſhake off the Yoke of his Managers, and to puniſh them. For this end he went to *Nottingham*, where the Parliament was to meet, with a deſign there to put his Project in execution. He lodg'd in the Town with a ſmall Retinue, while the Queen his Mother, and the Earl of *Marche*, lay in the Caſtle, with a Guard of One hundred and eighty Knights to attend them. It would have been difficult to have attack'd them with open Force; ſo that *Edward* went another way to work: He brib'd the Governour or Conſtable of the Caſtle, who introduc'd him in the dead of the Night, thro' a ſubterranean Paſſage, and gave him an Opportunity to enter into his Mother's Apartment attended by ſome reſolute Perſons, to whom he had communicated his Deſign. The Earl of *Marche* was ſeiz'd in the Queen's Antichamber, and carried off, notwithſtanding the Tears and Cries of the Queen, who begg'd her Son, without ceaſing, to ſpare *the Gallant Mortimer*. Two of his Knights, who offer'd to make Reſiſtance, were kill'd. This done, the Earl was carried out of the Caſtle the ſame way that the King enter'd, which was af-

The King incens'd againſt Mortimer.

Mortimer taken Priſoner.

[g] One is dated at *Stamford*, *April* 24, 1327; the other at *Aldework* near *York*, the 5th of *July* following.
[h] It is ſign'd by the King at *York*. [i] At a Place call'd *Crokeſden*, in the King's Journey from *Lincoln* to *Nottingham*. There's another for celebrating his Obſequies, dated at *York* the 29th of *February* following.
[k] Dated at *Reading*. [l] Dated at *Woodſtock*, the 13th of *April* 1330. [m] Dated at *Clyve* the 8th of *Auguſt* following.
* MR. *Barnes* obſerves, however, that no Effect of ſuch Pregnancy appear'd afterwards.

terwards

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terwards call'd *Mortimer's Hole* *, and committed to the Tower of *London*. Next day *Edward* diſſolv'd the Parliament, and call'd a new one at *Weſtminſter*, wherein the King complain'd of the Queen's Male-Adminiſtration; and declar'd, that notwithſtanding his Minority, he would from this time forward govern by himſelf. Afterwards he caus'd Articles to be drawn up againſt the Earl of *Marche*, who, without being heard in his Defence †, becauſe his Crimes were ſo publickly notorious, was condemn'd to die the Death of Traitors, and ſuffer'd it accordingly, on the common Gallows at *Tyburn* ‡. Queen *Iſabel* was ſtripp'd of her Eſtate and Authority, and confined to the Caſtle of *Riſings* **. *Mezeray*, and thoſe who have copy'd after him, were miſtaken when they ſaid that this Prince haſten'd his Mother's Death in this Caſtle, ſince 'tis certain that ſhe liv'd there Twenty-eight Years.

Condemn'd and hang'd.

Queen Iſabel's *Confinement.*

A great Miſtake of Mezeray *and other Hiſtorians.*

MANY are the Acts in this Tome relating to the Facts above-mention'd; the moſt material of which are,

p. 452. Edward's *Proclamation againſt* Mortimer.

A PROCLAMATION dated the 20th of *October* 1330 [n], containing the King's Reaſons for apprehending the Earl of *Marche*. He declar'd alſo in this Proclamation, that being inform'd that thoſe who had hitherto held the Reins of Government had been guilty of Male-Adminiſtration, he was reſolv'd to govern, himſelf, with the Advice of the great Men of the Realm.

p. 452. *His Proclamation for a new Parliament.*

ANOTHER Proclamation [o], in which the King invites the Subjects to lay their Grievances before the Parliament, and complains bitterly of the laſt Seſſion, ſaying, That the Members had been corrupted, and therefore refus'd to hear the Grievances of the People. From thence he took occaſion to exhort the Sheriffs to promote the Election of ſuch Members, in their reſpective Counties, as were truly concern'd for the Welfare of their Country.

Another Miſtake of Hiſtorians detected. p. 457.

THIS ſhews that *Edward* call'd a new Parliament, tho' ſeveral Hiſtorians affirm, that he only adjourn'd the old one from *Nottingham* to *Weſtminſter* ††.

EDWARD III.

AN Order, dated the 12th of *December* following [p], reverſing all Proceedings againſt *Henry* Earl of *Lancaſter*, for taking Arms againſt the Earl of *Marche*.

Proceedings againſt the Earl of Lancaſter, *&c. revers'd.*

A PERMISSION [q] to inter the Remains of young *Spenſer*, who was hang'd at *Hereford*.

A Permiſſion to bury young Spenſer. p. 461.

A RESUMPTION of all the Grants made ſince the King's Acceſſion to the Crown [r].

King's Reſumption of all Grants. p. 476.

AN Aſſignment of a Penſion to Sir *John Nevil* ‡, for having arreſted the Earl of *Marche* [s].

A Penſion ſettled on Sir John Nevil, p. 487.

A PARDON granted to *William Montague*, on account of two of *Mortimer's* Knights, who were kill'd when that Earl was arreſted [s] **.

A Pardon to William Montague, p. 506.

GOURNAY, one of the Aſſaſſins of King *Edward* II, having been apprehended at *Burgos* in *Caſtille*, by the Diligence of *John Leynham*, Chamberlain to the King of *Caſtille*, *Edward* wrote ſeveral Letters about it, which we meet with in this Tome of the *Fœdera*, to the ſaid *John Leynham* (on whom he ſettled a Penſion of 300 *l.* Sterling) to the King of *Caſtille*, and to the Echevins of *Burgos* [t].

Orders about Gournay, p. 488, *to* 492.

AN Order to bring *Gournay* to *Bayonne* [u]. p. 491.

ANOTHER [x] directed to the Mayor, *&c.* of *Bayonne*, for delivering *Gournay* into the Hands of ſuch Perſons as the King ſhould ſend to bring him over Priſoner to *England*.

'TIS plain that our Hiſtorians are miſtaken, who aſſert that *Gournay* was apprehended at *Marſeilles* †‡†, ſince 'tis very manifeſt from the *Fœdera*, that it was done in *Spain*. The Ruffian's Head was cut off aboard the Ship that was carrying him to *England*, which was probably owing to the Intrigues of thoſe who were Accomplices in his Crime, that he might not diſcover who ſet him at work.

Another Miſtake of Hiſtorians about Gournay.

AN Aſſignment of the Revenues of the County of *Ponthieu*, in *France*, to the Queen-Mother, for her Subſiſtence; dated the 24th of *September* 1334 [y].

King Edward's *Settlement on the Queen-Mother*, p. 623.

* OUR Hiſtorian quotes *Drayton's Barons Wars*, to ſhew that this wonderful Paſſage was hewn and dug forth during the *Daniſh* Invaſions, by ſome of the *Saxon* Kings, for their further Security in caſe of a Siege. It ſeems that neither the Queen, *Mortimer*, nor any of their Attendants, knew of this Paſſage; a particular Deſcription of which, the Curious will find in *Barnes's* Hiſtory, *p.* 48.

† MR. *Barnes* obſerves, that in this reſpect he had the ſame Treatment as he had ſhewn before to the two *Spenſers*, and to the Earl of *Kent*, the King's Uncle.

‡ MOST of our Hiſtorians ſay, this Execution was on the 29th of *November* 1330; but Mr. *Barnes* proves that it was on the 26th, and that he was buried on the 29th, after he had hung two Days and two Nights by the King's ſpecial Command.

** MR. *Barnes* quotes *Holinſhed*, to ſhew that this was a Caſtle near *London*.

[n] At *Nottingham*. [o] Dated at *Woodſtock* the 3d of *November* following.

†† EVEN the accurate Mr. *Barnes* has fallen into this Miſtake, *p.* 49.

[p] At *Weſtminſter*. [q] Dated at *Weſtminſter* the 15th of the ſame Month. [r] It is dated at *Croydon* the 5th of *March* 1331. [s] It is dated at *Havering Bower*, the 10th of *May* following. [t] It is dated at *Weſtminſter* the 10th of *January* 1332.

‡ THIS was Sir *John Nevil* of *Horneby*; to whom, as *Barnes* ſays, the King granted 200 Marks in Tail ſpecial, and in his 15th Year he was Governour of *Newcaſtle upon Tyne*, tho' Mr. *Drayton* and other Hiſtorians have ventur'd to ſay, that he was kill'd in the Arreſt of *Mortimer*; and Mr. *Drayton* miſtakes him for *Mortimer's* Friend; an Error for which Mr. *Barnes* excuſes him, becauſe he was a Poet.

** THESE Knights were Sir *Hugh Turplington* and Sir *Richard Monmouth*, according to the *Fœdera*; tho' Mr. *Barnes*, quoting *Knighton*, calls the latter Sir *John Monmouth*.

†‡† Among others, we find this Error in *Daniel's* Hiſtory of this Reign, and that it has eſcap'd the Correction of the learned Annotator.

[u] They are dated in *May* and *June* 1331, at *Havering Bower*, *St. Edmunds-bury*, and *Norwich*. [x] Dated at *St. Edmundsbury* the 28th of *May* 1331. [y] Dated at *Waltham* the 13th of *February* 1332. [z] at *Weſtminſter*.

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AN Order to carry to the Treaſury 60,000 *l. Sterling*, which was found in *Wales*, being part of the Treaſure loſt by *Edward* II [u].

The following are ſome ſeparate Acts concerning Domeſtick Affairs.

Charters in favour of foreign Merchants. p. 361, 516, 574.

THERE's a Charter, dated [x] the 8th of *Auguſt* 1328, confirming a former Charter in favour of foreign Merchants trading into *England*; and we find it further confirm'd by two other Acts of this King [y].

p. 344.

THERE are two Letters from the King, relating to the Marriage of *John* of *Eltham*, his Brother, with *Mary* of *Biſcay* [z]: The ſhorteſt I inſert, to give the Reader an Idea of the Language and manner of Writing of that Age.

Le Roi, a noſtre Treſchere & Treſame, Marie, Dame de Biſcay, Salutz & bone affection.

Por ceo, que Parlaunce ad eſte faite devers Nous, de Marriage faire entre noſtre treſame Frere Johan de Eltham, & la File de veſtre Fiuz, que Dieu aſſoille.

Et nous ſerioms bien del aſſent, que le Marriage, ſe preigne iſſuit, que ceo fuſt a pleiſaunce de vous, & de noſtre Treſcher Coſyn, li Rois d'Eſpaigne; car nous entendoms que ceo purroit eſtre a honur & profit de nous & de vous, & aſſeuraunce de nos amis celes parties.

Vous prioms & requiroms affectuouſement, que vous voillez au dit Marriage bonement aſſentir, & nous certifier de ceo, que vous eut vodriez faire, a plus en haſt que vous purriez.

Don a Nicole le 28 jour de Marcz.

i. e. THE King to our moſt dear and well-beloved *Mary*, Lady of *Biſcay*, Health and good Affection.

FORASMUCH as a Propoſal has been made to us of a Marriage between our dearly beloved Brother *John* of *Eltham*, and the Daughter of your Son, whom God bleſs:

AND whereas we are very willing that the ſaid Marriage ſhould take effect, with the Approbation of your ſelf and our moſt dear Couſin the King of *Spain*; becauſe we are convinc'd that the ſame may be of Honour and Profit both to Us and You, and to the Encouragement of our Friends, Parties thereunto:

EDWARD III.

WE affectionately entreat and requeſt you, that you would pleaſe to give your hearty Conſent to the ſaid Marriage, and certify us of your Pleaſure therein with all the ſpeed that may be.

Dated at * Nicole, *the* 28*th of* March 1328.

An Order for apprehending two Alchymiſts. p. 384.

AMONG the Acts in 1329, there is an Order [a], to bring to the King, by fair means or by force, two Men who boaſted of their Art to make Silver; and it ſeems that the King intended to ſet them at work for himſelf.

Penſion ſettled on T. Priour. p. 497.

A PENSION granted to *Thomas Priour*, for the News which he brought to the King of the Birth of *Edward* his Firſt-born Son: It is dated [b] the 1ſt of *October*, 1331.

Marriage Treaty of the King's Siſter. p. 512.

A MARRIAGE Contract between *Eleanor* the King's Siſter, and *Reynold* Count of *Guelderland*, dated [c] the 20th of *October*, 1332 †.

King's Demand of Money towards the ſaid Marriage. p. 543, to 547, and 575.

EDWARD took occaſion from this Marriage to deſire a Supply of his Subjects, which the Clergy refus'd him; and at laſt he was fain to make uſe of abſolute Power to exact it, with a Promiſe that it ſhould not be drawn into Conſequence ‡.

HERE we have the King's Approbation and Confirmation of the Grant of a Part of *Provence*, which was formerly given by *Eleanor*, Wife of *Henry* III. to *Thomas* and *Henry*, Sons of *Edmund* Earl of *Lancaſter* [d].

p. 649.

His Letter to the King of Armenia. p. 679.

THERE is alſo a Letter from *Edward* [e], to the King of *Armenia*, wherein he promiſes him to go in Perſon and make War againſt the Infidels, as ſoon as his Affairs would permit him. This was putting the Day very far off, becauſe he then began his Preparations for a War againſt the King of *France*.

Woollen Manufacture.

THO' there was a great Trade for Wool in *England* in the Reign of *Edward* III,

[u] It is dated at *Guildford* the 20th of *April*, 1336. [x] At *York*. [y] *viz.* at *Stamford* the 13th of *April* 1332, and at *Knaresborough* the 16th of *Auguſt* 1333. [z] One of them is dated at *Lincoln* the 28th of *March*, 1328, and directed to the King of *Caſtille*. * *Lincoln*. [a] Dated the 9th of *May* at *Eltham*. [b] At *Weſtminſter*. [c] At *Weſtminſter*.

† THIS *Eleanor* was King *Edward*'s younger Siſter, who was about fourteen Years of Age when marry'd; and this *Reynold*, or *Reginald*, Earl of *Gueldre*, was a great Lover of King *Edward* and the *Engliſh* Nation. Her Portion was 15,000 *l.* which was no ſmall Sum in thoſe Days, when even the Marriages of the Daughters of *France* did not exceed 6000 Crowns ready Money. This Lady (who was the ſaid Earl's ſecond Wife) brought him two Sons, *Reginald* and *Edward*, both Dukes ſucceſſively after their Father: For when this King *Edward* came to be made Vicar of the Sacred Empire, he created this Earl *Reginald* Duke of *Guelder*; ſince which that Earldom became a Dukedom. *Barnes*'s Hiſtory of *Edward* III.

‡ THIS appears by ſeveral of his Letters to the Clergy, and by his Order to the Lords of the Treaſury, dated at *Pontefract*, the 12th of *February*, 1333; where he mentions the Sums ſubſcrib'd by the Clergy towards the Expences of his Siſter's Marriage, and directs them to levy the ſaid Sums, and carry them into the Treaſury. See alſo the King's Letter to the Abbot of St. *Mary*'s at *York*, dated at St. *Edmundsbury*, the 28th of *Auguſt* following.

[d] The ſaid Approbation is dated at *Newbourgh*, the 16th of *June* 1335. [e] Dated at *York*, the 13th of *December* following.

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it does not appear that the *Engliſh* knew as yet how to manufacture it into Cloth; as may be inferr'd from a Protection granted by the King [e] to a Weaver, who was come over to *England* to exerciſe his Art and Myſtery, and to teach it to the *Engliſh*.

AND we find the like Protection [f] to fifteen Weavers of *Zealand* who came to ſettle in *England* for the ſame Purpoſe.

ARTICLE II.

Affairs of Scotland.

Acts relating to the Truce with Scotland.

THE thirteen Years Truce between *England* and *Scotland* had been concluded about three Years when *Edward* III came to the Crown. It was one of the firſt Cares of his Council to maintain this Truce, and, if poſſible, to change it to a laſting Peace. There are ſeveral Acts in the Beginning of this Reign, which ſhew that this was then the Diſpoſition of the Court of *England*.

p. 256. THE firſt is an Order [g], the 15th of *February*, 1327, for the ſtrict Obſervation of the Peace with *Scotland*.

p. 270. THE ſecond is a full Power granted to certain Commiſſioners to treat of a final Peace with the *Scots*: It is dated the 4th of *March* following [h].

p. 271. *King of* Scotland *breaks it.*

THE third is *Edward*'s Confirmation of the thirteen Years Truce. But *Robert* King of *Scotland* was otherwiſe inclin'd: He wanted to take an Advantage of *Edward*'s Minority; and therefore, without any colour of Pretence, he broke the Truce *. His Generals, *Murray* and *Douglas*, advanc'd to the Frontiers with an Army of 25,000 Men, almoſt all Horſe, and committed ſome Ravages upon the Lands which the *Engliſh* ſtill poſſeſs'd in *Scotland*. This Invaſion engag'd the *Engliſh* to raiſe an Army of 60,000 Men, including the 500 Men of Arms which *John* of *Hainault* brought from his own Country to *Edward*'s Aſſiſtance. As the King was on the Point of ſetting out from *York*, where he had aſſembled his Troops, a Quarrel happen'd betwixt the Forces of *Hainault* and the Archers of the County of *Lincoln*, in which a great deal of Blood was ſpilt on both ſides †. Nothing but Time could put an End to this Quarrel; and in the mean while, the *Scots* paſs'd over the *Tine* between *Carliſle* and *Newcaſtle*, and ravag'd the Northern Counties of *England*.

Quarrel in the Engliſh *Army.*

THE King iſſued an Order [i] for raiſing Troops; which is intitled, *De Arraiatione facienda*. This barbarous Word is form'd out of the old *French* Word *Arrayer*, which ſignifies *to adorn, prepare*, or *put in Order*; in Latin, *inſtruere*. The *Engliſh* have appropriated this Word to ſuch Troops as they accoutre for War; and they call a Commiſſion for raiſing Soldiers, a *Commiſſion of Array*; and the Commiſſioners are call'd *Arrayers*, as we find in p. 296 of Tome IV.

King Edward's *Commiſſion of Array.* p. 287.

THE Uproar being appeas'd, *Edward* march'd towards *Durham* in queſt of the *Scots*; but it was a long Time before he could hear any Tidings of them: Which made him ſo uneaſy, that he promis'd a Penſion of 100 *l.* Sterling, and the Honour of Knighthood, to the Man that ſhould bring him in ſight of the Enemy. He was inform'd, not many Days after, that they were encamp'd but two Leagues from him, over-againſt *Stanhope Park*, on the other ſide of the River *Were*. He poſted thither with the Army immediately, on purpoſe to give them Battel; but they were ſo advantagiouſly poſted, that he had no opportunity of attacking them: And the two Armies fac'd each other for a whole Fortnight, with only the River between them, without coming to a Battel. At laſt, the *Scots* retir'd in the Night-time, and by precipitant Marches return'd to their own Country, whither the *Engliſh* did not think fit to purſue them. Thus ended this firſt Expedition of *Edward*; the ill Succeſs of which was afterwards charg'd upon *Mortimer*, who was accus'd of having favour'd the Enemy's Retreat.

p. 296. *He offers a Reward to any that could bring him in reach of the* Scots *Army.*

The Scots *Army returns home.*

[e] At *Lincoln*, the 23d of *July*, 1331, to *John Kempe* of *Flanders*. [f] Granted by the King at *Weſtminſter*, the 3d of *May*, 1337. [g] Dated at *Weſtminſter*. [h] At *Weſtminſter*.

p. 496. p. 751.

* ABOUT Eaſter 1327, *Robert Bruce* King of *Scotland* ſent a ſhort and briſk Defiance to King *Edward* and all his Realm, telling them, That he would ſhortly with his Power invade the Realm of *England* with Fire and Sword, and there do as he had done before, in his Father's Reign, at the Battel of *Bannockbourn*. See *Barnes*'s Hiſtory.

† THIS Fray is particularly related by Mr. *Barnes*, who ſays, that *John* of *Hainault*, and his Foreign Auxiliaries, being very much favour'd by the young King and his Mother, becauſe they had formerly appear'd in Defence of 'em againſt the *Spenſers*, even when her own Brother the King of *France* had deſerted her Quarrel; the King and Queen-Mother made a magnificent Feaſt, on purpoſe to do Honour to the ſaid Foreigners; but that their Servants, by their Inſolence, ſo exaſperated the *Engliſh*, that near 3000 of the Archers gathering together, many of the *Hainaulders* were ſlain, and the reſt, with moſt of the Knights their Commanders, then at Court, forc'd to fly to their Lodgings in the Suburbs of *York*, where they fortify'd themſelves the beſt they could. He ſays, that in the Tumult ſome part of the City was fir'd; that 80 Archers, moſt of them *Lincolnſhire* Men, were kill'd that Day, which was *Trinity-Sunday*; and that at Night the Foreigners roſe privately, and ſlew about 300 of the Archers of *Lincolnſhire* and *Northamptonſhire*, for which 6000 Archers had combin'd and vow'd a deſperate Revenge, but that the King, to ſecure the Strangers from their Fury, ſet ſtrong Guards about them, and diſplac'd the Archers from their former Quarters, who by the King's Authority, and the earneſt endeavours of the great Men, who charitably took the Strangers part, were in ſome time pacify'd.

[i] It was dated at *Nottingham* the 29th of *April*, 1327.

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The confus'd Accounts of this Expedition.

THE Particulars which Hiſtorians relate of this Expedition are a little confus'd, but they may be explain'd by having regard to the Dates of the ſeveral Orders which *Edward* iſſu'd during the Campaign, and which are to be met with in this Tome of the *Fœdera*. It would be too tedious to ſhew the Miſtakes which ſome modern Hiſtorians have committed in this Affair; therefore this Remark ſhall ſuffice, in order to direct the Curious who would know more of the Matter, to conſult the Tome it ſelf.

A Penſion ſettled on Rokesby *for bringing the King's Army to the Sight of the* Scots. p. 312.

THE King's Order for ſettling a Penſion on *Thomas Rokesby*, for bringing him to the Sight of the Enemy [i] *.

QUEEN *Iſabel* and *Mortimer*, who ſat at the Helm of Government in *England*, did not think a War for their Intereſt, and ſhew'd a very great Inclination for Peace. The King of *Scotland* finding them thus diſpos'd, laid hold of the Opportunity, and caus'd a Propoſal to be made to them of a firm and laſting Peace between both Nations, which was immediately accepted. This Treaty (*as has been partly obſerved already*) was altogether to the Advantage of *Scotland*; for by it *Edward* quitted his Right to the Sovereignty of that Kingdom, as well as all his other Pretenſions, and reſtor'd to *Robert* all the Deeds on which they were founded, with all the Jewels taken at *Edinburgh* by *Edward* I, his Grandfather. Thirty-thouſand Marks, which *Robert* was to pay in three Years time, were reckon'd a valuable Conſideration for all theſe Reſtitutions; and the Peace was ſeal'd by the Marriage of *Joan*, *Edward*'s Siſter, with *David* Prince of *Scotland*, who was but ſeven Years of Age. Thus was *England* a Sufferer through the Minority of its King, and the Male-Adminiſtration of thoſe who govern'd in his Name. In this Tome we have the authentick Act which *Edward* deliver'd as his Reſignation of all his Pretenſions upon *Scotland*. It is dated [k] the firſt of *March*, 1328.

Scandalous Peace with Scotland.

King's Reſignation of his Superiority over Scotland. p. 337.

King Robert Bruce's *Death.* p. 400.

KING *Robert* died in 1329 [l], and there is a Paſſport of King *Edward* [m], which was granted to *James* Earl of *Douglas*, who ſet out with his Heart for *Jeruſalem* †.

IN a very little time the Face of Affairs was chang'd, *Edward* became of Age, or at leaſt aſſum'd the Reins of Government; and *Scotland* in its Turn happen'd to be under a Minority, by the Death of *Robert Bruce*, who left his Son a Minor. The Fall of Queen *Iſabel*, and the Puniſhment of the Earl of *Marche*, gave the *Engliſh* Liberty to complain of the ſcandalous Peace which had been made with *Scotland*: And it was no difficult Task to perſuade young King *Edward* that he was not oblig'd to obſerve a Treaty ſo diſadvantagious to *England*, and which had been made before he came of Age. He reſolv'd therefore to ſet it aſide, but was oblig'd to ſtay 'till he had made an end of ſome Affairs with *France*; ſo that he did not enter into Meaſures for the Execution of his Project 'till the Year 1331. He did not intend an open Rupture with *Scotland*, becauſe the *Scots* gave him no Cauſe for it; but was reſolv'd upon another Method to carry his Point, which was to excite Troubles in *Scotland*, that might furniſh him with the Pretext he wanted. For this End he ſent for *Edward Baliol*, the Son of *John Baliol*, whom *Edward* I plac'd upon the Throne of *Scotland*, and afterwards depos'd, to come into *England*. It was now Thirty-two Years ſince the *Baliol* Family had renounc'd the Crown: *John* was dead, and his Son did not ſo much as once think of reviving his Pretenſions. Mean time, as he was neceſſary to King *Edward*, he careſs'd him to a very great degree, and made him believe that the Kingdom of *Scotland* properly belong'd to him: And to theſe Perſuaſions he added a poſitive Promiſe of Aſſiſtance to enable him to recover his Right. As Men are very apt to cloſe with what ſeems to tend to their Advantage, *Baliol* thought that *Edward* only acted out of pure good Will to him, and therefore embrac'd his Offer without Heſitation; whereas nothing was farther from *Edward*'s Thoughts, whoſe only View was to make a Tool of him to ſerve his own Purpoſes. He left *Ba-*

Conference betwixt King Edward *and* Edward Baliol.

[i] It is dated at *Lincoln*, the 28th of *September*, 1327.

* MR. *Barnes*, who ſays the King knighted *Rokesby* with his own Sword before the whole Army, gives us the remarkable Speech he made to the King, as follows:

" May it pleaſe your Majeſty, I have now brought certain Tidings of the *Scots* your Enemies: They are " not above three Miles from hence, lodg'd ſtrongly on a great Hill in *Weredale* beyond the River *Were*, " where they have been theſe eight Days expecting our coming. Dread Sir, What I ſay I'll maintain for Truth; " for I ventur'd ſo near to take the better View of them, that falling into their Hands, I was carry'd before " their Leaders, where being queſtion'd, I declar'd how deſirous your Majeſty has been all along to find them " out; but when I mention'd the Eſtate your Majeſty had promis'd, beſides the Honour of Knighthood, as " a Reward to him that ſhould firſt bring Tidings of them to your Majeſty, the Lords that command their " Army having made me promiſe to diſcover where they were to your Majeſty, freely quitted me my Ran- " ſom, and gave me full Liberty: For they ſaid, they were every whit as deſirous to fight with you; and if " it pleaſe your Majeſty, I ſhall ſhew you the Faces of them preſently."

[k] At *York*. [l] The 9th of *July*. [m] Dated at *Glouceſter* the firſt of *September* following.

† THIS gallant Nobleman, whom the deceas'd King conjur'd on his Death-bed to carry his Heart to the Holy Land, to aſſiſt the Chriſtians againſt the Infidels, was kill'd on his way to *Jeruſalem*, in a Battel with the *Moors* in *Spain*, in the Year 1330. For his Death and heroic Character, *vide Buchanan*.

liol

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liol therefore to build his Caſtles in the Air, and engag'd him in the Undertaking from which himſelf expected to reap all the Profit.

THIS Affair being thus ſettled, *Edward* took care to acquaint his Subjects privately, that they would do him a Pleaſure by aſſiſting *Baliol* in his Deſign to recover his Kingdom. This was a ſufficient Hint to engage ſeveral Perſons who had old Claims to Lands in *Scotland*, which they had obtain'd by the Bounty of *Edward* I, but loſt by the Revolution that happen'd in Affairs after the Coronation of *Robert Bruce*. They rais'd Troops therefore, and went and offer'd them to *Baliol*, who was reſolv'd to tranſport them by Sea to *Scotland*: Juſt as he was putting them aboard, *Edward* publiſh'd Proclamations, expreſly forbidding his Subjects to aſſiſt *Baliol*; but this was not done 'till it was too late to hinder it.

p. 529. We find this Proclamation dated the 9th of *Auguſt* 1332 [m], with an Order of the ſame Day to all the Inhabitants of the Northern Counties, ſtrictly to obſerve the Peace with *Scotland*. He had publiſh'd an Order of the like Nature the

p. 470. Year before [n], at the ſame time that *Baliol* was making his Preparations; but it ſeems to have been done only to lay the *Scots* aſleep. Upon theſe ſeveral Orders, and the Proclamation which I have juſt now mention'd, ſome Hiſtorians ground

A Miſtake of ſeveral Hiſtorians diſcover'd with reſpect to Edward *and* Baliol.

Edward's Juſtification; and from hence they pretend to demonſtrate, that he had no hand in *Baliol*'s Undertaking. But beſides that it is not always ſafe to truſt to the Declarations of Princes, it is manifeſt that *Edward* was privy to *Baliol*'s Deſigns from the very Beginning; becauſe the latter did not come into *England* without two good Paſſports from the King, the

His Paſſports for Baliol, p. 445, 452.

one dated the 20th of *July*, 1330 [o], and the other on the 10th of *October* following [p]. But that they had ſuch a Correſpondence and Concert, will appear yet farther by the Sequel.

EDWARD's Proclamation did not hinder *Baliol* from embarking his Troops to the Number of 2500 Men, with whom he ſail'd to *Kinghorn*, where he had ſcarce put them aſhore, but he was obliged to ſtand a Battle with the Lord *Seaton*, who was advanc'd with 10,000 Men to hinder his landing. The Neceſſity which the *Engliſh* were under of getting the Victory, in an Enemy's Country, where they had no Place of Retreat, made them fight deſperately, ſo that they routed the *Scots* Army. This firſt Succeſs procur'd *Baliol* freſh Succours, which were brought to him by the ancient

Battles betwixt Baliol *and Lord* Seaton, *the Earl of* Fife, *and* Nigel Bruce.

Friends of his Family. With this Reinforcement he had the Courage to face the Earl of *Fife*, who follow'd at the Heels of the Lord *Seaton* with a powerful Army, which he beat as heartily as he did the former, and put to the Rout. Two Days after, he defeated another Army, commanded by *Nigel Bruce*, which was augmented by the broken Remains of the preceding; and finally, he routed the Earl of *Fife* a ſecond time, who advanc'd with a burning Thirſt of Revenge, but carry'd off a double Mortification. Four Battels thus gain'd in a few Days, put *Baliol* in a Condition to fear no conſiderable Oppoſition any longer: He advanc'd therefore farther into the Country, took *Perth*, or *St. Johnſtoun*, and *Edinburgh*; after which he went to *Scoon*, where he was crown'd, if not with the Conſent of all the *Scots*, yet at leaſt without Oppoſition *.

EDWARD III.

Baliol's Coronation.

WHILE theſe Things were tranſacting in *Scotland*, *Edward* artfully made uſe of ſome Troubles that happen'd in *Ireland*, for a Pretence to arm: For this End he aſſembled his Parliament, and told them the Neceſſity of his carrying an Army into *Ireland*, to ſettle the Affairs of that Iſland. His Deſign was approv'd, and the Parliament granted him a conſiderable Subſidy. He rais'd Troops therefore, and ſent them towards the Weſt, as if he intended to imbark them on that Coaſt: While they were on the March, he told the Parliament, That the Troubles in *Scotland* demanded his Preſence in the North, and that it was not ſafe to let the Frontiers lie naked, while their Neighbours were up in Arms. His Voyage to *Ireland* was broke off therefore, and his Troops deſign'd for that Iſland, had Orders to advance towards the Frontiers of *Scotland*. *Edward* began from that time to complain that the *Scots* had broke the Peace, and he pretended to Advice from good Hands, that they had a Deſign to invade *England*. Tho' this was a very ſhallow Complaint, conſidering the ſad State of the *Scots* Affairs at that Juncture, yet it was upon this Pretext that he rais'd freſh Troops, as appears by a Commiſſion

Edward's Contrivance to aſſiſt him.

p. 543. which he iſſu'd for that Purpoſe on the 7th of *October*, 1332 [q].

MEAN time King *David*, after all his Loſſes, was retir'd with his Wife into *France*, leaving a Regent in *Scotland*, who did all that Man could do to retrieve his Maſter's Affairs, which were at a very low Ebb. This Regent ſeeing *Edward* advancing to the Frontiers, ſent to know what was his Deſign. *Edward* amus'd his Envoys for a while, by ap-

K. David *retires to* France.

[m] At *Wigmore*. [n] Which was dated at *Windſor* the 16th of *February*. [o] At *Woodſtock*. [p] At *Nottingham*.
* MR. *Barnes*, who gives a particular Account of all theſe Battels, ſays the Coronation was on the 27th of *September*, 1331.
[q] From *Nottingham*.

pointing

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King Edward's Commission to treat with the Envoys of the Regent of Scotland. p. 535.

pointing Commissioners to treat with them, as appears by his Full Powers[y]; but to conclude any thing, was far from his Intention: For at the same time he made a Treaty with *Baliol*, whereby he own'd him for King of *Scotland*; on which Condition the latter yielded him the Town and County of *Berwick*, and engag'd for himself and his Successors, to perform Homage and Allegiance to the Kings of *England* for the Crown of *Scotland*. The Act is dated[z] the 23d of *November* following; and plainly shews the secret Understanding there was betwixt *Edward* and *Baliol*. For the latter therein declar'd, That he had been crown'd by the Permission of *Edward*, and by the Assistance of the good People of *England*. He added, moreover, in this Act of Cession, that he had perform'd Homage and Allegiance for all *Scotland*, and for the Isles thereon depending; and that he had taken the Oath of Fidelity to him, in quality of his Vassal.

He makes a Treaty at the same time with Baliol, *who does him Homage for the Realm of* Scotland. *p. 537.*

p. 539. By another Act of the same Date, *Baliol* engag'd to succour *Edward* with all his Forces, as often as he should be requir'd; and openly acknowledg'd, that he had been crown'd by his Assistance. It must be observ'd, that these Acts are dated the 23d of *November*; that is to say, three Months after *Baliol's* Entrance into *Scotland*. Can any body imagine therefore, that *Baliol* could in so short a space of Time, and immediately after his Coronation, without any apparent Cause, take a Resolution to become a Vassal to *Edward*, and to yield *Berwick* to him, if there had not been a previous Agreement for that purpose before he engag'd in the Undertaking? Vain therefore are the Efforts of certain Writers to justify *Edward* upon this Article, since it is manifest that he was the first Author of this Expedition.

Another of Edward's *Commissions to treat with the Envoys of the Regent of* Scotland. *p. 540.*

YET, for all this, *Edward* continued to dissemble the Part he was acting, and to amuse the Regent of *Scotland* by Negotiations, as appears by another full Power which he granted to Commissioners to treat with him, dated at *York* the 14th of *December* following.

His Apology to the Pope. p. 540.

BUT this Disguise being seen thro' by the Publick, the Pope wrote to him, reproaching him for his Injustice to *Scotland*: And here we have *Edward's* Answer, dated the 15th of the same Month[a], wherein he endeavours to justify himself from the Suggestions of his Enemies, and for this End makes use of the same Argument we have already mention'd, *viz.* by giving the Pope to understand, that just as he was setting out for *Ireland*, he was inform'd that the *Scots* had a Design to invade his Dominions, and that this was the only Reason which engag'd him to march towards the Frontiers. The Date of this Answer of his to the Pope, is three Weeks after he had receiv'd *Baliol's* Homage.

IT was not long neither before the Regent of *Scotland* suspected *Edward's* Designs, who he imagin'd would not have brought so powerful an Army upon the Frontiers, if he had not had some ill Intention. Therefore he spent the whole Winter in raising an Army in those Counties which continued to declare for King *David*. This was enough to furnish the King of *England* with Matter of Complaint that the *Scots* intended to break the Peace, and to invade *England*; which, says *Edward*, oblig'd him to be beforehand with them; and he himself actually began the Hostilities; and when the *Scots* prepar'd to defend themselves, the Lord *William Douglas*, who had the Misfortune to be taken Prisoner by the *English*, was laid in Irons, as if he had been guilty of Rebellion or High-Treason.

His Apologies to the King of France *and the Earl of* Flanders, *for the War with* Scotland, *p. 556, 557.*

THE War being begun, *Edward* still pretended that the *Scots* were the Aggressors, and endeavour'd to make the King of *France* and the Earl of *Flanders* believe as much, by two Letters; that to the Earl of *Flanders* being dated[b] the 27th of *April*, 1333, and that to the King of *France* dated[c] the 7th of *May* following. This plainly shews what Precaution is necessary in the reading of the Letters of this and many other Princes, wherein we find the Truth so often disguis'd.

He besieges and takes Berwick. *p. 564.*

ALL the Motions of *Edward* ended at last in the Siege of *Berwick*, which he attack'd in *July* following, the 15th of which Month is the Date of its Capitulation. The Governour of it being inform'd that the Regent was advancing to raise the Siege, thought he should run no hazard by engaging to surrender the Place, if it was not reliev'd before the 20th Instant. No sooner was the Capitulation sign'd, but *Edward* heard that the Enemy was just at hand, and therefore he went to receive them upon *Halydown* Hill, where he gain'd one of the most signal Victories that the *English* ever obtain'd over *Scotland*. And here we have the King's Orders[d] for Thanksgivings for the said Victory, which was won, if I mistake not, upon the 18th of that Month *.

Victory at Halydown *Hill.*

King's Orders for Thanksgivings for it, p. 568, 571.

BERWICK thereupon surrender'd; and the *Scots* being quite dispirited by so many Losses, one upon the Neck of another, left *Edward* and *Baliol* to congra-

[y] Dated at *York*, the 26th of *October* 1332. [z] At *Roxburgh*. [a] At *York*. [b] At *Newcastle* upon *Tyne*. [c] At *Belford*. [d] Dated at *Berwick* upon *Tweed*, the 22d and 28th of *July* 1333.

* According to *Henry de Knighton*, and *Josbua Barnes*, the Battel was fought on the 19th.

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tulate each other on their Succeſs; while a few, who ſtill retain'd their Fidelity to King *David*, lay conceal'd about the Bogs and Mountains, waiting for better Times.

EDWARD III.

Earl of Namur *taken by the* Scots, *and the Earl of* Murray *by the* Engliſh.

A Miſtake of Hiſtorians about Baliol's *firſt Parliament*, p. 590, *to* 595.

IN *February* 1334, *Baliol* held his firſt Parliament at *Edinburgh*, and not at *Perth*, as many Hiſtorians have affirm'd *; for Mr. *Rymer* has given us the Acts of the ſaid Parliament [e]. The Homage perform'd by *Baliol* was therein approv'd; *England*'s Sovereignty over *Scotland* re-eſtabliſh'd, and the Surrender of *Berwick* confirm'd: Moreover, all the Acts paſs'd in the Reign of *Robert Bruce* were therein repeal'd, as having been made by illegal Authority.

Baliol's *Grants to King* Edward.

ON the 12th of *June* following, *Baliol* thinking he had not done enough for King *Edward*, was deſirous to give him a farther Teſtimony of his Gratitude, by an Inſtrument [f], whereby of his own accord and free Will, he gave him the Grant of *Edinburgh*, *Roxburgh*, *Jedworth*, *Selkirk*, and ſome other Towns, Caſtles, and Diſtricts, which lay convenient for *England*; of all which Places *Edward* immediately took poſſeſſion; as we find by two Acts of his [g].

p. 614.

Edward *takes poſſeſſion of them.* p. 616, 617.

THE *Scots* finding themſelves thus betray'd by their new King, began to take new Meaſures, and reſolv'd to periſh, rather than be any longer in Subjection to the King of *England*. They perceiv'd, without much Difficulty, that *Edward* was in reality King of *Scotland* more than *Baliol*; and that the latter was but a Tool to ſerve the Purpoſes of the King of *England*: Therefore they ſecretly aſſembled ſome Troops, with which they went and ſurpriz'd *Baliol* when he thought nothing of the Matter; and by that unexpected Attack entirely defeated him, and oblig'd him to mount a Horſe without a Saddle, and fly to *Carliſle*, from whence he ſent his Protector an Account of his Diſaſter.

Baliol *defeated meerly by a Surprize.*

King Edward *revenges it by an Excurſion into* Scotland, *and after a ſhort Truce ravages it again.*

EDWARD was too deeply engag'd in his Affair, to leave his Work unfiniſh'd and imperfect; therefore he march'd into *Scotland*, where he ravag'd ſeveral Counties, and then return'd into his Dominions. The *Scots* aſſembled again in the following Winter, in order to make head againſt another Invaſion, which they apprehended from *Edward*; but the King of *France* procur'd a Truce for them to the end of *June*, which gave them ſome Reſpite. As ſoon as it was expir'd, *Edward* ravag'd *Scotland* a ſecond time, but could not bring the *Scots* to a Battel, becauſe they were afraid to expoſe the few Troops they had left. Mean time the Earl of *Namur*, who ſerv'd *England*, was taken by the *Scots*, but ſet at liberty by *Murray* the Regent of *Scotland*; who, to extend his Generoſity to him yet further, thought fit to accompany him to the Frontiers, and had the Misfortune to be taken Priſoner himſelf by the Garriſon of *Roxburgh*, upon the 13th of *Auguſt*. After *Edward* had done all that he liſted in *Scotland*, at the Requeſt of the Pope and the King of *France*, he granted a Truce 'till the Feaſt of *Eaſter*, 1336 [h].

Edward *grants another ſhort Truce.* p. 674, 675, 676, 681, 684, 685.

DURING this Truce, King *David*, who was all the while a Refugee in *France*, had the Liberty of ſending Ambaſſadors into *England* to treat of an Accommodation, but it all came to nothing. Thoſe Negotiations are the Subject of ſeveral Acts in this Collection, which are of the leſs Importance, becauſe they were of no Effect. Tho' *Baliol* ſtill bore the Title of King of *Scotland*, he had no more Authority there; for *Edward* was Lord of all, and he only allow'd *Baliol* five Marks a Day for his Subſiſtence.

Baliol *but a Cypher, and kept at ſhort Allowance by King* Edward.

As ſoon as the Truce was expir'd, *Edward* march'd a third time into *Scotland*, as appears by diverſe of his Orders, dated at *Perth*, or *St. Johnſtoun*, from the 3d of *July* to the 3d of *September*, 1336.

Edward's 3d *March into* Scotland, p. 700, 708.

THE Remainder of the Year was ſpent in ſeveral Negotiations in favour of the *Scots*, at the Sollicitation of the King of *France*, who ſuffer'd *Edward* to trifle with him [i]. King *Edward* had left the Command of his Troops to the Earl of *Athol*, who had the ill Luck to be ſurpriz'd by the *Scots*, and kill'd in Battel †.

p. 704, *to* 707.

AMONG the Acts of the Year 1337, there's an Order [k] for the Payment of Twenty Shillings a Week for the Subſiſtence of the Earl of *Murray*, then Priſoner in the Tower; which Allowance we find augmented afterwards [l] to Twenty-ſix Shillings and eight Pence *per* Week, becauſe of the Dearneſs of Proviſions.

Orders for ſubſiſting the Earl of Murray, *a Priſoner in the Tower.* p. 729, 735.

AFTER many fruitleſs Negotiations which were carried on about the beginning of the Year 1337, *Edward* went again, in the Month of *June*, to *Scotland*; and in this fourth Expedition made cruel Ravage of that unhappy Kingdom: Afterwards he return'd home to his own Dominions, becauſe he found no Enemies to oppoſe him.

Edward's *fourth Expedition to* Scotland.

* *Walſingham* and *Barnes* are both guilty of this Error, whoſe Authority, no doubt, miſled many others.

[e] Dated at *Edinburgh*, in the Month aforeſaid. [f] Dated at *Newcaſtle* upon *Tyne*. [g] Dated at the ſame Place, on the 15th, which was but three Days after the Date of the Grant. [h] As appears by ſeveral Inſtruments of his, dated the 1ſt of *Novemb.* 1335, at *Dodington*; the 8th *ditto* at *Alnwick*; the 16th and 23d at *Newcaſtle* upon *Tyne*; and on the 22d and 26th of *January* following, at *Berwick* upon *Tweed*. [i] As appears by ſeveral of *Edward*'s Acts, dated at *Perth*, as aforeſaid, in *July* and *Auguſt*.

† MR. *Barnes* ſays, this Battel was fought in the Fields of *Kilblain*, upon the laſt Day of *December* 1335; and that the Earl of *Athol*, who fell in it, *viz. David Strabolgi* (and not *Cumin*, as *Hector Boetius* and *Buchanan* erroneouſly call him) was alſo a Baron of *England*, where he had large Poſſeſſions.

[k] Of the 24th of *January*. [l] By an Order of the 16th of *March* following.

IN the next Article we ſhall find the Motive which inclin'd that Prince to give the *Scots* ſome Reſpite, tho' he would not have abandoned his Enterprize nevertheleſs, if he had not thought them ſufficiently reduced. Here end the Acts of this Fourth Tome, which relate to *Scotland*.

IN our Account of the Second Tome of the *Fœdera*, the Foundation of the King of *England*'s Pretenſions to *Scotland* is ſtated at large, and it is left to the Reader to judge whether *Edward* III was juſtifiable in reviving them, after they had been ſo ſolemnly renounc'd, and whether the Ways and Means he made uſe of for this End were regular. They who have endeavour'd to juſtify him upon this Article, have rather given Proofs of their Prepoſſeſſion than of their Sincerity; the Prepoſſeſſion, I mean, of *England*'s Sovereignty over *Scotland*, which has been for a long time the favourite Paſſion of the *Engliſh* Politicians, and is ſo ſtill with ſome; for not many Years ago, Books were publiſh'd upon this very Subject with as much Earneſtneſs as if the Affair was a new Subject of Controverſy; but it is to be hoped that the Union of the two Kingdoms has now almoſt entirely quaſh'd this Contention, which has already been of too long ſtanding.

ARTICLE III.

Affairs of France.

FEW People are Strangers to the great and famous Quarrel between *Edward* III and *Philip* of *Valois*, concerning the Crown of *France*, and the War that broke out betwixt thoſe two Princes upon that occaſion. This Fourth Tome contains only the Preparations for this bloody War; ſuch Preparations as laſted eight or nine Years before *Edward* declar'd actual War. Tho' the Tranſactions during thoſe nine Years may ſeem of little Importance at firſt, yet ſeveral Inſtructions may be gather'd from the Acts which this Tome furniſhes for that *Period*, or rather *Parentheſis* of Time. They let us in a great meaſure into *Edward* the Third's Character, whoſe Enterprizes were attended with ſuch great and happy Succeſſes, that Hiſtorians have ſlightly paſs'd over the minuteſt of his Actions, in order to expatiate upon the moſt conſiderable. In the Narrative of his Victories they have taken vaſt Delight to extol his Valour, his Prudence, Generoſity, and the Sublimity of his Genius; and every body muſt acknowledge that the Encomia they gave him were his Due. But all this is not ſufficient to make up the complete Character of this Prince; which, to be perfectly acquainted with, the Reader ſhould know his Suppleneſs in Negotiations, and ſome other Circumſtances attending his Actions of a lower Claſs; which ſhew that his Virtue was not of the moſt rigid kind, or at leaſt that he was convinc'd that Diſſimulation was not incompatible with the Virtues of a great King. This was a Fault which he was guilty of in common with many great Princes, who were as careleſs as he of the Reputation they left to Poſterity; tho' ſuch a Care or Regard ought to be as great a Conſtraint and Check to them, as the Fear of the Laws is to private Perſons. We have ſeen a remarkable Inſtance of this Inſincerity in *Edward*, in the Deſigns which he form'd againſt *Scotland*; and the remaining part of this Tome furniſhes us with ſome other Proofs of it in his Conduct to *Philip de Valois*, before he formally enter'd upon that War which he had long been contriving againſt him.

King Edward's Character.

AS ſoon as *Edward* was ſeated on the Throne, the Queen his Mother, and *Mortimer*, who govern'd all Affairs, and as much dreaded a War with *France* as with *Scotland*, conſulted how to put an end to all the Differences which *England* had with *France*. The laſt Treaty which *Iſabel* concluded at *Paris*, had left ſome things undetermin'd, that were capable of producing Quarrels between the two Crowns, and which it was therefore neceſſary to prevent, eſpecially during *Edward*'s Minority. Accordingly Ambaſſadors were ſent to *France* about a Month after the King's Coronation, in order to ſettle all the Matters in diſpute [m], and they concluded a Treaty the 31ſt of *March* [n]; by which it was ſtipulated, among other things, that *Edward* ſhould pay *Charles the Fair* Fifty-thouſand Marks Sterling for the Charges of the preceding War, and demoliſh the Caſtles of the condemn'd Lords of *Gaſcoigne*, who were moreover pardon'd as to Life and Member, provided that they obey'd the Ban, *i. e.* ſubmitted to Baniſhment. Tho' *Edward* did not much mind the Execution of this Treaty, yet the two Kings liv'd in Peace all the reſt of this Year.

Ambaſſadors ſent to France, *p.* 264, 267.

Treaty with Charles the Fair *of* France, *p.* 279.

ABOUT the Beginning of 1328, a freſh Quarrel broke out between the two Crowns, of much greater Importanee than that which was lately accommodated. *Charles the Fair* happen'd to die on the firſt of *February*, without Male-Iſſue; but *Blanche*, his Queen, was ſeven Months gone with Child. It was given out, that before his Death he nominated his Couſin-German, *Philip de Valois*, to be Regent 'till the Queen was brought to bed. On the other hand, *Edward* demanded the Regency, as the neareſt Relation of the deceas'd King, to whom he was Nephew;

A freſh Quarrel breaks out between the two Nations, about the Regency of France.

[m] Their full Powers are dated at *Weſtminſter* the 22d of *February* 1327. [n] At *Paris*.

whereas

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whereas *Philip*, as has been ſaid, was no more than Couſin-German. This was a Queſtion which the States of the Kingdom were aſſembled to decide. *Philip* founded his Plea upon the *Salic* Law; which, ſaid he, excluded all Women and their Deſcendants from the Crown, and by conſequence from the Regency. *Edward* argu'd on the other hand, that the *Salic* Law only excluded Women from the Crown on account of their Sex, and not the Male-Iſſue deſcended from ſuch Women, becauſe they had not that Imbecillity of Sex. The States however adjudg'd the Regency to *Philip de Valois*, during the Queen's Pregnancy; who being brought to bed of a Daughter on the firſt of *April* that ſame Year, *Philip de Valois* was own'd King of *France*, and crown'd the 28th of *May* following.

Before we proceed further, 'tis neceſſary to obſerve, that the Subject in Debate has been attended with ſome Difficulties that were never fully clear'd up, and which ſome Acts in this Tome may help to elucidate or reſolve. The firſt Difficulty is to know whether *Edward* ſent Ambaſſadors into *France* to demand the Regency immediately after the Death of *Charles the Fair*. 2. Whether the States of *France* made two Decrees, one for aſſigning the Regency to *Philip*, another for adjudging the Crown to him. 3. Whether *Edward*'s Ambaſſadors demanded the Crown for their Maſter, after Queen *Blanche*'s Delivery; whether they were heard, and whether the States determin'd for *Philip*, after Conſideration of the Arguments brought by both Claimants. 4. It will be neceſſary to examine where the Knot of the Queſtion between the two Claimants chiefly lay; a Diſpute which the *French* Hiſtorians ſeem to have hurry'd over in too general a manner, and with very great Confuſion, as if they were afraid to loſe Ground by a cloſe Diſcuſſion of Particulars. I hope therefore it will not be unacceptable if I make a ſhort Pauſe upon each of the ſeveral Queſtions, becauſe the great Conſequences with which this famous Proceſs was attended, render this Subject one of the moſt conſiderable Articles in the Hiſtories of *France* and *England*.

Diſpute betwixt Edward *and* Philip de Valois *about the Regency of* France.

I. ALL the *French* Hiſtorians unanimouſly affirm, that *Edward* ſent Ambaſſadors to *France* to demand the Regency; and they mention the very Speech which they made to the States of that Kingdom, with their very Allegations, and the Anſwer return'd to them by *Robert* of *Artois*, who was then a great Stickler for *Philip*. But among all the *Engliſh* Hiſtorians, I know not one who mentions this Embaſſy: And in all the Acts of this fourth Tome, which contains a multitude of others that are of leſs Importance, there's not a ſingle Sentence to be found which gives room to believe that *Edward* ſent any Ambaſſadors upon this Errand. 'Tis likewiſe to be ſuppos'd, that Queen *Iſabel* and the Earl of *Marche*, who manag'd all the Affairs of the Realm, would not have offer'd at any ſuch thing, for fear of engaging themſelves in a War with *France*, ſince the ſaid Queen and Earl, for the ſake of avoiding a War with *Scotland*, had preſum'd viſibly to betray the Intereſts of their Pupil. Theſe Reaſons make it ſhrewdly ſuſpicious, that the Speeches of the *Engliſh* Ambaſſadors, and of *Robert* of *Artois*, were invented by *Paul Emilius*, who publiſh'd them, or by ſome other Hiſtorian. Nevertheleſs this is but a negative Proof, which cannot entirely be depended on, ſince all the *French* Hiſtorians agree in the contrary. But be it as it will, whether *Edward* did or did not ſend Ambaſſadors to demand the Regency, 'tis certain that he look'd upon the States Determination in favour of *Philip de Valois*, as a piece of Injuſtice done to himſelf, being very ſenſible of the Advantage which his Competitor might reap from the Regency, in caſe the Queen Dowager ſhould be brought to bed of a Daughter. This appears from the Letters which he wrote during the Interval between the Decree made about the Regency and the Queen's Lying-in, who was not brought to bed 'till the Month of *April*. Theſe Letters, directed to ſeveral Noblemen of *Guyenne*, to the Univerſities, Biſhops, Priors, Abbots, Knights, and Gentlemen of eighteen Towns of *Navarre*, to twenty-nine Noblemen of *Foix* and *Languedoc*, and to nineteen Towns of this latter Province, imported that he intended to recover his Inheritance by one means or another, when he ſaw it a proper Time. One would be apt to think, that by his Inheritance he meant *Guyenne*, if in ſome of thoſe Letters he did not plainly talk of the Inheritance of his Mother: This ſhews that he ſpoke of the Kingdom of *France*, as well as of *Navarre*, which was in the ſame Caſe, and not of *Guyenne*, to which his Mother had no Right. Theſe Letters are dated [a] the 28th of *March*, 1328, before the Queen's Lying-in.

EDWARD III.

King Edward's *Letters to the Nobility, &c. in* France.

[a] p. 344, 347.

II. THE ſecond Difficulty to be ſolv'd, is to know whether the States that had given the Regency to *Philip de Valois*, immediately after the Death of *Charles*

[1] At *Lincoln*.

the

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the Fair, did by a ſecond Sentence decree the Crown to him likewiſe, after the Queen Dowager's Delivery. Here we find a mighty Confuſion in the *French* Hiſtorians, who jumble theſe two Queſtions together, which they ought by all means to have ſtated ſeparately. They ſay indeed, that the States ſettled the Regency on *Philip*; and they affirm likewiſe, that the States ſet the Crown upon his Head: But when they talk of the latter Decree, it looks as if they meant the former relating to the Regency, becauſe they there bring in the *Engliſh* Ambaſſadors, and put the very ſame Speech into their Mouths which they made, when they demanded the Regency for their Maſter; and they make *Robert* of *Artois* return juſt the ſame Anſwer. It is impoſſible that the ſame Things ſhould happen on thoſe two different Occaſions: The Reaſon is plain; for ſuppoſing that the Ambaſſadors of *England* were preſent at the firſt Decree of the States about the Regency, which I am loth either to affirm or deny, for the Reaſons mention'd in the foregoing Article; it is however certain, that they were not preſent when the Crown was decreed to *Philip*; and that they did not demand it, becauſe they had not yet receiv'd Orders about it. What I have now mention'd, is evident from two deciſive Pieces in this Collection. The firſt is a full Power granted by *Edward* to his Ambaſſadors, to demand the Crown of *France* in his Name; which full Power is dated [p] the 16th of *May*, 1328, only twelve Days before *Philip*'s Coronation.

Confuſion in the French *Writers.*

King Edward's *Demand of the Crown of* France, *p.* 354.

Now that the *Engliſh* Ambaſſadors could get to *Paris*, or ſuppoſing them there already, that they could receive their Commiſſion, and execute it; that a Queſtion ſo important ſhould be examin'd and determin'd in an Aſſembly of the States, where, according to *Mezeray*, Parties ran very high; and finally, that the Preparations for the Coronation, and the Ceremony it ſelf, ſhould be perform'd in the ſpace of twelve Days; that ſo ſhort a ſpace of Time, I ſay, ſhould be ſufficient for all thoſe Things, is a Matter almoſt paſt Belief. The ſecond Piece is a ſort of Manifeſto by King *Edward*, which we meet with in the 5th Tome of the *Fœdera*: In the ſaid Manifeſto, *Edward* expreſly complains, that his Ambaſſadors had not been heard, and that they had even run the hazard of their Lives. All this gives room to believe, that there was no ſolemn Sentence given touching the Crown, and that when *Philip de Valois* had obtain'd the Regency, he never troubled his Head about a ſecond Deciſion, but caus'd himſelf to be crown'd; imagining that the ſame Reaſons which made him a Regent, conſtituted him King. It muſt be own'd, at leaſt, that if there was a ſecond Decree, it was made with very great Precipitation, and without the Intervention of the *Engliſh* Ambaſſadors.

III. THE third Difficulty is explain'd under the ſecond Head, and therefore it is not neceſſary to inſiſt on it again.

IV. THO' *Edward* ſeem'd tacitly to acquieſce in the Decree of the States, yet he never abandon'd his Deſign to aſſert his Right when a fair Opportunity ſhould offer; but his Age, the Subjection in which he was kept by his Mother and *Mortimer*, and the War with *Scotland* which enſu'd, hindered him from openly diſcovering his Deſign, 'till the Year 1337, as we ſhall ſhew preſently. But as this Affair was attended with terrible Conſequences, and was, as it were, the Beginning and Cauſe of the moſt remarkable Tranſactions mention'd in the Hiſtories of *France* and *England* for above a Century, it is neceſſary to explain the fourth Difficulty, which is to know exactly upon what Plea *Edward* grounded himſelf, when he undertook to wreſt the Crown of *France* out of the Hands of *Philip*. It ſeems as if the main View of the *French* Authors, was to render this Matter obſcure, by treating it in a general way, and inſinuating that *Edward* diſputed with the *French* the Authority of their *Salic Law*, of which they had been in Poſſeſſion near a thouſand Years: By this means, if I may venture to ſay it, they have miſled their Readers, and prejudic'd a multitude of People againſt *Edward*'s Pretenſions.

A juſt Reflection on the French *Authors.*

THE *Salic* Law, according to which the *French* exclude Women from the Crown, is only founded upon Tradition; for never was any Original, or Authentick Copy of it produc'd. The Author of it and its Vouchers are alike unknown; for they only quote an old Chronicle, without giving us either its Date or Author, which aſcribes the Glory of it to *Pharamond*, the firſt King known among the *French*. From *Pharamond* to the Death of *Lewis Huttin*, that is to ſay, for almoſt 900 Years, it was not put in practice; at leaſt we know of no publick Act, or any Fact related in ancient Hiſtories, to prove beyond diſpute that the *French* govern'd themſelves by this Law in the Diſpoſal of their Crown. This will no doubt be thought very ſtrange, by thoſe who are already prepoſſeſſed in its favour; therefore it is neceſſary to enter into a ſhort Detail upon this Subject, and briefly to run over the three Races or Families of the *French* Monarchs.

Salic Law.

[p] At *Northampton.*

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The Merovingian *Race of* France.

WHILE the Family of *Meroveus* was upon the Throne, there are but three Inſtances that can be produced to prove the Practice of this Law; and all three too weak to ſupport the Inferences which ſome would fain deduce from them. The firſt is taken from the Settlement which was made of the Crown after the Death of *Childebert* King of *Paris*, whoſe two Daughters were depriv'd of their Father's Succeſſion. See what *Mezeray* ſays upon this Subject, in his Abridgment. *Their Uncle* Clotaire, *either in hatred of their Father, or for fear leſt they ſhould pretend to the Succeſſion, detain'd them in Priſon 'till he was ſure of the Kingdom. This is the firſt Inſtance of the* Salic *Law in Favour of the Males.* Is it poſſible to bring a more ſilly Allegation than that to prove the Authority of this Law, ſince it manifeſtly diſcovers that it was Force only which depriv'd thoſe Daughters of *Childebert* of their Father's Inheritance! The ſecond Inſtance may be fetch'd from the Hiſtory of the Succeſſion after the Death of *Cherebert* King of *Paris*. This Prince had left three Daughters, of which the two eldeſt were Baſtards and Nuns. *Bertha*, who was the youngeſt, and was afterwards the Wife of *Ethelbert* King of *Kent* in *England*, was hinder'd from ſucceeding her Father, by her three Uncles, *Gontran*, *Sigebert* and *Chilperic*: But this was likewiſe by Force, and not by vertue of the *Salic* Law, of which no Hiſtory makes mention in this Place. In order to prove that this Succeſſion was by vertue of the *Salic* Law, the ſaid Law ſhould either be produc'd in due Form, or at leaſt it ſhould be proved that it had been put in Practice before: But the Inſtance I gave juſt now is the only one that precedes this; and, as I have before ſhewn that to be inſufficient, there's no making uſe of it upon this Occaſion. The third Inſtance is taken from the Succeſſion of *Gontran*, which his Brothers ſhar'd betwixt them, becauſe he had left only one Daughter: But this Daughter was a Nun, and by conſequence not capable of ſucceeding. Beſides, Hiſtory ſays no where, that *Gontran*'s Brothers ſucceeded to him by vertue of the *Salic* Law, but only that they ſhar'd the Succeſſion; which they were like enough to do, as well by Force as by legal Right; the rather, becauſe 'tis well known that the *French* Princes were not over ſcrupulous at that time. All who underſtand any thing of the Hiſtory of *France*, know full well that in thoſe Days Force had a greater Share than the Laws, in the Diſtribution of the Kingdoms into which that Monarchy was divided. Towards the Concluſion of this Race, the Mayors of the *Palace* * took upon them to place ſuch Princes of the Royal Family on the Throne as they thought fit, without troubling themſelves with the Laws of the Country, Laws which are moreover very much unknown to us.

EDWARD III.

The Carlovingian *Race.*

IN the *Carlovingian* Race, which ſucceeded next, to the Throne, we don't find that the Daughters were depriv'd of the Crown by vertue of the *Salic* Law; nor am I certain that there was ever any occaſion to put it in Execution. Be this as it will, we learn on the contrary, that, towards the end of this Race, the Deſcendants of *Charlemagne*, by the Female ſide, diſmember'd that potent Monarchy, as *Mezeray* ſomewhere obſerves; and all the while it does not appear that the *Salic* Law was ſo much as once oppoſed to their Pretenſions.

The Capetian *Race.*

As to the Third, namely the *Capetian* Race, 'tis certain that there was no occaſion to put that pretended Law in Execution for above 300 Years: And if any ſhould offer to object that never any Women ſucceeded to the Crown from the beginning of the Monarchy, that's ſaying nothing to the purpoſe; for by the ſame Reaſon it may be prov'd, that there's a Law which excludes from the Crown thoſe that are born blind, becauſe ſince *Pharamond* no one that was born blind ever aſcended the Throne. To this we may add, that if the *Salic* Law had been eſtabliſhed and own'd in *France*, *Hugh Capet*, who diſtributed among the Grandees of his Realm thoſe Lands, of which Duchies, Earldoms, and Lordſhips were afterwards form'd, would not have fail'd to ſubject thoſe Lands to that ſame Law; becauſe no body could have taken it ill, if he had ſubjected the Parts to the ſame Law to which the Whole was ſubject. Nevertheleſs he did not do it; for on the contrary, it is certain that the great Fiefs belonging to the Crown deſcended to the Females, as is poſitively affirm'd both by *Paſquier* and *Mezeray*. But I do not pretend by this to combat the Right of the Males as for what relates to the Time preſent; the States of the Realm having thus eſtabliſh'd it, being a ſufficient Conſideration to put it out of all manner of

* THESE *Maires du Palais*, as the *French* call them, were Officers, whoſe Authority was ſo exorbitant, that they were not only the Guardians, but Governours of ſome of their ancient Kings, and either enthron'd or dethron'd them at their Will and Pleaſure. Hiſtory tells us, that *Clouis* II, and the ten Kings that follow'd him, to the concluſion of the *Merovingian* Race, were call'd *Faineans*, *i. e.* Idle Drones, becauſe inſtead of minding the Government themſelves, they left all to theſe *Mayors*, to whom every body made their Court, while the Princes ſpent their Time in Pleaſures, and were in a manner kept Priſoners in their Palaces, with ſuch Servants as the *Mayor* pleas'd, who were rather Spies upon them, than Attendants: And this very *Clouis* marry'd a Slave belonging to the *Mayor* of his Palace. *Vid.* Mezeray.

Diſpute:

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Diſpute: Neither do I propoſe to treat of any thing but what paſs'd down to the firſt Deciſion of the States of the Realm, made after the Death of *Lewis Huttin*; which was not many Years before the Proceſs now in queſtion. To this Enquiry into the *Salic* Law in general, it is neceſſary to add another for the ſake of particular Caſes which have reſpect to that Law, by ſhewing what regard was had to it from the Death of *Lewis Huttin*, to that of *Charles the Fair*.

A farther Inquiry into the Salic *Law.*

Lewis Huttin, who died in 1316, only left one Daughter nam'd *Joan*; his Queen Dowager being then with Child, the States choſe to ſtay 'till ſhe was deliver'd, before they diſpos'd of the Crown: For if ſhe had been brought to bed of a Son, this Son muſt have ſucceeded the Father; not by vertue of the *Salic* Law, but by vertue of a Law common to all States where the Males are preferr'd before the Females in the ſame degree of Kindred. 'Till the ſaid Queen was brought to Bed, *Philip*, Brother to the deceas'd King, was declar'd Regent; an Honour which young *Joan* his Niece was not in a Condition to diſpute with him, becauſe ſhe her ſelf was under the neceſſity of having a Guardian. But *Mezeray* obſerves, that the Duke of *Burgundy*, *Joan*'s Uncle by the Mother's ſide, made Preparation to aſſert his Niece's Right in caſe the Queen Dowager miſcarry'd, or was deliver'd of a Daughter. Mean time the Queen was brought to Bed of a Son nam'd *John*, who was immediately recogniz'd for King, but did not live above eight Days; whereupon a great Quarrel aroſe about the Succeſſion. *Charles* Count *de Valois*, Uncle to the deceas'd King, and the Duke of *Burgundy*, declared openly for *Joan* againſt her Uncle *Philip*; in which they both ſet up againſt their own Intereſts, becauſe as they were Princes of the Blood, the *Salic* Law was advantagious to their Families. This ſhews that the ſaid Law was not yet firmly eſtabliſh'd, becauſe the firſt Princes of the Blood, and the chief Peers of the Realm, made no Scruple to maintain a Right which was directly againſt it. Be that as it will, the States decided in Favour of *Philip*, who was ſurnam'd *the Long*, and was the fifth King of *France* of that Name. This now was the firſt clear, exact and undiſputed Deciſion that the States of *France* ever made in Favour of the *Salic* Law, which was 900 Years after the Foundation of the *French* Monarchy. *Philip the Long* dying after a ſhort Reign, and leaving only three Daughters, his Brother *Charles the Fair* ſucceeded him without Oppoſition, to the Prejudice of his Nieces. This again was a ſecond incontеſted Deciſion in Favour of the Males.

Laſtly, after the Death of *Charles the Fair*, who left his Queen alſo with Child, the Diſpute now in queſtion aroſe between *Edward* III and *Philip de Valois* for the Regency, or rather for the Crown of *France*. Thus I have given you the moſt material Paſſages, with reſpect to the *Salic* Law, from the very Foundation of the *French* Monarchy. EDWARD III.

A State of the Queſtion between Edward *and* Philip de Valois.

Now, in order to give a true State of the Controverſy between *Edward* and *Philip de Valois*, it muſt be conſider'd that they both laid down the *Salic* Law for the Baſis of their Pretenſions. The only difference between them was, that *Philip* would have it to extend to the Deſcendants of the Females; whereas *Edward* inſiſted, that it ought to extend only to the Females, becauſe of the Imbecility of the Sex; and not to their Male-Deſcendants who had not that Incapacity. It is therefore plain, that thoſe who have aſſerted that *Edward* directly oppugned the *Salic* Law, have not ſtated the Queſtion as it ought to be; for *Edward* was too wiſe a Prince to reject a Law which was the only Baſis of his Right.

An Overſight of ſome Hiſtorians detected.

FOR without the *Salic* Law, what Right had *Charles the Fair* to the Crown, when his elder Brother had left three Daughters? And if *Charles* had not had a Right to the Crown, how could his Siſter *Iſabel*, who was *Edward*'s Mother, come by any Right to it? Beſides, if the *Salic* Law had not taken Place, *Edward* himſelf would have had no Right to the Crown; becauſe the Daughters of *Philip the Long*, the Daughters of *Charles the Fair*, and his own Mother, who was ſtill alive, would have come in before him. Therefore he was far from diſputing the Authority of this Law, which, whether true or not, was ſo much for his Advantage; but he maintain'd that it extended to the Females only, and not to their Deſcendants: From whence he inferr'd, that as he was the neareſt Male Heir to the deceaſed King, the Crown devolv'd to him by Right of Affinity; and not to *Philip de Valois*, who was not ſo near a-kin by one Degree. *Philip* on his part maintain'd, that the Law excluded not only the Females, but their Deſcendants; and this was properly the very Queſtion now to be decided by the States of the Realm. In order to form a Judgment of this Proceſs by the ordinary Rules of Juſtice, it were neceſſary to have recourſe to the Law it ſelf, or to Precedents; but neither the one nor the other is to be found. The *Salic* Law was no where in being, and in all the Hiſtory of *France* there was not a ſingle Inſtance to be met with that match'd the preſent Caſe: For the two foregoing Deciſions of the States, with reſpect to *Philip the Long* and *Charles the Fair*, and

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which at the same time were the only ones to be met with in the History of *France*, did in no Sense come up to it: It is true, they establish'd the Authority of the *Salic* Law, but they had no View to the Exclusion of the Descendants of Females, the only Point in Controversy. This, by the way, confirms me in my Opinion, that the Harangues inserted by *Paul Emilius*, I mean the Speech of the *English* Ambassadors, and the Answer of *Robert* of *Artois*, are spurious; because neither the one nor the other enters into the Knot of the Question. If it was a difficult Matter to prove the Existence of the *Salic* Law, as I have already demonstrated, it was no less difficult to explain it, for want of considering its Terms and Circumstances. Nevertheless, there was a necessity of giving Judgment one way or another; and the States decided the Matter in favour of *Philip de Valois*, to which they were determin'd probably by four Reasons. 1. That *Isabel* could not convey a Right to her Son, which she had not her self. 2. That *Edward* was a Foreigner, born out of the Realm. 3. That he was still a Minor: And, 4. That they were afraid of a Civil War if they should award the Crown to that Prince; and that if such a War should be the Consequence, they had rather expose themselves to the Hazards of a Foreign one. But these are Reasons which this is not a Place to enquire into. It is sufficient to observe, that the Decision of the States was new and unprecedented; that it was not taken from the Law it self, and that it was purely grounded upon Reasons of State. From hence, therefore, I cannot help concluding, that *Edward*'s Pretensions were not so extravagant as the *French* Authors would have them commonly understood. A grand Decision, which is supported neither by the Law it self, nor any preceding Decree, is necessarily subjected, which way soever we turn it, to the Reproaches of the Party who loses the Cause, without any Reflection upon the weakness of the Reasons urg'd by the Complainant. *Edward* therefore might complain, that the Affair had been wrong decided, as to the Matter of it, and that the Award was null and void as to the Form of it, because it had been pass'd with too much Precipitancy; and particularly because his Ambassadors had been deny'd a Hearing. And if to all this we add, that it is extremely probable there was no other Decree of the States than that which awarded the Regency to *Philip*, it will naturally be suppos'd that *Edward* did not complain without Reason; and it was this very Consideration that made him take a Resolution to maintain his Right by Force of Arms. I hope to have Pardon for this Digression, tho' it is not borrow'd from the Acts of the *Fœdera*, where nothing is to be found that sets forth *Edward*'s Right in particular; for in all the Acts where any mention is made of it, the said Right is all along suppos'd as devolv'd to *Edward* by the Death of *Charles the Fair*, without entering into the particular Merits of the Cause. EDWARD III.

Decision of the States of France *in favour of* Philip de Valois *consider'd.*

A Vindication of Edward's *Pretensions.*

BUT though the Acts of the *Fœdera* do not give us the particular Reasons on which the said Prince founded his Pretensions to the Crown of *France*; yet they plainly discover that he intended some time or other to assert his Right; contrary to the Opinion of those Writers who affirm that he was put upon it by *Robert* of *Artois*, and of others, who pretend that he never design'd it 'till the Year 1339, when he was provok'd by the *Flemings*, which we shall take notice of in the Account of the next Tome.

IT was with this View that in *June* 1328, King *Edward* form'd the Project of a League against *France*, with the Duke of *Brabant*, and all the Towns and People of that Province, as well as all those Noblemen in particular, who were inclin'd to engage in his Service, as appears from several Commissions which he dispatch'd that very Year.

His League with the Brabanters *against* France.

WE find in a full Power which he gave to his Commissioners, dated the 22d of *August* 1328 [q], that he order'd them to demand of the Duke of *Brabant*, and all who would enter into his Service, that they should engage to serve him as well in Peace, as in a time of War, against any King or Prince whatsoever. This is a manifest Indication, that the Person aim'd at was the King of *France*, with whom he was then at Peace, and against whom he nevertheless intended a War; for if this League had a View to the *Scots*, he needed not to have been so careful in the wording of his Commission. P. 366.

THERE is another full Power to his Envoys [r], to treat with the Count *de Loos*, and all manner of Persons that were dispos'd to engage in his Service. P. 366.

THERE's one of the like nature [s], to the Seneschal of *Gascoigne*, and the Constable of *Bourdeaux*, impowering them to treat upon the same Foot with the Count *d'Armagnac*, the Viscount of *Lomagne*, the Lord of *Albret*, and with all manner of Persons of what Rank or Condition soever. Shall it be said then, that all these Preparations were made against *Scotland*, with which Nation his Majesty had but just concluded a Peace? No; for it appears on the contrary, that they P. 367.

[q] At *Pontefract*. [r] Of the same Date. [s] Dated at *Wisbich*, the 15th of *September* following.

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were design'd *France*, by certain Letters Patent [t], the 16th of the same Month, by which his Majesty engag'd himself to make neither Peace nor Truce with *France*, without including the Towns and Nobility of *Gascoigne*. Nor can it be said that he had a mind to go to War with *France* for any Interests or Views less than for the Crown it self, because he had settled all his other Disputes with that Kingdom but the very Year before.

PHILIP of *Valois*, who was engag'd in a War against the *Flemings* from the beginning of his Reign, was in no great haste to demand King *Edward*'s Homage for the Dutchy of *Guyenne*, and Earldom of *Ponthieu*; for it was not 'till *March* 1329, that he summon'd him to go over and pay it in Person. *Edward* was very loth to go and humble himself to a Prince, whom he look'd upon as no better than an Usurper; but his Council was of another Opinion, and it was agreed that he should go and pay the Homage himself. Our Prince was as yet under the Guardianship of his Mother and of the Earl of *Marche*, who thought a War extremely prejudicial to their Interests, as plainly appear'd by the Peace which they had made with *Scotland*. It is very probable therefore that it was by their Interest that the aforesaid Opinion was carry'd in Council, on purpose to avoid a War, which would have been inevitable if this Homage had been refus'd. Mean while *Edward*'s Compliance was sorely against the Grain, tho' he had not Resolution enough as yet to resist those to their Faces who had the Management of his Affairs. Mr. *Barnes*, who wrote the History of his Life, avers, that he made an open Protestation before all his Council, against the Homage which he was to pay, that his Pretensions to the Crown of *France* might not be thereby prejudic'd. And though we have nothing like this in the *Fœdera*, yet all the Measures taken by this Prince, both before and after the Homage, render this Circumstance very probable. All we have in that Collection upon this Subject is a Letter from King *Edward* to *Philip*, in which he acquainted him, that he had for a great while resolv'd to pay his Duty to him, but that several Affairs had interven'd to hinder him. This Letter is dated the 14th of *April* 1329 [u]. He went over to *France* on the 15th of *May*, and perform'd his Homage at *Amiens*, on the 6th of *June* following. The Instrument, or Deed of Homage, containing all the Particulars which pass'd upon that occasion, discovers some things which may serve to clear up Facts that have been wrong explain'd by certain *French* Historians.

King Edward's *Letter to* Philip de Valois, *about his Homage. P.* 381.

PHILIP had claim'd * Liege Homage of *Edward* for the Dutchy of *Guyenne*, and the Earldom of *Ponthieu*; but in the Conferences which were held upon that Subject before the Ceremony, *Edward* protested, That he was not certain whether he ought to render Liege Homage, and therefore he refus'd to perform it otherwise than in general Terms Nevertheless he promis'd upon his Honour, That if it should appear to him, after he had consulted his own Archives, that the Homage ought to be Liege, he would recognize the same by Letters Patent under his Great Seal. And upon this Condition he was admitted to perform only a Verbal Homage.

The History of it.

THE Instrument above-mention'd imports, that *Edward* appearing before *Philip*, *Miles de Noyers*, Viscount of *Melun*, Great Chamberlain of *France*, said to him, SIRE, *The King would have you understand, that he does not admit you to Homage for the Lands which he possesses and ought to possess in* Gascoigne *and the* Agenois; *as to which Lands the late King* Charles *protested, that he never meant to receive Homage.* Then the Bishop of *Lincoln* protested on his part for *Edward*, That the Homage he was performing should not prejudice his Right to all *Guyenne*, and all its Dependencies; and that *France* should not thereby acquire a new Right. After this, he deliver'd a Schedule to the Chamberlain, containing the Form of the Homage; upon the receiving of which Schedule the Great Chamberlain said to the King of *England*. "SIRE, You become Liege-"man to my Lord the King, for the "Dutchy of *Guyenne* and its Dependen-"cies, which you acknowledge to hold "from him, as Peer of *France*, and "Duke of *Guyenne*, according to the "Form of the Peace made between his "and your Predecessors, the Kings of "*France* and *England*, and according as "you and your Ancestors, the Dukes of "*Guyenne*, have perform'd for the said "Dutchy to his Ancestors, the Kings of "*France*." The King of *England* answer'd, *Yes*. Then the Chamberlain proceeding said, SIRE, *The King of* France *receives you according to the Protestations already made:* To which the King of *France* said, *Yes*. This done, *Edward* putting his Hands between those *Philip*, the latter receiv'd him by a Kiss. The same Ceremony was repeated by way of Homage for the Earldoms of *Ponthieu* and *Monstrevil*. The

Instrument of Edward's *Homage. P.* 389.

[t] Dated at *Wisbich* aforesaid. [u] At *Wallingford*.

* HOMAGE Liege is done by the Vassal ungirt and bare-headed, with join'd Hands laid on the Evangelists, and a Kiss receiv'd in the taking of his Oath. *See* Cotgrave.

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Schedule above-mention'd, was exactly agreeable to the Words of the Chamberlain just now repeated. It is certain, therefore, that *Edward* paid only a Verbal Homage at that time, and in general Terms, though *du Tillet*, *de Serres*, and some other *French* Historians, have asserted the contrary *.

Mistake of French Historians.

P. 390.

IT appears by a *Memorandum* in the *Fœdera*, that *Edward* return'd to *England* on the 11th of *June* †. Before he went, he agreed with *Philip*, that as to their reciprocal Demands and Pretensions, he would send Ambassadors to *Paris*, to put an end to all Disputes. The rest of this Year was spent in various Negotiations, as well about the reciprocal Demands made at *Amiens*, as on the Proposals of marrying *Edward*'s Brother and Sister to the Children of *Philip* x. *Edward*, as had been agreed on, sent as Ambassadors to *Paris*, *Henry* Earl of *Lancaster* and the Bishop of *Norwich* y.

Marriage Treaty betwixt the Families of England *and* France.

P. 392, 403. P. 407, 411.

EARLY next Year, *Edward* had Intelligence that *Philip* intended to press him to a categorical Answer, about the Nature of the Homage perform'd at *Amiens*; and therefore he sent a Full Power to his Ambassadors to discuss all his Rights at the *French* Court: But all this was only to gain time; and *Philip*, who perceiv'd it, sent Ambassadors to him, requiring him to send over the Declaration which he had promis'd by a Letter from *Eltham*, dated the 5th of *February*. Those very Ambassadors did *Edward* amuse almost a whole Year, without giving them a positive Answer, by starting Proposals from time to time, which, though perfectly trifling, occasion'd divers Negotiations that we find in the Acts of the Year 1330.

P. 411.

KING *Edward* continued all the while to make sure of extraordinary Assistance from the Lords and Towns of *Guyenne*, as appears from several Full Powers issued for that purpose from *Woodstock* z, to one of which is added a List of One hundred and eighteen Lords; which shews that the King had great Designs that were not bounded by *Guyenne*. Mean time, as *Philip* still teaz'd him, and as *Edward*'s Affairs were not yet ready, a Treaty was concluded at *Bois de Vincennes*, on the 1st of *May* *; by which *Edward* engag'd to pay *Philip* Fifty thousand Marks Sterling, according to the Agreement made with *Charles the Fair*; and Sixty thousand Livres of *Paris*, which he ow'd for the Conveyance of *Guyenne*, which his Father had made over to him. He engag'd likewise to demolish the Castles of the Lords of *Gascoigne*, who were under Condemnation. His Ratification of this Treaty is dated a the 8th of *July*; but *Philip* was not pleas'd with it, as appears by two Letters from *Edward*, the one to the Pope, the other to the Seneschal of *Guyenne*, both dated b the 20th Day of *September*. *Philip* had no reason indeed to be satisfy'd with a Treaty which did not procure him any new Advantage, and which took no manner of notice of the principal Article of his Pretensions, *viz.* the Declaration of the Homage. But his Refusal to ratify this Treaty was not at all disagreeable to the King of *England*, who was glad to keep Affairs embroil'd, that he might have a Colour for making Preparations against *Philip*, without giving him any room to suspect that he aim'd at his Crown. Therefore he sent a Commission to the Seneschal of *Guyenne*, to treat with the Counts *de Foix* and *de Cominges*, and others; which Commission is dated the 20th of *September*, as above.

EDWARD III.

Treaty betwixt Edward and Philip.

P. 437.

Edward's Ratification.

P. 443.

P. 449, 450.

HE granted the like Full Powers to make Treaties with the Duke of *Brabant*, the Earls of *Flanders*, *Guelderland*, *Loos*, and *Chiny*, and with all that were inclin'd to join with him; we find them dated the 11th of *October*, 1330 c.

P. 451.

Ibid.

WHILE these things were transacting, *Philip*, being out of Patience because his Ambassadors receiv'd no Answer, sent his Brother the Count *d'Alençon* into *Guyenne*, where he took and demolish'd the Castle of *Xaintes*, and plunder'd that of *Bourg*. *Edward* was then laying that Scheme with

* MR. *Barnes* also quotes *Mezeray*, and the King of *England*'s own Letters afterwards, to shew that this was a Mistake; and it deserves the more to be taken notice of, because it stands uncorrected in the *General History of* England, where Mr. *Daniel*, Penman of this Reign, seems to have taken it upon trust from those careless Writers above-mention'd, That when the King appear'd before *Philip*, he consented to put off his Crown, Sword, and Spurs, and to kneel down before him on a Cushion. Mr. *Barnes* observes what a mighty Disappointment our King's Stiffness in this Point was to *Philip* of *France*, who expected a very formal and full Homage, and invited the Kings of *Bohemia*, *Navarre* and *Majorca*, that he might have the more notable Witnesses of it. There came also, says our Author, all the chief Nobility of *France*, as if they had resolv'd to out-rival the *English* Nation, from whom they expected no more than 600 Horsemen; but our King carry'd over with him four Bishops, four Earls, of whom two were his Uncles, eight other Lords, above forty Knights, and a thousand Horse of War.

† THE Reason of the King's hasty Departure seems a Circumstance too material to be omitted, taking for granted what Mr. *Barnes* says, *viz.* That *Philip* inwardly fretting that the King had not paid him the Obeisance he expected, laid a Plot to seize his Person when he was most separated from his Attendants; which being whisper'd to the King, he took shipping with his Company on a sudden, and sail'd for *England*, before any Man knew the reason of his haste.

x The King's full Powers for negotiating the Marriages are dated at *Canterbury* the 16th of *June*, and at *Gloucester* the 24th of *September*, 1329. y Their Instructions are dated at *Kenelworth* the 3d of *December*, and at *Eltham* the 27th of *January* following. z On the 27th of *April*.

a EVEN the accurate Mr. *Barnes* seems to have been mistaken here, in dating this Treaty *May* 30.

b At *Woodstock*. c At *Nottingham*. d At *Nottingham*.

Baliol,

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Baliol, which was mention'd in the 'foregoing Article; and to prevent the Interruption of his Projects, he reſolv'd to give the King of *France* Satisfaction, and accordingly ſent him the Letters Patent which he promis'd about the Homage. In thoſe Letters he declar'd, That the Homage which he had perform'd ought to be deem'd Liege; and that for the future thoſe which he and his Succeſſors ſhould pay, ſhould be perform'd after the ſame manner, and with the ſame Circumſtances as *Philip* demanded; of which there was a Pattern in thoſe ſame Letters, which were dated the 30th of *March* 1331 [d].

Edward's *Letters Patent for his Homage to* Philip *of* France.

P. 477. *His Interview and Treaty with him in* France. P. 483.

FIVE Days after, *Edward* went to *France*, on pretence of fulfilling a Vow; there he had an Interview with *Philip*, and made an Agreement with him, dated the 10th of *April*, whereby *Philip* gave him Thirty thouſand Livres *Tournois* for the Damage done at *Xaintes* and *Bourg* [e]. He alſo pardon'd the Lords of *Gaſcoigne* [f], and conſented that their Caſtles ſhould not be demoliſh'd. An Hiſtorian, who wrote the Life of *Edward*, pretends that he went over to *France* in a Diſguiſe, and without *Philip*'s Knowledge, in which he is certainly miſtaken *.

Gets a Pardon for the Nobility of Gaſcoigne. P. 485. *An Error in Hiſtory.*

ONE would have thought that a firm Peace ſhould have been eſtabliſh'd between the two Kings, but *Edward* had no deſign to keep it; and therefore he endeavour'd, in all the Treaties which he made with *Philip*, to leave ſome Handle or other, that he might always have a Pretence for taking Arms when he ſaw a proper time: Then was not a favourable Conjuncture, becauſe he was engag'd in a War againſt *Scotland*; and inſtead of being in a Condition to fall upon *Philip*, he had reaſon to fear the latter's giving powerful Aſſiſtance to the *Scots*: Therefore he was under a Neceſſity, during this War, to amuſe him with the Appearances of a ſincere Deſire to live in Peace with him, and yet to leave Affairs in ſuch a Condition, that a Pretext for a Rupture might not be wanting on a proper Occaſion. That was manifeſtly the Aim of all *Edward*'s Negotiations with *France*, during the Term of five Years, which the War with *Scotland* laſted. And for this Purpoſe, knowing that *Philip*'s Heart was entirely ſet upon an Expedition, which he had engag'd in, to the *Holy Land*, he made him believe he would go with him, and ſent Ambaſſadors to him to regulate all things proper for their Voyage. But as this Affair would, perhaps, have been ſettled too ſoon for him, he affected to ſpin out the Time, by renewing ſome old Pre-

Edward *artfully deludes* Philip.

tenſions, which the Treaties of *Monſtrevil* and *Perigueux*, made between his Grandfather and *Philip the Fair*, had left undetermin'd: And under pretence of deciding theſe Differences, before they ſet forward to the *Holy Land*, *Edward* trifled with *Philip* while he puſh'd on his Conqueſts in *Scotland*. And the better to decoy the King of *France*, at his Sollicitation, he granted the *Scots* ſeveral Truces from time to time, on purpoſe to make him believe that he really deſign'd to continue his Friend and Ally. And this was the Drift of all the Acts we meet with on this Subject, from the Year 1332 to 1335, which are no more than Full Powers to treat with *Philip*, ſometimes upon the Expedition to the Eaſt, ſometimes upon Projects of Marriages between the Princes and Princeſſes of the two Families, and at other times upon the Treaties of *Monſtrevil* and *Perigueux*, and other Particulars which it would be needleſs to mention.

EDWARD III.

MEAN while, though *Philip* did not ſuſpect that *Edward* had any Thoughts of reviving his Pretenſions to the Crown, yet he was ſenſible that it was not his Intereſt to ſuffer him to be abſolute Maſter of *Scotland*; and therefore he declar'd his Deſign to aſſiſt that afflicted Nation, whoſe King was come to his Court for Refuge. *Edward* laid hold on this Handle as a Pretext to make Preparations on his part. For this end he call'd a Great Council at *London*, to conſider of thoſe which *France* was making againſt *England*. *Edward* took it for granted, that the Aſſiſtance given by *France* to *Scotland*, was a Breach of the Peace with *England*; but he would not have it underſtood that the War which himſelf carry'd on againſt *Scotland*, an Ally of *France*, was any Breach of the Peace at all. This ſeem'd to be the reaſon of that Quarrel, which grew every Day hotter between the two Kings: And the happy Succeſs *Edward* had been bleſs'd with againſt *Scotland*, made him talk with the greater Confidence, becauſe he ſaw the Day at hand when he might be able to bring all his Deſigns to light. This was the State of Affairs during the Years 1332, 1333, 1334 and 1335; that is to ſay, the moſt part of the time that *Edward* was engag'd in the War with *Scotland*.

IN 1336, when he expected little or no Oppoſition from the *Scots*, he preſs'd the Concluſion of his Foreign Alliances, eſpecially thoſe with the Duke of *Brabant*, the Earl of *Guelderland*, and the Marquiſs of *Juliers*. And to incline his Sub-

[d] At *Eltham*. [e] At *Edward*'s Requeſt. [f] By an Amneſty dated the 13th of the ſame Month.

* MR. *Barnes* is guilty of this Miſtake, who mentioning his Voyage to *France*, to perform a Vow which he had made to viſit ſome Holy Places there, for his Deliverance from former Troubles and Dangers, ſays he went over privately, with no more than fourteen in Company, all diſguis'd like Merchants.

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jects to raiſe him great Supplies, he pretended that the Kingdom was threaten'd with an Invaſion from *France*, and order'd all his Subjects from 16 to 60 Years old to bear Arms [g]. At the ſame time he demanded the Reſtitution of ſome Lands which *Philip* detain'd from him in *Guyenne*; and [h] call'd a Great Council to conſider of Ways and Means for oppoſing the pretended Invaſion from *France*; which was with an apparent View to have a Pretext for deſiring the greater Supply from his Subjects. Nevertheleſs he ſent Ambaſſadors again to *France*, to treat with *Philip* about the Voyage to the *Holy Land* [i]; from whence it may be ſuppos'd by the way, that he was not under the leaſt Apprehenſion of an Invaſion. Mean time, he did not ſend this Embaſſy with a View to engage in that Undertaking, but only to avoid the Reproach of his having hinder'd the holy Voyage, of which *Philip* made a Handle to the Pope.

King Edward's Policy to get Money for the French War. His Proclamation for arming his Subjects. P. 687. He ſummons a Council. P. 701, 705.

He ſends Ambaſſadors to Philip *to treat about the Voyage to the* Holy Land. *P. 703.*

P. 704. With this View he gave a Commiſſion to his Ambaſſadors, at the ſame time, to treat with *Philip* for the adjuſting of all the Differences that remain'd betwixt them, on purpoſe to make him believe that his only Aim was Peace. But he took care not to leave the old Pretenſions, with reſpect to the Treaties of *Monſtrevil* and *Perigueux*, out of the number; which ſo perplex'd the Treaty, as render'd the Concluſion of it exceeding difficult; which was what he wanted.

THE Invaſion which *Edward* pretended to be ſo much afraid of from *Philip*, came to nothing more than an Embaſſy which the latter ſent to *England*, to ſollicit ſome Accommodation in favour of King *David* [k]. But all this was to no Purpoſe, for *Edward* had no other View than to amuſe the King of *France*, and ſo nothing was concluded. *Edward* found the *Scots* were ſo exhauſted, that he ſaw the War on that ſide drawing to a Period; and therefore, as is ſaid before, he us'd double Diligence to conclude his Foreign Alliances, that he might be in a Condition to attack *France* as ſoon as that War was ended. This is evident from all the Acts in the Year 1336, in which we find his Full Powers to conclude Alliances with ſeveral Princes of *Germany* and the *Netherlands*, while he was compleating the Reduction of *Scotland*. It is probable that he would not have made a Secret of his Deſigns againſt *France* ſo long, if the Diſgrace which happened in *Scotland* to his General the Earl of *Athol* had not carry'd his Arms into that Country a fourth time *. Therefore he made as if he was for an Accommodation with *Philip*, and alſo with *David Bruce*, and received the Ambaſſadors whom both thoſe Princes ſent to him [l]. Mean time, he continu'd to negotiate with Foreign Powers; and not only with Princes, but with all manner of Perſons that were diſpos'd to engage in his Service [m].

Philip's Embaſſy to Edward *in favour of King* David. *P 707.*

EDWARD III.

Edward's full Powers to treat with Foreigners. P. 746.

ROBERT Earl of *Artois*, who was at variance with *Philip* of *France*, was already in *England* in *April* 1337 †, as appears by a Warrant, which King *Edward* gave him to hunt in his Foreſts, dated the 23d of that Month [n]. Moſt Hiſtorians ſay that this *Robert* of *Artois* put it firſt into *Edward*'s Head to go to War with *Philip* for the Crown of *France*: But the Meaſures which *Edward* had concerted before that Earl's Arrival, make it apparent that the moſt he did was to confirm him in the Deſign which he had already form'd.

His Warrant to Robert *of* Artois *to hunt in his Foreſts. P. 747.*

A Miſtake of Hiſtorians concerning Robert *of* Artois.

The following is a Liſt of the chief Princes and Noblemen with whom *Edward* negotiated a Treaty, during the War againſt *Scotland*.

Liſt of King Edward's *Allies.*

The Count *d' Armagnac.*
The Count *de Foix.*
The Viſcount *de Lomagne.*
The Viſcount *de Tartas.*
The Lord of *Albret.*
The Duke of *Auſtria.*
The Duke of *Brabant.*
The Count Palatine of the *Rhine.*
The Earl of *Holland.*
Lewis of *Savoy.*
Lewis of *Bavaria*, Emperor.
The Marquiſs of *Brandenburgh.*
The Archbiſhop of *Cologn.*
The Marquiſs of *Juliers.*
The Earl of *Hainault.*
The Earl of *Gueldre.*
The Earl of *Zealand.*
The Earl of *Mons.*
The Earl of *Marlia.*
Edward Son to the Earl of *Limburgh.*
The Earl of *Geneva.*
Hugh of *Geneva.*
The Count *de Loos.*
The Earl of *Chiny.*
Herman of *Blankard*, Dean of *Aire.*

[g] By a Proclamation dated at *Walſingham* the 16th of *February*, 1336. [h] By a Writ dated *June* 20 at *Newcaſtle* upon *Tine*. [i] As appears by his Letter dated at *St. Johnſtown* the 6th of *July* following. [k] As appears by the Protection which *Edward* granted to his Ambaſſadors, dated at *St. Johnſtown* the 3d of *September*, 1336.

* IT appears from Mr. *Barnes* that this Battle wherein the Earl of *Athol* fell, was fought the laſt Day of *December*, 1335, in the Fields of *Kilblain*, near the Caſtle of *Kildrummy*; and to him we refer for the Particulars. p. 730, 741.

[l] As appears by his Protections granted to the *French* Ambaſſadors at *Langley* the 28th of *January*, 1337, and by the Full Powers granted to his own Ambaſſadors to treat with them, dated at *Windſor* the 18th of *April* following. [m] As appears by his Full Powers; dated at *Windſor* the 19th of *April*.

† ACCORDING to Mr. *Barnes*, this Earl fled hither in Diſguiſe ſo early as the latter end of the Year 1332, about the time that King *Edward* held his firſt Parliament at *York*. [n] At *Weſtminſter*.

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William of *Duyvenvorde*.
The Lord of *Chalanck*.
Andrew of *Peyteyr*.
Nicholas of *Dort*.
Robert of *Toeburgh*.
Lambert of *Deppy*.
Croye of *Hochſtraet*.
John of *Quatre Mars*.
Henry of *Geminith*.

To whom might be added a great number of other private Gentlemen of *Guyenne*, *Almaine*, and the *Netherlands*, and eſpecially of the Towns of *Flanders*, who made a League with him afterwards, by the Intrigues of *Jacob van Arteveld*, or *Arteville* *. Every one of which Allies engag'd to furniſh him with a certain number of Troops on conſideration of ſo much Money.

His Convention with the Earl of Hainault, p. 783.

IN the Conventions which he made with the Earl of *Hainault* [o], it appears, that the ſaid Earl, tho' he was his Brother-in-law, would not engage with him but upon condition that *Edward* ſhould have the Title of the Emperor's Lieutenant or Vicar. This ſhews the reaſon why *Edward* courted that Dignity, which the Pope reproach'd him for afterwards, as being beneath him.

His Letter to the Emperor, urging him to be reconcil'd to the Holy See. p. 799.

IN a Letter [p] to *Lewis* of *Bavaria*, the Emperor, *Edward* ſollicited him to be reconcil'd to the Holy See. And it appears by this Letter, that the Emperor had engag'd to come in Perſon to *Edward*'s Service with 2000 Men at Arms, for which he was to receive 300,000 Florins.

ALL the World now plainly ſaw that *Edward* was reſolv'd upon a War with *France*, but no Declaration had as yet been made that it was to enforce his Right to the Crown. This was a Secret which *Edward* kept ſtill in his own Breaſt. The Pretence he made uſe of for arming, was to put himſelf in a Poſture of Defence againſt *Philip*, who had made an Alliance with the *Scots*, and threaten'd, as he ſaid, to invade *England*. In order to make his Subjects believe with what Regret he took Arms, he put forth a Proclamation [q], in which he notify'd to his People all the Steps that he had taken to prevent this War, of which theſe were the chief.

EDWARD III.

His Offers to France.

1. HE had offer'd his Son the Duke of *Cornwal* in Marriage to a Daughter of *Philip*, without deſiring any Dowry.

2. HE had made an Offer of his Siſter *Eleanor*, Counteſs of *Gueldre*, in Marriage to *John*, *Philip*'s eldeſt Son, with a very great Sum of Money.

3. HE had offer'd *Philip* as much Money as he ſhould reaſonably demand, to make him ſatisfaction for Damages.

4. HE had propos'd to accompany him to the Holy Land, on condition that he would reſtore him one Moiety of the Lands which he kept from him.

5. HE had made him the ſame Offer, if *Philip* would but engage to make him that Reſtitution after their Return.

6. AT *Philip*'s Requeſt he had granted the *Scots* a Truce, during which they had kill'd the Earl of *Athol*.

7. AND, notwithſtanding this Inſtance of the *Scots* Treachery, he had, at the Requeſt of the King of *France*, granted them another Truce.

THE Reader will judge of the Importance of theſe Offers, and whether they were not liable to ſuch Conſtructions as might have eaſily furniſh'd *Edward* with a Pretext for revoking his Promiſe. Accordingly *Philip* did not regard them. The Ruin of the *Scots* (the only thing that *Philip* was then afraid of) was too prejudicial to his Intereſts, to ſuffer him to abandon that Nation, as *Edward* demanded of him in purſuance of thoſe Offers, which were not near ſo advantagious to *Philip* as to the King of *England*.

His Letter on the ſame Subject to the Pope. p. 807.

EDWARD wrote much in the ſame ſtrain to the Pope, on purpoſe to arm him, as he ſaid, againſt the falſe Suggeſtions of his Enemies [r]; but not a Word yet of his Pretenſions to the Crown of *France*: On the contrary, he granted full Powers to his Commiſſioners, dated the 3d of *October* [s], to treat with the King of *France* on all Points whatſoever, p. 812.

His Proclamation of his Reaſons for taking Arms againſt France. p. 804.

* MR. *Barnes*, who gives an extraordinary Account of this Man, ſays, that though he was but of mean Birth at *Ghent*, being no more than a Refiner of Honey, or as ſome call'd him a Brewer, yet he roſe to that exceſſive Wealth and Power, by his great Wit and Courage, that he render'd himſelf more abſolute than ever any Earl of *Flanders*: For undertaking to be the Patron of the People, he had all things entirely at his Command; and thoſe who would not appear to be his Friends, were treated as Enemies to the Publick. He never walk'd the Streets without ſixty or eighty luſty Yeomen at his Heels, among whom were three or four of his ſecret Council, who, upon a Sign given from him, kill'd every Man they met with upon the Spot, be he who he would, if he was one that *Jacob van Arteveld* fear'd or hated. He collected every Groat of the Earl's Rents and Profits, and ſpent them at pleaſure, without taking or making any Account; and baniſh'd all the Lords and Gentlemen whom he ſuſpected to be the Earl's Friends; of whoſe Lands he levied one Moiety for his own Uſe, the other for the Uſe of the Exiles Wives and Children. And in every Town he had Soldiers and Servants in pay, to ſpy and give him notice if any Perſon had a Deſign againſt him, whom he never left 'till he had baniſh'd or deſtroy'd. From hence the *Engliſh* were under a Neceſſity of making him their Friend, which in the Courſe of Providence afterwards prov'd his Downfall: For on the 17th of *July* 1345, he was murder'd in his own Houſe at *Ghent* by the Populace, who were exaſperated by his endeavouring to eſtabliſh King *Edward*'s Son, Count of *Flanders*, in prejudice of the right Line; and by his ſquandering the Treaſures of *Flanders*, and conveying them to *England*.

[o] Dated at *Stamford* the 12th of *July*, 1337. [p] Dated from *Weſtminſter* the 26th of *Auguſt*, 1337. [q] From *Weſtminſter*, the 28th of *Auguſt*, 1337. [r] As appears by his Letter dated *September* the 1ſt, 1337, at *Weſtminſter*. [s] At *Weſtminſter*.

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without making the leaſt mention, all the while, of the Crown.

YET the very ſame Day he gave a Power to his Envoys beyond Sea, to yield to thoſe who were inclin'd to engage in his Service, certain Lands and Fiefs belonging to him, whether he was in poſſeſſion thereof or not, as well in the Kingdom of *France*, Dutchy of *Aquitain*, and other Parts abroad, as in *England*, *Ireland*, &c.

He makes a formal Demand of the Crown of France. p. 818.

BUT four Days after this, he quite pull'd off the Mask, which he had wore ſo long, and gave a Commiſſion to the Duke of *Brabant*, the Marqueſs of *Juliers*, and *William Bohun* Earl of *Northampton*, to demand the Crown of *France*, and to take poſſeſſion of it in his Name. This full Power is dated the 7th of *October*, 1337 [t].

Ibid. *Appoints a Lieutenant or Vicar General, and challenges the Obedience of the* French. p. 819.

THE ſame Day he ſent a Patent to the Duke of *Brabant*, conſtituting him his Lieutenant or Vicar General in *France*: And alſo,

AN Order, enjoyning all *Frenchmen* to pay the ſame Obedience to the Duke of *Brabant* as to himſelf.

THESE three laſt-mention'd Pieces are a deciſive Proof, that he did not ſtay 'till 1339 before he publickly declar'd his Pretenſions to the Crown, as ſome *French* Hiſtorians affirm, to ſatisfy a Scruple of the *Flemings*; of which we ſhall take notice in our Account of the next Tome of the *Fœdera*.

An Error of French *Hiſtorians detected.*

EDWARD having taken this ſtep, wrote to the Pope, deſiring he would excuſe him for his having made an Alliance with the Emperor, then under Excommunication; the Letter is dated the 17th of *October* [u].

Edward *ſends to the Pope to excuſe his making an Alliance with the excommunicated Emperor.* p. 826.

BENEDICT XII, who then fill'd the See of *Rome*, and was inclinable to favour *France*, hearing of *Edward*'s Preparations, ſent two Cardinals to him, to endeavour to prevent the Effuſion of Chriſtian Blood. Their Paſſport granted by *Edward* is of the ſame Date as the Letter.

His Paſſport for two Cardinals. p. 827.

UPON News of the Legates coming, *Edward* aſſembled his Parliament to conſult about the manner of their Reception, and the Motives of their being ſent [x].

He calls a Parliament upon their Arrival. p. 832.

EDWARD mightily careſs'd the Legates, and in pure Complaiſance to them, engag'd himſelf not to commence a War againſt *France* before the 1ſt of *March*, 1338. But this was no ſuch great Favour as he would have them think it to be, ſince the Engagement was dated the 24th of *December*, 1337 [y]. It is true that it was prolong'd afterwards to *Midſummer-day*.

His Truces with the French *previous to the War.* p. 833.

So much for the Acts of this fourth Tome of the *Fœdera*, that relate to *France*. My chief View in dwelling ſo long upon this Article, which in the main has little more in it than the Preparations for a War with *France*, was to ſhew the Genius, and part of the Character of *Edward* III, and I could not poſſibly have made a ſhorter Abridgment of it without loſing my Aim.

EDWARD III.

ARTICLE IV. *Affairs Eccleſiaſtical.*

THERE are fewer Pieces in this 4th Tome, relating to Eccleſiaſtical Affairs, than in any of the three preceding; and ſuch as we find here are of no great Moment, or properly ſpeaking, but a Repetition of what has been already publiſh'd in the others. Here are the very ſame Diſputes between the Popes and the *Engliſh*, touching the Collations to Benefices, Appeals, and Citations to the Court of *Rome*. Therefore I think it will be needleſs to enter into any Particulars upon this Head, ſince we have ſeen what it treats of in the preceding Tomes. It muſt only be remember'd, that in all the Diſputes which happen'd between the King and the Pope about the Collation to the Benefices, the King was always worſted, becauſe the Clergy took part with the Pope. This made the Popes endeavour every Day to augment the number of Benefices, and to claim the ſole Diſpoſal of them to themſelves. For Example, we find in this Tome, that when the See of *Worceſter* became vacant, by the Tranſlation of its Biſhop to that of *Ely*, the Pope immediately fill'd the vacant See, without any regard to the Nomination of the Chapter. The Reaſon he gave for it was not borrow'd from Scripture, nor from the ancient Canons, but from his mere Will and Pleaſure: *For*, ſaid he, *before the Vacancy of the See of* Worceſter, *we had made an Order, that all Biſhopricks, which became vacant by the Tranſlation of Biſhops to another See, ſhould be at our Diſpoſal.* At this rate, if he had taken a Fancy to order before-hand, that all the vacant Benefices, no matter how, ſhould be at the Diſpoſal of the Holy See, it would have been a ſufficient Reaſon to deprive all the Chapters, and all the Patrons of their Right. But we ſhall ſee in the Sequel of this Reign, that the King and Parliament gave a Check to this Uſurpation.

HERE are in this, as well as in the other Tomes, ſeveral Orders of the King againſt Appeals and perſonal Citations to the Court of *Rome*, and againſt other of the Pope's Vexations; but as they contain nothing new, or particular, we ſhall paſs them by.

[t] At *Weſtminſter*. [u] At *Weſtminſter*. [x] The Writ for calling it was dated at *Weſtminſter* the 20th of *December*. [y] At *Guilford*.

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King's Letter to the Pope about the Clergy paying Tenths. p. 428.

A LETTER from *Edward* to Pope *John* XXII [z], shews, that this Pope did not forget himself when he granted the King the Tenths upon the Clergy, because of those which he granted to this Prince, for the Term of four Years, he reserved one Moiety to himself.

WE find also the very same Pope demanding 30 Years Arrears of the Tribute establish'd by *John Lack-land*, deducting only what *Edward* II had paid. The King, whose Interest it was at that time to humour the Court of *Rome*, promis'd to pay 500 Marks every Year 'till the whole was paid, reckoning four Florins of Gold for every Mark; but he was not so good as his Word, and we shall see hereafter that at last he abolish'd this Tribute.

EDWARD having given leave to a certain Cardinal, who had Benefices in *England*, to summon his Debtors into the Spiritual Court; the Parliament pray'd him to revoke that Order, as contrary to the Laws of the Kingdom: which he did accordingly [a].

p. 356. *His Letters to the Pope for canonizing certain holy Men.* p. 268. 272. 275. 336. 375. 421. 478.

IN this Tome are several [b] Letters from *Edward* to the Pope to obtain the Canonization of the Earl of *Lancaster*. A Letter also for the Canonization of *Robert* of *Winchelsea*, Archbishop of *Canterbury* [c]. Two others for canonizing *John* of *Dalderby* Bishop of *Lincoln* [d], and one for canonizing *William de la Marche* Bishop of *Bath* and *Wells* [e].

Pope Benedict's Letter notifying his Election to King Edward. p. 633.

HERE we have also a Brief, or Letter, from Pope *Benedict* XII, in which he notify'd his Election to *Edward* before any other Christian Prince [f].

Pope's Bull against certain Heretics of Bavaria. p. 315.

THE chief thing in this fourth Tome, with respect to Religion, is a Bull of Pope *John* XXII, against certain Heretics of *Bavaria*, who taking part with the Emperor against the Pope, had written a Book containing certain Propositions which the Pope condemns in this Bull; and not only condemns, but particularly confutes by such Arguments as were furnish'd him, or were approv'd, says he, by a great number of Cardinals, Archbishops, Bishops, and Doctors both of Divinity and Law. If the Account given of this Tome were not too long already, I would here add every one of the Pope's Arguments at large: But to be short, I shall content my self with mentioning the five condemn'd Propositions, and some of the most remarkable Proofs by which the Pope confutes them. This Bull is dated at *Avignon* the 10th of the Calends of *November*, 1327. EDWARD III.

PROPOSITION I.

WHEN Jesus Christ *paid Tribute* to the* Emperor, *by means of a Piece of* Money † *taken in the Mouth of a* Fish, *he did not do it out of Complaisance, but mere Necessity.*

JESUS CHRIST, *says the Pope*, being the Son of *David*, was not oblig'd to pay Tribute; therefore is is false to assert, that he was under a Necessity to pay it. The Hereticks reason falsly when they say, that the Temporalities of Jesus Christ, and by consequence Church-Livings, were subject to the Emperor's Jurisdiction; because Jesus Christ paid for his Person, and not for his Estate.

PROPOSITION II.

St. PETER *had no more Authority than the other* Apostles, *and* Jesus Christ *has establish'd no Head over the Church.*

AMONG other Arguments which the Pope brings to confute this Proposition, he says, that Jesus Christ gave the other Apostles a limited Power, when he said to them, *Whosesoever Sins ye remit*, &c. and when he said, *Go forth and baptize*: But that the Authority which he gave to *Peter* was unlimited, *Feed my Sheep*; and elsewhere, *I will give thee the Keys*, &c. which he says to no other Apostle in particular.

MOREOVER he said to St. *Peter*, *Launch out into the Deep*, meaning that he alone was to define the most important Doubts and Disputes in Matters of Faith; whereas he said to the other Apostles, *Leave your Nets.*

PROPOSITION III.

IT belongs to the Emperor *to make a* Pope, *to depose him, and to punish him.*

AMONG the Arguments which *John* XXII makes use of to combat this Proposition, he says, That St. *Peter* was establish'd by Jesus Christ, and not by any Temporal Lord; that the Emperors before *Constantine* made no Popes; and that *Constantine*, far from having acquir'd such Right by his Conversion, became on the contrary a Son and a Disciple subject to the Pope. He adds, that this

[z] Dated at *Woodstock* the 12th of *April*, 1330. [a] By another Order of the 28th of *June*, 1328, at *Evesham*. [b] One dated at *London* the last Day of *February*, 1327. Another at *Winchester* the 7th of *March*, 1330. And a third from *Eltham* the 3d of *April*, 1331. [c] Dated at *Westminster* the 8th of *March*, 1327. [d] One dated at *Westminster* the 11th of the same Month; the other at *York* the 20th of *February* following. [e] It is dated at *Westminster* the 20th of *February*, 1329. [f] It is dated at *Avignon* the 5th of the Ides of *January*, 1335.

* It is call'd *Didrachma* in the Original, which was in value 15 *d.*

† In the Original it is *Stater*, which is half an Ounce of Silver, in value 2 *s.* and 6 *d.*

Emperor

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Emperor transferr'd the Seat of his Government to *Conſtantinople*, becauſe he thought it impracticable to exerciſe his Power in a City which was the Reſidence of the Head of the Chriſtian Church.

AFTER many other Arguments, which have nothing in them more than common, he falls upon the Heretics for maintaining, that *Pilate* in quality of Judge Ordinary caus'd Jeſus Chriſt to be crucify'd. Upon this he ſays, that theſe Words are capable of a double Senſe, to mean either that *Pilate* crucify'd Chriſt *de jure*, or that he did it *de facto*; if *de jure*, this is falſe, for no Man can be condemn'd by Law 'till he is found guilty; now Jeſus Chriſt was innocent: If we underſtand it, *de facto*, no other Inference can be drawn from it, but that the Emperor may unjuſtly put the Pope to Death, and not only the Emperor, but any other private Perſon.

PROPOSITION IV.

ALL Prieſts, whether Popes, Archbiſhops, or Biſhops, have an equal Juriſdiction according to the Inſtitution of Jeſus Chriſt. *And if any one has more Authority than the others, they have receiv'd it from the* Emperor, *who, as he gave it, can alſo revoke it.*

AMONG many other Arguments, the Pope makes uſe of the following, to ſhew that the Diſtinction of ſeveral Degrees of Power in the Church, is by the Inſtitution of Jeſus Chriſt. He by whoſe Authority any thing is done, ſeems to do it himſelf. Now *Peter*, the Vicar of Jeſus Chriſt, and the Head of his Flock, conſidering, that as the Flock increas'd, it would be neceſſary to increaſe the number of Shepherds, inſtituted various Degrees of Power in the Church: Therefore ſuch Diſtinction being made by the Authority of St. *Peter*, it is the ſame as if it had been made by Chriſt himſelf.

As to the Queſtion, *Whether all Prieſts are equal?* he ſays, that as to the Dignity of their Order they are all equal, but not as to Power. Yet he acknowledges, that when an inferior Prieſt celebrates the Euchariſt, the ſame Effect follows as if it had been done by a Superior; becauſe it is one and the ſame internal Prieſt, *viz.* Jeſus Chriſt, who produces Tranſubſtantiation.

EDWARD III.

PROPOSITION V.

THE whole Church join'd together can puniſh no Man in a compulſive Way, unleſs it be by Authority from the Emperor.

JOHN XXII pretends that the Power of Excommunication is a compulſive Power; and that the Power of Excommunication being granted to the Church by Jeſus Chriſt, the Church has therefore a compulſive Power. To prove that Excommunication is compulſive, he argues, that the major Excommunication not only deprives the Perſon excomumnicated of the Sacraments, but excludes him alſo from the Communion of Believers. Now, adds he, the Imperial Laws ſay that it is reckon'd worſe to converſe with Men, and be depriv'd of their Suffrage, than to be totally ſeparated from Mankind; therefore Excommunication is worſe than temporal Puniſhment, from whence it follows that the Church has a compulſive Power.

As a farther Proof that the Power of the Church is compulſive, he mentions the Power which *Peter* exerted with reſpect to *Ananias*; and that Paſſage of St. *Paul* to the *Corinthians*, *Shall I come unto you with a Rod?* and that other Paſſage, *The Weapons of our Warfare are not carnal, but mighty through God, to the pulling down of ſtrong Holds.*

* THIS Tome contains a great many Pieces which may be of vaſt uſe for illuſtrating the ſeveral Events of the Reign of *Edward* III, one of the moſt conſiderable in the *Engliſh* Hiſtory. But as the numerous Acts are not all of equal Importance, I ſhall confine my ſelf to ſome of thoſe which may ſerve to illuſtrate any Fact that is obſcure or doubtful in it ſelf, or diſguis'd by Hiſtorians.

* *We proceed now to the fifth Tome of the Fœdera, which is a Continuation of the Acts of* Edward III, *a Reign of ſo much Glory to the* Engliſh *Nation, that Mr.* Rymer *could not help introducing this Tome, as he d'd the fourth, with a triumphant Character of it in his Dedication to the late Queen, which we hope will not be deem'd an improper Preface to our Account of it.* May it pleaſe, *&c.* "This Volume is a Continuation of the publick Acts and Treaties in the moſt active and proſperous Reign of *Edward* III.

"IN courſe of Time it brings to that memorable Day, the Battle of *Poictiers*, where *Edward* of *Woodſtock* "(otherwiſe call'd the *Black Prince*) took the *French* King Priſoner.

"THE Battel of *Creſſy* in the 20th, and this of *Poictiers* in the 30th Year of his Reign, were two of the "moſt famous Actions (of any Ages by-paſt) that have the Honour to live in Story.

"The Fight of *Creſſy* brought into *Engliſh* Hands the fair Town of *Calais*.

"FROM *Poictiers*, beſides the *French* King, were brought over into *England* (What Priſoners! What "Hoſtages!) the Duke of *Orleans*, the Duke of *Anjou*, the Duke of *Berry*, the Duke of *Vendoſme*, the Duke "of *Bourbon*, and *James* of *Bourbon*, Progenitor of your Majeſty's now Adverſary of *France*.

"THOSE were Times of Triumph! Thoſe were ſhining Days!

"YET add 20 great Names more; and throw in the Obligations of three Millions for the *French* King's "Ranſom, *&c.*

FOEDERA Tom. IV.

KING *Edward's* Affairs with *France*, being as it were the Center to which all his Negotiations tended, it is neceſſary to begin with this Article, as being of the greateſt Importance, and that on which all the others do in ſome meaſure depend.

King Edward's *Affairs with* France *from the Beginning of* 1338, *to the end of* 1356.

Anno 1338.

THO' *Edward* was ſeveral Years preparing for a War againſt *Philip* of *Valois*; and tho' he diſcovered his Deſign of wreſting the Crown from him laſt Year, (*viz* 1337.) yet he was not able to put himſelf at the Head of his Army 'till the Month of *September*, 1339. As it was his Intention to attack *Philip* by *Flanders*, ſo he made it his chief Care to fortify his League by Alliances with the Princes of *Germany* and the *Netherlands*. The Emperor *Lewis* of *Bavaria*, the Dukes of *Brabant* and *Gueldre*, the Earl of *Hainault*, the *Flemings*, who were then govern'd by *Jacob van Arteveldt*, and the *German* Princes their Neighbours, were thoſe whoſe Alliance was likely to be of the greateſt Service to him in his Enterprize. He had already made ſome Treaties with ſeveral of them, as we have mention'd elſewhere. And now it was neceſſary that he ſhould go himſelf into the *Netherlands* to confirm all thoſe Alliances, and to take juſt Meaſures with his ſaid Confederates for the Execution of his Deſign. He ſet out therefore from *England* in *July* 1338, for *Antwerp*, where he ſtay'd above a Year to ſettle all his Affairs. But ſoon after his Arrival, he went to *Cologn* to confer with the Emperor, who gave him the Title of Vicar of the Empire *. We have already taken notice that the Earl of *Hainault* wiſh'd that *Edward* was inveſted with that Dignity; and undoubtedly the King himſelf was of opinion, that it would be ſerviceable to him for engaging ſeveral *German* Princes in the League.

King Edward's *Alliances.*

His Journey to Flanders *and to* Cologn, *where he confers with the Emperor, who makes him Vicar of the Empire.*

Anno 1339.

THESE Affairs having employ'd him 'till *September* 1339, it was not 'till that Month that he put himſelf at the Head of his Troops, to enter into the Territories of *France*. We find by one of the Acts of this Tome, that on the 26th of that Month he was at *Marchienne*, between *St. Amand* and *Doway*, from whence he advanc'd into the *Cambreſis*, where he heard that *Philip de Valois* was drawing near with a numerous Army. Notwithſtanding their Superiority *Edward* paſs'd over the *Schelde* to meet them, ſo that the two Armies were quickly near enough to engage. *Philip* even ſent *Edward* a Challenge, which was accepted on the Spot, and the Day and Place actually ſettled for deciding the Quarrel by a general Combat; but *Philip* retir'd on a ſudden without offering to ſtrike a Blow. They ſay he was intimidated by Letters from *Robert* King of *Naples*, a great Aſtrologer, who told him he would have bad Succeſs. Be it as it will, *Edward* ſeeing no Proſpect of coming to a Battel, retir'd on his part into *Hainault*. Thus ended this firſt Campaign without any Bloodſhed.

EDWARD III.

His March into France. P. 124.

Philip *challenges, and runs away.*

Anno 1340.

EDWARD ſpent the reſt of this Year at *Antwerp*, where important Affairs detain'd him till the Month of *Februry* 1340. That which took up moſt of his time, was the Negotiation which he had on foot to bring the Towns of *Flanders* into the League. In the Year 1331 he had made a Treaty with 'em, by which they were only engag'd to obſerve an Exact Neutrality; but at laſt he gain'd the *Flemings* on his ſide, upon condition that he would take the Title of King of *France*, becauſe *Philip*'s Emiſſaries had inſpir'd them with ſuch a Scruple that they look'd upon it as a high Crime to bear Arms againſt the Sovereign Lord of *Flanders*; and they thought they ſhould be skreen'd from this Reproach by recognizing *Edward* in that Quality. Ever after, *Edward* took the Title of King of *France*, and caus'd his Arms to be quarter'd with thoſe of *France* and *England* †. It is not ſtrange that *Edward* was prevail'd on to take this

Edward *aſſumes the Title and Arms of King of* France.

* THIS Interview was truly glorious and magnificent; two Thrones being erected in the open Market-place, one for the Emperor, the other for the King; the Emperor took his Place firſt, and King *Edward* ſat down by him. There were for Aſſiſtants, 4 great Dukes, 3 Archbiſhops, and 6 Biſhops, 37 Earls, and according to the Eſtimation of the Heralds 17000 Barons, Banerets, Knights and Eſquires. The Emperor having his Scepter in his Right Hand, and the Globe in his Left, and a Knight of *Almain* holding over his Head a naked Sword, his Imperial Majeſty did then and there declare the Diſloyalty, Falſhood, and Villainy of the King of *France*; and thereupon defy'd him, and pronounc'd, that he and his Adherents had forfeited the Protection and Favour of the Empire. And then he conſtituted King *Edward* his Deputy, or Vicar General of the Empire; granting unto him full and abſolute Power over all on this ſide as far as *Cologne*; whereof he gave him his Imperial Charter, in ſight of all that were preſent. Mr. *Barnes*, to whom we are oblig'd for this Account, mentions a Report of ſome, that at the firſt Meeting, the Emperor took it ill that King *Edward* refus'd to ſubmit himſelf to the Kiſs of his Feet, (as it ſeems Kings were wont to do to the Emperors) but our *Edward* gallantly anſwer'd, "That he himſelf was a King Sacred and Anointed, and "had Life and Limbs in his Power, being accountable to none but God, as ſupreme and independant of all "others; being alſo Lord of Sea and Land, and wearing no leſs than an Imperial Crown; wherefore he "ought not to abaſe himſelf to any mortal Potentate whatever. Which Anſwer was accepted."

† EITHER at this time, or ſoon after, the King ſet at the Foot of his Shield, beneath the Arms of *France* and *England*, thus quarter'd, this *French* Motto, which is continu'd to this Day, DIEU ET MON DROIT, *i.e. GOD AND MY RIGHT*, declaring thereby his Confidence to be only in God and the Equity of his Cauſe. *See Mr.* Barnes.

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Title, since he ceas'd to give it to *Philip*, after he had manifested his Design to prosecute his own Claim to the Crown, as we shall see hereafter.

THE time that *Edward* spent at Home, 'till the next Campaign, was employ'd in Preparations for the War; borrowing Money on all hands, and taking Precautions to maintain his Allies in the League, and his Subjects of *Guyenne* in their Allegiance. After having taken all these Measures, he sail'd from *England* on the 22d of *June* for the *Netherlands*, carrying with him a Fleet of 300 Sail. Two Days after his Departure he met the *French* Fleet in the way to *Sluys*, consisting of 500 Sail, waiting to intercept him in his Passage: Notwithstanding the Enemy's Superiority he began a Battel with 'em, which lasted all Day, and in which the *French* Fleet was so entirely ruin'd, that only 30 Ships escap'd. This Fight happen'd on the 24th of *June*, 1340 †.

p. 191.

English *Fleet beats the* French *before* Sluys.

AFTER this Victory, *Edward* put himself at the Head of his Army, which was 130,000 Men strong, of whom he detach'd 50,000 under *Robert* of *Artois* to *St. Omer*, while himself went with the rest to besiege *Tournay*. The Success of this Campaign was far short of answering such great Preparations. *Robert* of *Artois*, after having receiv'd a Shock near *St. Omer*, saw his whole Army dispers'd, which consisted chiefly of the Militia of *Flanders*; while *Philip* of *Valois*, who was advanc'd near *Tournay*, gave such Interruption to the Siege, that *Edward* was three Months before the Place without any prospect of taking it; nor was it even possible for him to give Battel, tho' he sent a * Cartel of Defiance to *Philip*, because he would not accept it. As *Edward* saw no probability of making himself Master of *Tournay*, and as he could not raise the Siege without Disgrace, he was extricated out of this Difficulty by *Joan* Countess Dowager of *Hainault*, his Mother-in-law, and Sister of *Philip* of *Valois*, who coming out of a Convent to which she was retir'd, negotiated with such Success, that she made the two Kings consent to a Truce in which all their Allies were comprehended. The said Truce was to last 'till the 25th of *June* next following.

Siege of Tournay.

Truce with France.

Edward, after such mighty Preparations for War, was very much mortify'd when he saw he was oblig'd to make a Truce which broke all his Measures, and render'd all the Expence he had been at 'till then entirely fruitless. He had the more reason to lament the ill success of this Campaign, because he saw himself on the point of losing all his Allies. The Duke of *Brabant* had already withdrawn his Troops, during the Siege of *Tournay*; the *Flemings* seem'd to be sorry that they had enter'd into the Alliance; and the Emperor, being disgusted that the Truce of *Tournay* was made without his Privity, threaten'd to abandon'd the Confederates, which he did; and his Defection drew that of the *German* Princes along with it. To this add a Consideration which fretted *Edward* as much as any one thing, *viz.* How to raise Money to pay off his Debts, and a Supply to enable him to renew the War when the Truce was expir'd. He had enter'd on this War by the Advice of the Archbishop of *Canterbury*, his Prime Minister, and upon the Promises he had made to him that nothing should be wanting. Nevertheless he was no sooner engag'd in the Siege of *Tournay*, but the Archbishop, being sway'd, as it is thought, by Pope *Benedict* XII, who was very partial to *France*, not only fail'd to send the Money which he had promis'd him, but also oppos'd the raising of a Subsidy which had been granted to the King by Parliament. This Breach of Promise oblig'd *Edward* to engage in considerable Loans, and to pay great Interest for Money, which disabled him from making due Preparations for renewing the War.

EDWARD III.

Edward's *Allies begin to fall off.*

Edward *suffers by the Archbishop of* Canterbury's *Breach of Promise.*

IN 1341, when he return'd to *England*, he took the Archbishop of *Canterbury* to task, whom he accus'd of having maliciously thwarted the Execution of his Designs. Mean time, as he stood in need of the Clergy, he was afraid to push that Prelate to the utmost; so that he came off with making some Submissions, after he had in vain try'd to set the People at variance with the King. In these Straits *Edward* took care to get the Truce prolong'd to the 24th of *June*, 1342. He sadly wanted so much time to set his Affairs in order, which were very much unsettled by the want of Money, and the Infidelity of his Allies. It is very probable that this Truce would have been succeeded with a final Peace, if the Death of the Duke of *Bretagne*, which happen'd at this Juncture, had not been attended with such Consequences as flush'd *Edward* with Hopes that he should be able to attack *Philip* on that side with better Success. As *England* was very much interested in

Anno 1341.

Death of the Duke of Bretagne.

Quarrel about his Succession.

† MR. *Barnes*, who relates the Particulars of this Fight, says the *French* lost 25,000 or 30,000 Men, among whom were two of their Admirals; and that the *English* took 230 Sail of their Ships, besides those they destroy'd.

* *EDWARD* challeng'd him to fight at single Combat, or to end the Dispute by a Battle of 100 of the stoutest Soldiers on each side. Mr. *Barnes* has inserted the Challenge at large.

the

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the Quarrel that happen'd on account of the Succeſſion of the Duke of *Bretagne*, it is neceſſary juſt to explain the Origin of this Quarrel, and the Occaſion which *Edward* had to meddle in it.

ARTHUR II, Duke of *Bretagne*, had Children by two Wives; by the firſt, *John* II, who ſucceeded him, *Guy*, who was Earl of *Pentebria*, and *Peter*, who left no Iſſue; and by the ſecond, *John*, who was Earl of *Montfort* in *France* by Right of his Mother. *Guy*, the ſecond Son of *Arthur*'s firſt Wife, died in 1331, and left but one Daughter nam'd *Jane*, whom *John* II, her Uncle, gave in Marriage to *Charles* of *Blois*. This *John* II dying in *April* 1341, *Bretagne* was diſputed between *John* Earl of *Montfort*, and *Charles* of *Blois*; the former maintaining that the ſaid Dutchy ought to revert to him, as the neareſt Heir of his Brother *John* II; and *Charles* of *Blois* inſiſting upon the Prerogative which gave *Jane* his Wife the ſame Right as *Guy* her Father would have had if he had been living. This Affair being carry'd into *France*, and referr'd to the Court of Peers, *Bretagne* was awarded to *Charles* of *Blois*, who was Nephew to *Philip* of *Valois*. *John* of *Montfort* pretending that Injuſtice had been done him, had recourſe to *Edward*'s Protection; and after having done him Homage he went into *Bretagne*, where he made ſome Progreſs; but his Happineſs did not laſt long, for at the Approach of *John* Duke of *Normandy*, whom his Father King *Philip* had charg'd with the Execution of the Arret paſs'd in favour of *Charles* of *Blois*, the Earl of *Montfort* was oblig'd to retire to *Nantes*, where he was immediately beſieg'd, taken, carry'd to *Paris*, and committed to the great Tower of the *Louvre*.

Earl of Montfort pays Homage to Edward for Bretagne.

He is taken, and committed to Priſon.

NEVERTHELESS his Impriſonment did not put an end to the Affair: *Margaret* of *Flanders*, his Wife, who manag'd Affairs for her impriſon'd Husband, renew'd an Alliance with *Edward* in the Name of her Son, but four Years of Age, and promiſed to deliver up all the Places of *Bretagne* to him, which were at her Diſpoſal. In conſequence of this new Treaty, *Edward* ſent Troops to *Bretagne* under the Command of the Earl of *Northampton*, to take poſſeſſion of the ſaid Dutchy. Not long after, he ſent *Robert* of *Artois* thither, who when he had made himſelf Maſter of *Vannes*, was beſieg'd there, and dy'd of the Wounds he receiv'd in the Defence of the Place, which was carry'd by Storm.

Edward ſends Troops to Bretagne.

The Earl of *Northampton* having not Forces enough to maintain himſelf in *Bretagne*, *Edward* reſolv'd to go thither himſelf with powerful Succours; and arriving in the Dutchy in the Year 1342, he there caus'd four Places to be beſieg'd at once. But at the Approach of the Duke of *Normandy*, who advanc'd at the Head of a numerous Army, *Edward* was oblig'd to muſter all his Forces in one Body, which when all was done was ſtill inferior to the *French* Army; therefore he choſe to intrench himſelf, which he did in ſuch a manner, that the Duke did not once dare to attack him. In fine, after both Armies had ſpent great part of the Winter, as it were in ſight of each other, with great Inconvenienc to both, two of the Pope's Legates mediated a general Truce, in which all the Allies and Adherents of the two Kings were comprehended.

Anno 1342. *Goes himſelf with a great Reinforcement.*

Another Truce with France. p. 357.

This Truce, which was ſign'd the 20th of *February* 1343, at *London*, was to laſt 'till *Michaelmas* 1346. It was likewiſe agreed that the two Kings ſhould ſend their Plenipotentiaries to *Avignon*, to negotiate a Peace there before the Pope as a private Perſon, which Negotiation was to begin upon ſuch a Day, and to laſt ſo long: That the Pope ſhould ſend a Nuncio to *Bretagne*, to ſee to the Obſervation of the Truce: That the City of *Vannes* ſhould be put into the Nuncio's Hands, to keep it in the Pope's Name 'till the end of the Truce; and that *John* of *Montfort* ſhould be ſet at liberty.

Anno 1343.

THO' King *Edward* appointed his Plenipotentiaries for the Peace, by a Commiſſion dated the 20th of *May* 1343 [a], and gave them their Inſtructions, and their full Powers, yet an unthought-of Accident retarded their Departure. *Nichol de Fliſco*, who was *Edward*'s Envoy at the Pope's Court, being taken from his Houſe in the Night-time, and carry'd into *France*, *Edward* was reſolved to have ſatisfaction for this Affront before he ſent away his Ambaſſadors, as appears by his Letter to the Pope, dated *July* the 6th, 1343, at *Clarendon*; and at the ſame time demanded a Paſſport to protect them from the like Acts of Violence. But the Pope having not yet taken one Step to puniſh thoſe who had carry'd off the King's Envoy, and being moreover unwilling to grant a Paſſport, contrary to the uſual Form, the *Engliſh* Plenipotentiaries ſtay'd in their Iſland; which was the reaſon that the Term fix'd for the Treaty was often prolong'd.

p. 366.

p. 375. Edward *demands Satisfaction for the Arreſt of his Envoy.*

IT was now the Year 1344, yet *Edward* did not care to enter into any Negotiation

Anno 1344. *And for other Acts in Violation of the Truce.*

[a] At *Weſtminſter*.

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gotiation before he had Satisfaction as well for the Seizure of his Envoy, as the extraordinary ſafe Conduct which he demanded for his Ambaſſadors. To this was added another Cauſe of Complaint, *viz.* for the detaining of *John* Earl of *Montfort*, whom *Philip* ſtill kept in Priſon, contrary to an expreſs Article of the Truce, on pretence that the ſaid Prince could not find Sureties in *France*. Yet it is probable that all theſe Obſtacles would have been remov'd, had it not been for another Accident, which was the Occaſion of the Breach of the Truce. *Oliver de Cliſſon*, a Lord of *Bretagne*, and ten other Lords and Gentlemen of that Province, or *Normandy*, having been arreſted in *Bretagne* by Order of the King of *France*, were conducted to *Paris*, where the ſaid Prince caus'd them to be beheaded without any Form of Law. The *French* Hiſtorians pretend that thoſe Lords were Friends and Partiſans of *Charles de Blois*, and that they went voluntarily to *Paris* to aſſiſt at a Tournament: But we ſhall find by the Sequel that their Account has not one Word of Truth in it, and that on the contrary they had declar'd for *John* Earl of *Montfort*, and were apprehended in *Bretagne*. Be this as it will, *Edward* demanded Satisfaction for this Violation of the Truce, and ſent Ambaſſadors to the Pope for that very Purpoſe. This Affair ſpun out the remainder of this Year and part of the next, without the Pope's giving or procuring *Edward* the Satisfaction he demanded. On the contrary, it appears from ſeveral Acts in this Collection, that he preſs'd him to make Peace without including his Allies, and that he endeavour'd to render him reſponſible for the Violation of the Truce, by laying all the Blame of it upon him. In fine, after *Edward* had waited a whole Year for the Satisfaction which he demanded of *Philip*, perceiving there was no likelihood of obtaining it, he, by a Declaration dated the 24th of *April* 1345 [h], notify'd that the Truce was broke. But as this was what he did not expect, he could not be in a Condition to renew the War 'till towards the middle of the Year 1346.

A Miſtake of French Hiſtorians, about ſome Gentlemen who were taken up and beheaded their King, without any Form of Trial.

p. 448.

Anno 1346. *King of France ſends his Son into Guyenne.*

THIS Delay had like to have coſt him dear, becauſe *Philip* took that Opportunity to ſend his Son, the Duke of *Normandy*, into *Guyenne*, with an Army of 100,000 Men, who threatened to drive the *Engliſh* entirely out of the Province. But it was owing to *Edward*'s good Fortune, that the Progreſs which the Duke made fell ſhort of what might be expected from ſo great an Armament; for he only took a few paltry Towns along the *Garonne*, and then laid ſiege to *Aiguillon*, where the brave Reſiſtance of the Beſieged made him loſe a great deal of Time. Mean while *Edward*, who ſaw *Guyenne* in great Danger, reſolv'd to go thither himſelf with ſome Succours. With this View he embark'd the ſecond of *July* 1346, with an Army of about 30,000 Men, among whom were 4000 Men of Arms. As impatient as he was to go and relieve his Subjects in *Guyenne*, it was not poſſible for him to execute his Deſign, the contrary Winds having drove him back twice upon his own Coaſt; and at laſt, ſeeing that he could not purſue his Voyage to *Guyenne*, he reſolv'd, by the Advice of *Godfrey* of *Harcourt*, a *Norman* Lord, who had fled to him for Refuge, to make a Deſcent into *Normandy*. Purſuant to this Reſolution he caus'd his Troops to land at *La Hogue* in the *Contantin*; and as *Philip*'s Forces were a great way off at that time, he had leiſure to ravage *Normandy* without any Oppoſition, but from the Count *d'Eu*, Conſtable of *France*, who offering to ſtop his Progreſs with the Militia of the Country, was routed and taken Priſoner. After this *Edward* advanc'd to *Poiſſy*, from whence he ſent a Challenge to *Philip* to fight him under the Walls of the *Louvre*. Upon the very firſt Advice of *Edward*'s landing, *Philip* us'd extraordinary Diligence to aſſemble an Army, which very ſoon amounted to above 100,000 Men; and with this Army he form'd a Deſign to ſhut up the *Engliſh* between the *Seine* and the *Oyſe*, in order to cut off their Retreat. *Edward* perceiving this at laſt, though late, reſolv'd to retire into the County of *Ponthieu*, but found great Difficulties in the Undertaking for want of a Paſſage over the *Soame*: However he was fortunate enough to diſcover and force the Paſs of *Blanquetaque*, tho' guarded by 12,000 Men under the Command of *Gondemar du Fay*; and that very Night after he had paſs'd his Army over the River, he went and encamp'd at *Creſſy*, where he was reſolv'd to ſtay for *Philip*, who next Day came up with him; and upon the 26th of *Auguſt* 1346, happen'd the famous Battel of *Creſſy*, where *Philip* was entirely routed, after the loſs of 30,000 Men, 1200 Knights, the Earl of *Alençon* his Brother, the King of *Bohemia* his Ally, and 15 Princes, or Noblemen, of the greateſt Quality in the Kingdom. It may be ſaid that *Edward*'s eldeſt Son the Prince of *Wales*, who was but 15 Years of Age, gain'd this Victory, the King his Father ſtanding off at a diſtance with a Body of Reſerves, to have ſupported him in caſe of need, without offering to ſtrike a Blow, that he might

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King Edward ſails to the Relief of his Subjects in Guyenne, but lands in Normandy. p. 518.

Sends a Challenge to the King of France.

The Battel of Creſſy won by Edward the Black Prince.

[h] At *Weſtminſter*,

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not rob the Prince his Son of any part of the Glory *.

Siege of Calais.

AFTER this great Victory *Edward* caus'd *Calais* to be inveſted on the 5th of *September*, and continu'd the Siege eleven Months, ſo as that *Philip*, who advanc'd about the end of that Term at the Head of an Army of 150,000 Men, could not find an Opportunity to attack him in his Intrenchments, much leſs to bring him out to a pitch'd Battel.

Anno 1347. *David King of Scotland taken Priſoner.*

IN 1347, while *Edward* was employ'd in the Siege of *Calais*, he receiv'd News that *David* King of *Scotland*, who had enter'd *England* with 60,000 Men, was defeated and taken Priſoner. At length, on the firſt of *Auguſt* 1347, *Edward* made himſelf Maſter of *Calais*, and turning out all the Inhabitants put an *Engliſh* Colony into the Place.

Calais *taken.*

Pope mediates a Truce.

Two Months after the taking of *Calais*, the Pope's Legates mediated a Truce from the 28th of *September* to the end of *June*

Anno 1348. 1348; after which *Edward* return'd to *England* in Triumph. In this Truce as well as in the former it was agreed, that the two Kings ſhould ſend their Ambaſſadors to *Avignon*, there to negotiate a Peace in the preſence of the Pope as Mediator. But the ſame Difficulties which occur'd before, with relation to the ſending of the *Engliſh* Ambaſſadors, ſtill ſubſiſting, there was a Neceſſity for frequent Prolongations of the Term fix'd for the Negotiation, and by Conſequence the Truce was ſeveral Times renew'd: A terrible Plague with which *France* was

Anno 1349. *Plagues both in* France *and* England.

afflicted in 1348, and *England* 1349, did undoubtedly contribute not a little to the cooling of the Paſſion of both Kings to renew the War, ſo that the Truce was prolong'd, Time after Time, to the 1ſt of *Auguſt* 1350.

Anno 1350. *Death of Philip of France.*

KING *Philip* dying the 22d of that Month, his Succeſſor *John* was mightily for renewing the Truce, and found no great Difficulty in obtaining it, the Plague having made ſuch a Havock in *England*, that it had carry'd off almoſt half the People. Therefore the ſaid Truce was farther prolong'd to the 1ſt of *Auguſt*, 1351, and a Treaty reſolv'd on. But as *Avignon* was too far diſtant from *England*, and *Edward* moreover not well pleas'd with the Pope, the two Kings agreed that a Peace ſhould be negotiated in ſome Place which was nearer at hand to both. For this end they ſent their Ambaſſadors in 1351, the one to *Calais*, and the other to *Guiſnes*; and between thoſe two Towns Tents were erected, under which the Plenipotentiaries of both Parties conferr'd together, in order to ſettle the Preliminaries of a good Peace.

A Treaty ſet on foot between the new King and Edward. Anno 1351.

THE firſt Thing they agreed upon was to prolong the Truce to the 12th of *September*, 1352; but this being too ſhort a Anno 1352. Term to adjuſt all the Differences, it was farther prolong'd to the 1ſt of *Auguſt*, 1353, and finally to the 1ſt of *April*, Anno 1353. 1354.

DURING this laſt Prorogation King *John* ſeem'd inclinable at length to conclude a Peace on condition of yielding up *Guyenne*, and the Counties of *Artois* and *Guiſnes*, with the City and Territories of *Calais*, in full Sovereignty to *Edward*. This is very clear from the *Engliſh* Hiſtorians, tho' *Mezeray* makes no mention of it. Mean time, as ſeveral Acts in this Volume of the *Fœdera* make it manifeſt, that *Edward* thought the Peace as good as made; and as it is hardly to be ſuppos'd he would have come into it without finding ſome Advantage in it; what the *Engliſh* Hiſtorians have advanc'd on this Point ſeems to be out of all manner of Diſpute.

A material Omiſſion in the French *Hiſtorian* Mezeray.

NOTWITHSTANDING the Diſproportion there was between *Edward*'s firſt Pretenſions, and the Offers now made to him, he accepted the latter. There remain'd nothing to be done, but to conclude this Treaty in a ſolemn manner; for which end the two Kings thought they cou'd not do better than to get it confirm'd by the Pope, whom they empower'd to bind both of them by Eccleſiaſtical Cenſures to the Obſervation of the ſaid Treaty, and the ſame was to be ſign'd in his Preſence. Purſuant to theſe Conventions *Edward* ſent his Ambaſſadors to *Avignon* with very ample Powers, dated at *Weſtminſter* the 28th of *Auguſt*, 1354, to ſign the Treaty, and p. 794. Anno 1354.

* MR. *Barnes*, who gives the Detail of this glorious Fight and complete Victory, mentions one or two Particulars which deſerve to be taken notice of in this place. He remarks it as a ſignal Inſtance of the Divine Favour to *Edward*'s Arms, that not one of the *Engliſh* Nobility fell in the Action, and that only three of their Knights and one Eſquire were kill'd. He ſays, that the *French* King brought with him from *St. Dennis* the great and holy Standard of *France*, which being by the *French* held as ſacred as if it came down from Heaven, was originally only us'd in the Wars againſt the Infidels: That *Philip*, being ſecure of the Victory, and reſolv'd to make an end of the War at one Blow, notify'd, by erecting this hallowed Banner in the Field of Battel, that all the *Engliſh* ſhou'd be put to the Sword, except only King *Edward* and his Son the Prince of *Wales*: And that King *Edward* hearing of this cruel Reſolution, caus'd alſo his Burning Dragon to be erected, which ſignify'd as little Mercy to be ſhew'd to *Frenchmen*. From hence our Author very judiciouſly apologizes for *Edward*'s keeping at a diſtance all the time of the Battel, becauſe if the Victory ſhould have declar'd againſt him all wou'd have been utterly loſt; and to thoſe Declarations our Author aſcribes it that ſo many of the *French* were put to the Sword, and not one of 'em taken Priſoner. Mr. *Barnes* adds, that in this Battel the Prince of *Wales* took and won the Arms of the King of *Bohemia* (being the Oſtrich Feathers with the Motto ICH DIEN, *i. e. I SERVE*) which have ever ſince been worn by all the Princes of *Wales*, eldeſt Sons to the Kings of *England*. He obſerves, that ever after this Victory the *French* call'd this Heroic Prince of *Wales*, *Edward the Noir*, or the *Black Prince*.

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to submit himself to the Pope's Jurisdiction, with respect to the Observation of it. But the Prospect of this Peace soon vanish'd, because *John*'s Ambassadors refus'd to confirm before the Pope what had been agreed on between *Guisnes* and *Calais*.

War with France *breaks out again.*

THIS Refusal occasion'd a fresh Rupture: For notwithstanding all the Pope's Instances with *Edward* to renew the Negotiation, he would hear no more Talk of Peace; but having taken a Resolution to begin the War again with Vigour, he gave the Government of *Guyenne* to his Son the Prince of *Wales*, and sent him into that Province to strike the first Blow, while himself made Preparations for a second Invasion of *France* elsewhere.

Anno 1356. Edward *the* Black Prince *ravages* Languedoc, *&c.*

THE Prince of *Wales*, then but 25 Years of Age, arriving in *Guyenne*, put himself at the Head of a small Army, and therewith ravag'd *Languedoc*, where he took *Carcassonne* and *Narbonne*, and carry'd off a great Booty, which he plac'd for Security in *Bourdeaux*. After having refresh'd himself a little in that City, he set out from thence with an Army of 12,000 Men, of whom only 3000 were Natives of *England*; travers'd the Countries of *Perigord* and *Limousin*; and entring into *Berry*, went and shew'd himself at the Gates of *Bourges*, where he heard that King *John* was advancing at the Head of 60,000 Men. This News obliging him to think of a Retreat, he was inclinable to take a Compass, and retire into *Guyenne* through *Poictou*; but *John* made such haste that he came up with him at last at *Maupertuis* near *Poictiers*, where Prince *Edward* was oblig'd to intrench himself in a Post embarrass'd with Vines and Hedges, which gave him great Advantage. Tho' it had been easy for *John* to have starv'd this little Army, shut up as it was in an Enemy's Country, yet his Impatience to be reveng'd for the Ravages which the *English* had committed in *France*, did not permit him to stay so long, and he resolv'd to attack the Prince in his Intrenchments: But he had the Misfortune to be entirely defeated by this handful of *English*, and to fall himself into the Enemy's Hands, with his fourth Son *Philip* (afterwards call'd the *Hardy*) about 15 Years of Age, and a great many other Lords of the best Quality in the Kingdom *. In this Battel, which was so fatal to *France*, there were only 6000 *French* Men kill'd; but in that number were 800 Gentlemen, besides the Duke of *Bourbon* Prince of the Blood, the Duke of *Athens* Constable of *France*, the Marshal *de Nesle*, and above 50 other great Lords. After this glorious Victory the Prince of *Wales* quietly led his Prisoners to *Bourdeaux*, and sent the great News to the King his Father, who order'd Thanksgivings to God for eight Days together in all the Churches of *England*. With this Victory end the Acts of this Tome relating to *France*; we shall see what were the Consequences of this famous Battel, in our Account of the next Tome.

Battel of Poictiers.

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WHAT I have hitherto given is in general the Subject of the Acts of the fifth Tome which relate to France. *It is time now to glance over the most important of them; and as it is not possible to mention all without running into too great a length, I shall only point out some of them, and insist upon none but such as may serve to illustrate any Passage of the* English *History. And for the Reader's Conveniency I shall range them according to the Dates of the Years, that in case of need he may have recourse to what is mention'd in the foregoing Account under those Years.*

An Account of the Acts in the fifth Tome of the Fœdera, *relating to the Affairs with* France.

1. A Prorogation to the 24th of *June*, 1338, of the Truce which *Edward* had granted to *France* at the Instance of the Pope's Legates, to the Festival of *Easter* [i] †. *Truce with* France, p. 2.

2. *EDWARD*'s Letter to the Emperor, praying him to grant the Title of King to the Dauphin of *Vienne*, dated [k] *March* 3, 1338. Probably the Dauphin *Edward's Letter to the Emperor, for granting the Title of King to the Dauphin of* Vienne, p. 10.

* THIS Battel was fought the 19th of *September* 1356. The *French* had 50,000 Horse, and as many Foot; and the *English* but 8 or 9000 Men in all, according to the Report of the Lord *Ribeumont*, who was sent by King *John* to view Prince *Edward*'s Army before the Battel: And the *English* are said to have taken more *French* Prisoners, than they had Men to guard 'em. Mr. *Barnes* gives an ample Account of the Battel for which we have not room, but cannot omit an Observation of his upon the Sur-name of this *French* King's young Son and Fellow Prisoner *Philip*, which most Authors have deriv'd from his Courage and Valour in War; but Mr. *Barnes* thinks this the most probable Account of any that he had seen, *viz.* That when his Father, then a Prisoner in *England*, was dining one Day with King *Edward* at his Table, this young Prince *Philip* was with others of the *French* Nobility appointed to wait; and that a young Nobleman of *England*, who likewise attended, serving King *Edward* first, and then King *John*, this *Philip* gave him a Box o'th' Ear, saying, *What, dare you serve the King of* England *first when the King of* France *is at the Table?* The offended Nobleman thereupon drew his Dagger, but King *Edward* forbad him to strike; and commending the noble Spirit of the young Prince, said to him in *French*, *Vous estes Philippe le Hardi*, i. e. *Thou art* Philip *the* Hardy, *or* Bold.

† IT may be a Question which is most chargeable, such kind of Truces, or some Campaigns? For Mr. *Barnes* says, that these Christian Peace-makers cost the Church of *England* 50 Marks a Day all the time they stay'd here, which was from the middle of *December* 1337, to the 21st of *March* following.

[i] Dated at *Westminster*, *February* 24, 1338. [k] At *Westminster*.

had

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had promis'd upon this Condition to engage in *Edward*'s Cauſe.

His Letter to the two Archbiſhops, deſiring their Prayers, &c. p. 20.

3. A LETTER from *Edward* to the Archbiſhops of *Canterbury* and *York*, deſiring the Favour of their Prayers; and that they would excuſe him to his People on account of the great Taxes which he was oblig'd to lay upon them *, dated [l] *March* 28, 1338.

Edward's Order for the Defence of the Iſle of Wight. p. 24.

4. AN Order for the Inhabitants of the Iſle of *Wight* to take Arms againſt a Deſcent then threaten'd by the *French* Fleet [m]. It is likely that this gave occaſion to the following Act, *viz.*

His Repeal of the Suſpenſion with France. *p. 35.*

5. A REPEAL of the Suſpenſion granted to *France*, becauſe *Philip* firſt began Hoſtilities [n] †.

Edward's Treaty with the Flemings. *p. 55.*

6. THE Treaty between King *Edward* and the Provinces and Towns of *Flanders* [o]. In this Treaty the *Flemings* only engag'd themſelves to obſerve an exact Neutrality between the two Kings; but the Date of it ſo far back as the Year 1331 is remarkable, becauſe it is a Proof that even at that time *Edward* had form'd a Deſign to recover the Crown from *Philip*; as I have already obſerv'd. Tho' it was ſcarce two Years that he had perform'd his Homage to *Philip*, and had not hitherto made any Diſcovery of his Pretenſions; yet in this Act he calls *Philip* the *Pretended King of* France. This Treaty was not ratify'd by *Edward* 'till the 26th of *June*, 1338 [p].

His Ratification of it. p. 55.

His full Powers to treat with Philip. *p. 56.*

7. HIS full Powers to the Archbiſhop of *Canterbury* and others to treat with *Philip de Valois*, in one of which he only ſtyles him *Conſanguineum noſtrum Franciæ*, i. e. *Our Couſin of* France, without giving him the Title of King [q].

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Letter to the Emperor. p. 59.

8. HIS Letter to the Emperor, acquainting him that he was juſt ready to embark for the *Netherlands*, dated *June* the 21ſt [r].

9. A MEMORANDUM of the Day of his going on Board, *viz.* the 16th of *July* [s] ‡.

A Recall of the full Powers, in which Philip *is ſtyl'd King of* France. *p. 66.*

10. A RECALL of all the full Powers in which *Philip* of *Valois* is ſtyl'd King of *France*, dated at *Antwerp*, *July* the 22d [t].

The Emperor makes Edward *Vicar General of the Empire.*

IN a few Days after, *Edward* ſet out for *Cologn*, where the Emperor gave him the Style and Title of Vicar General of the Empire. I am ſurpriz'd that this Charter is not to be met with in the *Fœdera* ||.

Pope's Letter to Edward, *upbraiding him for his Alliance with the excommunicated Emperor. p. 88.*

11. A BRIEF or Letter from Pope *Benedict* XII, in which he reproaches *Edward* for his Alliance with *Lewis* of *Bavaria*, ſtyling himſelf Emperor, then under Excommunication; and excuſes himſelf for granting the Tenths to *Philip*, pretending he had no View to ſupport him againſt *Edward*, but againſt the *Germans* only, who threaten'd *France* with an Invaſion. For a Proof of this he is pleaſed to quote the very Terms of his Grant; as if the Expreſſions of it could poſſibly weaken the Force of the Supply againſt *Edward*. This Letter is dated [u] the Ides of *November*, 1338.

* WHAT theſe Taxes were we may partly gueſs by the Account which Mr. *Barnes* gives, who tells us that the Laiety granted to the King the one half of their Wools throughout the whole Realm for the next Summer; which he receiv'd graciouſly; and of the Clergy he alſo levied the whole, cauſing them to pay nine Marks of every Sack of the beſt Wool; but after the rate of one half he took, in whoſe Hands ſoever it was found, as well Merchants as others, according to the foreſaid Grant: So that of the Abbey of *Leiceſter* only, as *Knighton*, one of that Houſe, witneſſes, he had no leſs than 18 Sacks. After this he took a Fifteenth of all the Commonalty of his Realm in Wool, the Price of every Stone, rated at 14 Pounds *per* Stone, at two Shillings. And yet in *November* laſt he had ſent the Biſhop of *Lincoln*, and the Earls of *Northampton* and *Suffolk* with 10,000 Sacks of Wool into *Brabant* to make Retainers in *High-Germany*; and there at the ſame time they ſold all their Wool, every Sack for 40 *l.* which amounted in all to 400,000 *l.* Beſides all this, he is ſaid about this time to have ſeiz'd on the Wealth of the *Cluniacks* and *Ciſtercians*, Aliens, and of the *Lombards*, and all the Triennial Tythes, which were firſt intended for the Holy War.

[l] At *Berwick* upon *Tweed*. [m] Dated *April* 15, 1338, at *Havering Bower* in *Eſſex*. [n] Dated at the Tower of *London May* 6, 1338.

† MR. *Barnes* ſays, that immediately upon this, *Edward* ſeeing that the *French* King refus'd to give Security for obſerving the Truce inviolably, not only revok'd the latter Prorogation of it, but ſet out for *Flanders*, there to confer perſonally with his Allies in purſuance of his Deſigns againſt *France*.

[o] Dated at *Antwerp* the *Wedneſday* after Trinity, 1331. [p] At *Walton*. [q] And in the other, the moſt excellent Prince and illuſtrious Lord *Philip* King of *France*, dated at *Weſtminſter* and at *Walton*, the 21ſt of *June* 1338. [r] 1338, at *Walton*. [s] 1338. [t] 1338.

‡ HE went with a Royal Navy of 500 Sail, and many great Lords of *England* in his Company; who are mention'd by Mr. *Barnes*.

|| MR. *Barnes* gives the Oath ſworn to *Edward*, next Day, by the Emperor and all his Barons, *viz.* "That they would help him againſt the King of *France* and all his Adherents, both to live and die with him "for ſeven Years, if the War ſhould continue ſo long. That all the Barons of *Almaine*, from *Cologn* and "on this ſide, ſhould immediately enter the King of *England*'s Service, and be always ready to come unto "him as often as ſummoned, againſt the King of *France*, as well where the King of *England* ſhould be in "Perſon, as to any other place to which he ſhould aſſign them. And that if any of the ſaid Lords ſhould "refuſe to obey the ſaid King of *England* in the Premiſes, then all the other Lords of *High-Germany* "ſhould riſe in Arms againſt that Man 'till they had deſtroy'd him.

MR. *Barnes* ſays that King *Edward* held a Parliament about *November* the 11th in *Brabant*, where being deck'd in his Royal Robes, with a Crown of Gold on his Head, and ſeated on a ſtately Throne five foot higher than any other, the Emperor's Charter was then and there openly read, declaring, "That King *Edward* of *England* was made Vicar General, or Lieutenant for the Emperor, and as ſuch had full Power "to make Laws, and to adminiſter Juſtice to every Perſon in the Emperor's Name, and to coin Money both "Gold and Silver, at his pleaſure, with his own Stamp and Inſcription. It was alſo therein commanded, that "the Lords, and other Subjects of the Empire, ſhould yield Obedience and pay Homage to the King of "*England*, his Vicar, as to himſelf.

[u] At *Avignon*.

12. A PRO-

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Edward *forbids to give* Philip *the Title of King of* France. p. 93.

His full Powers to treat with Philip. p. 92, 95.

12. A PROHIBITION to the *Engliſh* Plenipotentiaries to give *Philip de Valois* the Title of King of *France*. Dated [x] *November* 16, 1338.

13. HIS full Powers to the ſaid Ambaſſadors to treat with *Philip*, whom he only ſtyles *Philippum de Valeſio, conſanguineum noſtrum*, i. e. *Philip* of *Valois*, our Couſin [y], at the end of which is this Memorandum, *Iidem archiepiſcopus, epiſcopi, & alii ſupraſcripti, habent conſimile procuratorium ad tractandum cum excellentiſſimo principe domino Philippo rege Franciæ illuſtri. i. e.* The ſaid Archbiſhop, Biſhops, and others abovemention'd, have the like full Powers to treat with the *moſt excellent* Prince and Lord, *Philip*, the *Illuſtrious King* of *France*. — Probably this was a Form to be made uſe of, in caſe they ſhould happen to agree upon Articles of Peace. This ſhews at the ſame time, that *Edward* would then have been contented with leſs than the Crown of *France*.

He excuſes the Earl of Hainault *from giving the Empire Succours.* p. 122.

14. *EDWARD*'s Letters Patent, whereby he declares, in quality of Vicar of the Empire, that the Earl of *Hainault* is not oblig'd to furniſh it with any Succours [z].

He remits ſmall Debts owing to the Crown. p. 124.

15. AN Order dated at *Markoyn* (*Marchienne, infra marchiam Franciæ*, the 26th of *September*, 1339 [a].

Promiſes to make the M. of Juliers *an* Engliſh *Peer.* p. 139.

16. HIS Promiſe to the Marquiſs of *Juliers*, to make him a Peer of *England*, dated *Nov.* 28, 1339 [b], which was upon his Return from the Campaign.

Pope offers to mediate between England *and* France. p. 146.

17. A BULL of *Benedict* XII, wherein he offers to be Mediator between the two Kings [c] of *France* and *England*.

Edward's *full Powers to treat with the* Flemings. p. 153.

18. A FULL Power to treat with the *Flemings*, who had reſolv'd to enter into the League againſt *France* [d]. In purſuance hereof a Treaty was made with the *Flemings*, by which they engag'd to enter into the League, on condition that *Edward* ſhould take the Title of King of *France*. The Treaty is not printed in the *Fœdera*, but there is the Ratification

Treaty ratify'd. p. 155.

of it, dated at *Ghent*, the 28th of *January*, 1340 *. EDWARD III.

His Anſwer to the Pope's Letter. p. 156.

19. *EDWARD*'s Anſwer to a Letter from the Pope, beginning *Sanctiſſimo, &c. Edwardus rex Franciæ & Angliæ, &c.* and dated at *Ghent*, the 30th of *January*, 1340.

IT appears by this Anſwer, that tho' *Edward* pretended a Right to the whole Kingdom of *France*, he would have been contented with a great deal leſs, if *Philip* could have prevail'd on himſelf to have made him any Offers. *Pro certo tamen, de voluntate tamen partis adverſæ, nec per dictos Cardinales, nec per alios huc uſque ſcire nequivimus, quod idem Philippus nobis quidquam facere voluerit, vel offerre. Et re vera ſi nobis oblationem etiam mediocrem, tunc feciſſet, ad vitandum guerrarum diſcrimina, & expenſarum profluvia, ſuper ea reſponſionem rationabilem feciſſemus. Sed jam non vidimus quid per viam pacis ulterius cum honore noſtro facere valeamus. i. e.* Nevertheleſs, certain it is, that thro' the Humour of the adverſe Party, we could never know by the ſaid Cardinals, nor any others, to this Day, that the ſaid *Philip* had any Inclination to tranſact any thing with us, or to make us any Offer. And indeed, if he had at that time made us a ſmall Offer, we ſhould, for avoiding the Hazards and Expences of a War, have returned a reaſonable Anſwer. But now we don't ſee what we can do farther in a way of Peace, conſiſtent with our Honour.

Order for payment of Money to Nich. de Fliſco. p. 156.

20. AN Order to pay a certain Sum of Money to *Nichol. de Fliſco*, who went to *Avignon* upon the King's Buſineſs [e], *Jan.* 30, 1340, in the firſt Year of our Reign as King of *France*, and the fourteenth as King of *England*.

Edward's *Declaration, inviting the* French *to own him their King.* p. 158.

21. KING *Edward*'s Declaration to the *French*, notifying that the *Flemings* had recogniz'd him for King of *France*, and inviting them to follow their Example [f]. In this Declaration he ſaid, That he might

[x] At *Antwerp*. [y] Dated at *Antwerp*, *Nov.* 15, 1338. And at the Pope's Requeſt the King granted new Powers to his ſaid Ambaſſadors, immediately after. [z] Dated at *Bruſſels*, *Auguſt* 20, 1339. [a] For remitting ſmall Debts owing to the Crown. [b] At *Antwerp*. [c] Dated at *Avignon*, the 10th of the Calends of *January*, 1339. [d] Dated at *Antwerp*, *January* 4, 1340.

* IT was part of the Convention, according to our truſty Hiſtorian Mr. *Barnes*, that *Edward* ſhould take upon him the Arms as well as Title of King of *France*, which he did, and thereupon receiv'd the Homage of the *Flemings*. Our Author ſhews that tho' this Prince afterwards, perhaps to gratify the *French* Nation, or becauſe that was the more ancient and greater Monarchy, plac'd the *Flowers-de-Lis*, in the dexter and more honourable Quarter, yet it was not ſo at their firſt intermingling. And he confirms his Opinion from what King *Philip* ſaid upon this occaſion to ſome *Engliſh* Agents employ'd at his Court. "Our Couſin, ſays he, doth "wrongfully quarter the Arms of *England* and *France*, which notwithſtanding doth not ſo much diſpleaſe us, "becauſe indeed he is deſcended (tho' by the weaker Sex) of our Kin; and therefore as being a Batcheler, "we could eaſily be content to allow him part of the Arms of *Fra*[illegible]; but whereas in his Seals and Letters "Patent, he ſtyles himſelf King of *England*, and of *France*, in the one, and ſets the Quarter of his Arms with "Leopards before the Quarter charg'd with Lillies in the other, this is that which we diſdain exceedingly; "for thereby it ſhould ſeem he prefers that inconſiderable Iſle of *England* before the mighty Kingdom of "*France*." To this Complaint, Sir *John Shoreditch* made Anſwer, "That it was the Cuſtom of *England*, "to ſet the Title and Arms of their Progenitors before thoſe of a Right deriv'd from the Mother. And "thus, *ſaid he*, doth my Lord the King of *England* prefer his paternal Coat, both out of Duty and Rea-"ſon." But it appears they were alter'd ſoon after, even as they ſtand now, only that when *Charles* VI of *France*, with deſign to ſhew a difference, chang'd the *Semée Flowers-de-Lis* into Three, our King *Henry* V alſo did the like, and ſo it hath continu'd ever ſince.

[e] Dated at *Ghent*. [f] Dated at *Ghent*, *Feb.* 6, 1340.

not be thought to neglect the Providence of God, and that he might conform himſelf to his Will and Pleaſure, he had reſolv'd to take upon him the Government of the Kingdom of *France*, which was devolv'd to him by the Death of *Charles the Fair*, and which, during his Minority, *Philip* had ſeiz'd unjuſtly, and with Violence. He alſo promis'd to govern the ſaid Realm according to the Laws and Cuſtoms in uſe at the time of his Predeceſſor St. *Louis*.

22. ANOTHER Declaration ſetting forth all the Overtures and Advances he had made from Time to Time to *Philip*, and the ſeveral Injuries he had receiv'd from him [g].

23. A MEMORANDUM of the Day of *Edward*'s Return to *England*, *viz.* the 21ſt of *February*, 1340.

24. A LETTER to the Archbiſhop of *Canterbury*, ſummoning him to come to the Parliament, and about his taking the new Title of King of *France*, dated at *Harwich*, the 21ſt of *February*, as aforeſaid. *Non mirantes ex hoc quod ſtylum noſtrum conſuetum mutavimus, & regem Franciæ nos facimus nominari; nam diverſæ ſubſunt cauſæ, per quas hoc facere neceſſario nos oportet, & quas vobis, ac aliis prælatis & magnatibus, necnon communitatibus ejuſdem regni Angliæ, ad dictum parlamentum plenius exponemus, &c. i. e.* Wonder not that we have alter'd our uſual Style, and that we have taken the Title of King of *France*; ſince various are the Reaſons for which it neceſſarily behov'd us to do it, and which we ſhall explain more at large to you and the other Lords Spiritual and Temporal, and alſo to the Commons of our ſaid Realm of *England*, at the ſaid Parliament.

25. A LETTER from *Benedict* XII. exhorting *Edward* to quit the Title of King of *France* [h]. *Nuper excellentiæ regis literis*, ſays the Pope, *noſtro apoſtulatui præſentatis, & contentis in ipſis plenius intellectis, novus in eis deſcriptus titulus, & impreſſio ſigilli Franciæ armis & Angliæ ſculpti, ut prima facie videbatur, ſtuporis & admirationis magnam nobis materiam miniſtrarunt. i. e.* Upon certain of your Excellency's Letters lately preſented to our Apoſtleſhip, and upon fuller Diſcovery of the Contents thereof, the new Title deſcribed in it, and the Impreſſion of the Seal engraved with the Arms of *France* and *England*, no ſooner appeared to our View, but it gave us great Cauſe of Aſtoniſhment and Admiration.—In the remaining Part of the Letter the Pope endeavours by all the Arguments that he could think of, to perſuade the King to lay aſide that Title.

26. THE King's Patent for creating *William* Marquiſs of *Juliers*, a Peer of *England*, by the Style and Title of Earl of *Cambridge*, with a Penſion of 1000 *l. per Annum:* Dated [i] *May* 12, 1340 *. *M. of* Juliers's *Peerage and Penſion.* p. 148.

IT appears from ſeveral Acts in this Tome, that *Edward* had pledg'd his Hereditary Crown, which he calls *Hæreditariam & præcellentiorem*, to the Archbiſhop of *Triers*, for 50,000 *Florins* [k]. He alſo pledged his Queen's Crown, and another leſſer, to ſome Merchants at *Cologn* [l]. *King* Edward *pawns his Crowns.* p. 101, 185, 409, 447.

27. *EDWARD*'s Letter to the Pope, complaining that *Nicol. de Fliſco*, his Envoy, was carry'd away by Night from *Avignon* into *France*. It is dated [m] the 1ſt of *June*, 1340. He demands Satisfaction for this Affront, and tells the Pope in plain Terms, that he cannot expect to have any Ambaſſadors from him, 'till he has done him Juſtice for that Violation of the Law of Nations †. *His Letter to the Pope, complaining of his Envoy's being carry'd into* France. p. 188.

28. *EDWARD*'s Letter to his Parliament, acquainting them with the Victory he had gain'd at Sea the 24th of *June* [n]. He alſo gave them Advice that he was marching to *Tournay* with 100,000 Men, and that *Robert* of *Artois* was advancing at the ſame time to *St. Omer* with 50,000. *His Letter to his Parliament about his Victory at Sea, and the March of his Forces by Land.* p. 197.

MEZERAY ſpeaking of the Cartel of Defiance which *Edward* ſent to King *Philip*, ſays, that the latter return'd only an Anſwer by word of Mouth, that a Sovereign never accepts any Challenge from his Vaſſal. But that was not *Philip*'s Anſwer ‡. Here follow both the Cartel and the Anſwer. *A Miſtake of* Mezeray *in relation to* Philip's *Anſwer to King* Edward's *Challenge.*

29. *PHILIP* of *VALOIS*,

" WE have long and often, peaceably de- " manded of you by our Ambaſſadors, and *Edward's Challenge to* Philip *of* Valois. p. 198.

[g] Dated as above. [h] Dated at *Avignon*, the third of the Nones of *March*, 1340. [i] At *Weſtminſter*.

* HERE Mr. *Barnes* obſerves a miſtake of the Learned Antiquary Mr. *Camden*, who ſays in his *Britannia*, that King *Edward* III. for the Love he bore to Queen *Philippa* his Conſort, created the Lord *John* of *Hainault* her Uncle, Earl of *Cambridge:* And that upon his Revolt to the *French*, he diveſted him thereof, and conferr'd it upon *William* Marquiſs of *Juliers*, Siſter's Son to that Queen: whereas the Truth is, that the ſaid Lord *John* was not now, nor for ſome years after, revolted to the *French*, as is alſo own'd by the diligent and accurate Sir *William Dugdale*.

[k] The Convention for this purpoſe is dated the laſt Day of *February*, 1338. [l] As appears by Letters of Pledge and Redemption, dated at *Weſtminſter*, the 17th of *May*, 1340, the 10th of *March*, 1344, and the 10th of *April*, 1345. [m] At *Clare*.

† Mr. *Barnes* ſays, that while *Nichol. de Fleſco*, and his Son *Andrew* were at *Avignon*, under the Pope's Protection, certain wicked Perſons, to curry Favour with the King of *France*, about Midnight, on Good Friday Eve, enter'd his Houſe by Violence, broke open his Chamber, and hardly giving him time to put on one thin Garment, hurry'd him and his Son, and one young Gentleman away; and carried them down the *Rhoſne* to a certain Tower, from whence they convey'd them into *France*. For which Injury, the Pope not only thundred out the moſt heavy Edicts againſt the Authors and Accomplices of that Crime, but put the whole Kingdom of *France* under an Interdict; which oblig'd *Philip* to ſend the Priſoners back to the Pope, who then took off the Interdict, and hang'd all thoſe of his own Family who had a hand in the Matter, before the Doors of the Houſe which they had broke open, not excepting his own Maſter of the Horſe (who kill'd himſelf in Priſon for Anguiſh and Shame) whoſe Body he order'd to be expos'd on a Gibbet, to be devour'd by the Birds of the Air.

[n] It is dated at *Bruges* the 9th of *July*, 1340.

‡ MR. *Barnes*, who charges both *Mezeray* and *du Cheſne* with this Abſurdity, thus confutes it. " How know they, " *ſays he*, what King *Philip* ſent by Word of Mouth? And how could King *Philip* imagine that his Word ſhould be " taken in a matter of ſuch conſequence, when all Challenges ought to be confirm'd by Hand and Seal, unleſs made " in the hearing of the Defendant? And how was this an Anſwer to King *Edward*'s Challenge, when King " *Philip* in his Letter profeſſes he would not anſwer him, becauſe he took not the Letter to be directed to him?" " Truth needs no ſuch pitiful Salvo.

Foedera Tom. V.

" otherwiſe, in the moſt reaſonable manner
" we could deviſe, that you would pleaſe to
" reſtore unto us our lawful Inheritance of
" *France*, which you have a long time de-
" tain'd from us, and wrongfully poſſeſs'd.
" And whereas we plainly ſee that you in-
" tend to perſevere in your injurious Detenti-
" on thereof, without returning us any ſatis-
" factory Anſwer to our Demand; we give
" you to underſtand, that we are enter'd into
" the Province of *Flanders* as Sovereign
" Lord thereof, and are now paſſing thro' the
" Country.

" And we farther ſignify to you, that by
" the Help of our Lord Jeſus Chriſt, and
" our righteous Cauſe, with the Forces of the
" ſaid Country, and with our Subjects and
" Allies; conſidering the Right we have to
" that Inheritance you wrongfully detain
" from us,

" We are now approaching towards you,
" to make a quick Deciſion of this our right-
" ful Challenge, if you alſo will draw near.

" And foraſmuch as ſo great an Army as
" we bring with us on our part, ſuppoſing
" you alſo on your part to do the like, can-
" not ſubſiſt long in the Field without great
" Deſtruction, both of the People and Coun-
" try; which thing all good Chriſtians ought
" to avoid, eſpecially Princes, and others
" who are the Governours of the People: We
" are deſirous that,

" By as ſhort a Diſpatch as may be, and to
" prevent the Mortality of Chriſtians, ſince the
" Quarrel apparently belongs to you and me,

" The Controverſy between us may be
" decided by our own Perſons, Body to
" Body; to which thing we offer our ſelves,
" for the Reaſons aforeſaid, and according to
" the good Opinion we have of your great
" Nobility, Senſe and Wiſdom.

" And in caſe you ſhall not vouchſafe this
" way; that then, the Diſputes may be end-
" ed by the Battel of one Hundred of the
" moſt ſufficient Perſons of your Party, and
" as many of my Liege Subjects.

" And if you will not admit, either of the
" one or of the other way; then that you will
" aſſign unto us a certain Day, before the Ci-
" ty of *Tournay*, to combat both of us, Pow-
" er againſt Power, within ten Days next af-
" ter the Date of this our Letter.

" And we would have all the World know
" that we offer you the Conditions above-
" mention'd, not out of any Pride or Malice,
" but for the Cauſes aforeſaid, to the intent
" that the Will of our Lord Jeſus Chriſt be-
" ing declar'd between us two, Peace may
" grow more and more among Chriſtians; and
" that thereby the Enemies of God may be
" reſiſted, and Chriſtianity enfranchis'd.

" And whichſoever of our ſaid Offers you
" will chooſe, pleaſe to ſend a ſpeedy Anſwer
" by the Bearer of theſe Preſents.

" Given under our Privy Seal, at *Chyn*, in
" the Fields of *Tournay*, the 26th Day of *Ju-*
" *ly*, in the firſt Year of our Reign as King
" of *France*, and the 14th as King of *England*.

30. *PHILIP*'s Anſwer.

Edward III.

" *PHILIP* by the Grace of God, King
" of *France*, to *Edward* King of *England*.
" We have ſeen your Letters brought to our
" Court, and ſent on your part to one *Philip*
" of *Valois*; wherein are contain'd certain
" Requeſts which you make to the ſaid *Phi-*
" *lip* of *Valois*. P. 199.

" And,

" Because the ſaid Letters came not unto
" us, and the ſaid Requeſts were not made
" unto us, as it clearly appears by the Tenour
" of the ſaid Letters;

" We do not return you any Anſwer to
" the Premiſſes: Nevertheleſs, foraſmuch as
" we have underſtood by the ſaid Letters, and
" otherwiſe, that you are enter'd into our
" Kingdom, and have invaded our People,
" more thro' Preſumption than Reaſon; and
" not conſidering the Duty which a Liege
" Man oweth unto his Lord:

" For you are enter'd contrary to your
" Liege Homage, when you acknowledg'd
" our ſelf, as Reaſon is, King of *France*,
" and promis'd the faithful Obedience, which
" a Liege Man ought to promiſe to his Lord;
" as more plainly doth appear from your Let-
" ters Patent, ſeal'd with your Great Seal,
" which we have in our Cuſtody, and which
" you ought to have always before your Eyes.

" Our Intention is, as ſoon as we think fit,
" to drive you out of our Kingdom, for the
" Honour of us, and our Realm, and the Pro-
" fit of our People: And this to do, we have
" firm Hope in Jeſus Chriſt, from whom
" we derive all our Power.

" For by your Enterprize, proceeding more
" from Preſumption than Reaſon, the Holy
" Voyage beyond Sea hath been hinder'd, a
" great number of Chriſtians put to Death,
" the Divine Service diminiſh'd, and Holy
" Church leſs reverenc'd.

" And as touching that which is noted,
" that you expect to be aſſiſted by the *Flem-*
" *ings*; we firmly truſt that the good Peo-
" ple and Commons of that Country, will ſo
" behave towards our Couſin, the Earl of
" *Flanders*, their Lord, that it may not be to
" their Diſhonour: and that to us, their So-
" vereign Lord, they will preſerve their Ho-
" nour and Loyalty.

" And as for what Miſtakes they have hi-
" therto committed, that has been occaſion'd
" by the evil Counſels of ſuch Perſons who
" neither had any Regard to the publick
" Welfare, nor to the Honour of their Coun-
" try, but only to their own private Advantage.

" Given in the Fields, near the Priory of
" St. *Andrew*, under our Privy Seal, in the
" Abſence of our Great Seal, the 30th
" Day of *July*, in the Year of our Lord
" 1340.

31. A Truce concluded between the two Kings, from the 25th of *September*, 1340, to the 24th of *June* 1341 °. *A Truce between the two Kings.* p. 205.

32. A Memorandum of the Day of *Edward*'s Return to *England*, which was the 30th of *November* 1340 *. *Day of Edward's Return to England.* p. 2

° It was ſign'd on the Day aforeſaid, in the Church of *Eſpechin* or *Spetelin*.
* He came over privately, and landed at the Tower, at one o' Clock in the Morning, to prevent any Rumour.

33. SEVERAL Letters from *Edward* to the Biſhops of *England*, and to the *Pope*, ſignifying his Grounds of Complaint againſt the Archbiſhop of *Canterbury*, and that Prelate's Miſdemeanours [p].

His Complaint to the Pope and Engliſh Biſhops againſt the Archbiſhop of Canterbury. p. 225, 236, 240.

34. A LETTER from the Emperor, wherein he offers himſelf to be Mediator between the two Kings; and ſays, that *Philip* has already accepted his Mediation. He excuſes himſelf for coming to an Accommodation with the King of *France*; pretends to be diſpleas'd with *Edward* for making a Truce without his Privity; and in ſhort, revokes the Charter, whereby he conſtituted *Edward* Vicar of the Empire: It is dated [q] the 25th of *June*, 1341.

The Emperor's Defection from Edward, and Revocation of his Vicarſhip. p. 262.

35. *EDWARD*'s Anſwer to the Letter aforeſaid, wherein he begs the Emperor's Excuſe for not acceping his Mediation, his Pretenſions being ſo clear that he was not willing to refer them to doubtful Arbitration. And as to the Truce, he deſires him to remember, that according to their Conventions, he was authoriz'd to make a Truce when he thought fit, tho' not a final Treaty of Peace. He adds, that he admires at the Revocation of his Charter; becauſe according to their Treaty he was to enjoy the Title of Vicar, 'till he was in peaceable poſſeſſion of the Kingdom of *France*, or the beſt part of it [r].

Edward's Anſwer to it. p. 264.

Prolongation of the Truce with France. p. 281.

36. A PROCLAMATION of the Truce to the 24th of *June*, 1342 [s].

37. A GRANT of the Earldom of *Richmond* in *England*, to *John* Earl of *Montfort*, to make him amends for his Earldom of *Montfort*, which was confiſcated by the *French* King. It appears by this Act, [t] that there had been a Treaty of Alliance betwixt *Edward* and the ſaid Earl.

Edward's Grant to John of Montfort. p. 280.

38. A COMMISSION to *Walter de Manny*, to take poſſeſſion in the King's Name, of the Towns, &c. in *Brittany*: It is dated [u] the 10th of *March*, 1342. This was after the taking of *John* of *Montfort*, and by vertue of a new Treaty with *Margaret* his Wife.

His Commiſſion to Walter de Manny to take poſſeſſion of Britanny. p. 301.

39. AN Order for the Earl of *Northampton*'s paſſage into *Brittany*: Dated [x] the 27th ditto.

And to Earl Northampton. p. 304.

40. A LETTER concerning the Election of Pope *Clement* VI [y].

His Letter about the new Pope. p. 314.

41. AN Order to make Proviſion for the Paſſage of *Robert* of *Artois* into *Brittany*: Dated [z] *July* 3, 1342.

Robert of Artois goes for Brittany. p. 326.

42. THE King's Letters Patent, conſtituting the Earl of *Northampton* his Lieutenant in *France* and *Bretagne*; and giving him a Power to confer Titles and Honours in the Kingdom of *France*, Dated [a] 1342.

Earl of Northampton made the King's Lieutenant in France. 330, 332.

43. *EDWARD*'s Letter to one of the Legates, complaining of *Philip*'s having broke the Truce, by Hoſtilities on the Sea, and in *Guyenne*; dated [b] the 8th of *Auguſt* following.

Edward's Letter to the Pope's Legate. p. 337.

44. A MEMORANDUM of the Day of the King's Departure for *Bretagne*, viz. *October* 4, 1342.

He goes for Bretagne. p. 342. p. 346.

45. SEVERAL Acts, dated from *Roſere* in *Bretagne*, *November* 12, 1342.

46. AN Order to the Sheriffs of *England*, to proclaim a Truce 'till *Michaelmas* 1346. Dated [c] the 20th of *February*, 1343.

A three Years Truce. p. 357.

47. A MEMORANDUM of the Day of the King's Return to *England*, viz. *March* 2, 1343.

King's Return to England. p. 357.

48. A BRIEF of *Clement* VI, acquainting the King that according to the Conventions of the Truce, *Philip* has promis'd to ſend his Ambaſſadors to *Avignon*, and deſiring *Edward* to ſend his thither alſo. He tells him moreover, that *Philip* has offer'd to ſet *John* of *Montfort* at Liberty, provided he give ſecurity for his Return, but that the ſaid Earl had not yet been able to find any: It is dated [d] the 14th of the Calends of *June*, 1343.

Pope's Letter to the King. p. 365.

49. *EDWARD*'s full Power to his Ambaſſadors, dated [e] *May* 20, 1343, to go and treat before the Pope, *Non ut Judice, ſed ut privata Perſona, & Tractatore, & Mediatore communi: Non in Forma nec Figura Judicii, ſed extrajudicialiter, & amicabiliter*, i. e. *Not as a Judge, but as a private Perſon, and common Negotiator and Mediator: Not in the Form or Figure of Judgment, but extrajudicially and amicably.*

Edward's *full Power to his Ambaſſadors to treat before the Pope.* p. 366.

50. AN Order of the ſame Date for ſending other Ambaſſadors to the Pope, to complain that the Truce was not executed in all its Articles by *Philip*, and to excuſe *Edward* if he did not ſend a ſolemn Embaſſy 'till he had receiv'd Satisfaction.

And to others to excuſe him to the Pope. p. 367.

51. *EDWARD*'s Letter to the Pope dated *July* the 6th, 1343 [f], complaining, that thoſe who have carry'd off his Envoy *Nicol. de Fliſco*, were but too eaſily pardon'd. He freely tells him, that the great Men of his Kingdom oppoſe the Departure of his Ambaſſadors, 'till he had Satisfaction given him upon this Article; and from thence takes occaſion to demand an extraordinary ſafe

His Letter to the Pope about his Envoy de Fliſco. P. 374.

[p] One is directed to the Biſhops of *London*, *Chicheſter*, *Worceſter*, *Salisbury*, *Bath* and *Wells*, *Exeter*, *Norwich*, &c. and dated at *Langley*, the 10th of *February*, 1341. That to the *Pope*, is dated there the 14th of *March*: and there's a third to the Biſhop of *London*, dated from the Tower of *London*, the 31ſt ditto †.

† THE Achbiſhop being by chance gone from *Lambeth* when the King came home, heard of his Majeſty's Indignation, and wiſely kept out of the way 'till the Storm was over. Mr. *Barnes* accuſes him of being as cold at laſt in the Affair of the War with *France*, by the Pope's Threats and Perſuaſions, as he was at firſt a great Promoter of it. He had govern'd the Realm, during the King's Abſence in *Flanders*; and when an account was demanded of him, he guarded himſelf after the manner of thoſe Times, by publiſhing Articles of Excommunication with the then dreadful Ceremony of Bell, Book and Candle, againſt all that ſhould lay violent Hands on the Perſons and Goods of the Clergy; the Bells ringing dolefully all the while, and the Candles being ſuddenly extinguiſh'd with a Stench. The Reader may ſee a particular State of the Archbiſhop's Caſe, and his Defence, in *Barnes*'s Hiſtory, where we find that upon his Submiſſion he was fully pardon'd, and receiv'd to Favour.

[q] At *Frankfort*. [r] It is dated the 14th of *July*, 1341, at *Weſtminſter*. [s] It is dated at *Weſtminſter*, the 27th of *September*, 1341. [t] Which is dated at *Weſtminſter* the 24th of *September*, 1341. [u] At *Weſtminſter*. [x] At *Eltham*. [y] Dated the 22d of *May*, 1342, at *Weſtminſter*. [z] At the Tower of *London*. [a] At *Windſor*, *July* 20, and 22. [b] At the Tower of *London*. [c] At *London*. [d] At *Avignon*. [e] At *Weſtminſter*. [f] At *Clarendon*.

Conduct

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Conduct, ſpecifying the particular Clauſes neceſſary for ſecuring his Ambaſſadors from the like Injuries.

His full Powers renew'd. p. 381.

52. A RENEWING of the full Power for the ſolemn Embaſſy to *Avignon*, dated the 29th of *Auguſt*, 1343 [g].

Another of his Letters to the Pope. p. 394.

53. ANOTHER Letter from *Edward* to the Pope, complaining of ſeveral Infractions of the Truce. He conſents to the Prolongation of the Term fix'd for the Treaty, and demands a ſafe Conduct for his Plenipotentiaries, in the Form already preſcrib'd: It is dated *November*, the 29th, 1343 [h].

Another about ſafe Conduct. p. 410.

54. ANOTHER Letter demanding the ſafe Conduct, dated the 3d of *Auguſt*, 1344 [i].

Inſtructions to the Biſhop of Norwich. p. 420.

55. A FULL Power of the ſame Date, to the Biſhop of *Norwich*, to complain to the Pope of the Infractions of the Truce.

Pope's Letter about Edward's *Ambaſſadors.* p. 433.

56. A BRIEF of Pope *Clement* VI, deſiring *Edward* to ſend him the ſolemn Embaſſy he talk'd of; and that according to the Conventions, one or more of the Ambaſſadors might be ſome Prince of his Royal Family. He deſires alſo that one of them may be charg'd with his Secrets, and order'd to communicate the ſame to him, which he promiſes to keep as carefully *quaſi Confeſſionis Sigillo*, as if it were under the Seal of Confeſſion. This Letter is dated [k] the 8th of the Ides of *December*, 1344.

King's Anſwer to two of the Pope's Legates. p. 439.

57. THE King's Anſwer to two Legates who had writ to him from *Lyons*, to inform him that they were ſent to him to exhort him to Peace. He tells them that he cannot treat without the Participation of his Allies; that he had already, by the Advice of his Council, return'd the ſame Anſwer to the Pope's Nuncio, and that he cannot depart from it. It is dated [l] the 28th of *January*, 1345. It ſeems by this Letter that the Pope importun'd him to abandon his Allies, which had undoubtedly a View to *John* of *Montfort*.

His Letter to the Pope on the Violation of the Truce of Bretagne. p. 453.

58. *EDWARD*'s Letter to the Pope concerning the Violation of the Truce of *Bretagne*, by the beheading of certain Noblemen of that Country at *Paris*: It is dated [m] *May* the 26th, 1345. In this Letter, which is very long, *Edward* makes a brief Recapitulation of all that had paſs'd from the beginning of the War, to the Concluſion of the Truce in *Bretagne*; after which he adds, *Et cum ſic, ſpe Pacis arridente, ſub dictarum Treugarum fiducia redeuntes in Angliam, dimiſſis paucis Miniſtris noſtris in Britannia, pro regimine dictarum Partium, & Coadjutorum noſtrorum ibidem, ordinaſſemus Nuncios noſtros ad Sanctitatis veſtræ præſentiam, pro Tractatu Pacis, prout conditum fuerat tranſmittendos; ſupervenerunt nobis nova certa non leviter pungentia mentem noſtram, de morte, (videlicet)* quorundam Nobilium, nobis Adhærentium, captorum in Britannia, *& de ſpeciali præcepto dicti Philippi, Pariſiis ignominioſe morti contra formam dictarum Treugarum tyrannicæ traditorum; nec non de ſtrage, & depopulatione magna Fidelium, & locorum noſtrorum in Britannia, Vaſconia, & alibi, ac Tractatibus ſubdolis & occultis cum Alligatis & Subditis noſtris, habitis, quos ſic a nobis auferre & ſibi attrahere nitebatur; ac aliis, de facili non numerandis, injuriis & flagitiis contra dictas Treugas, per partem præfati Philippi, tam in terra quam in mari factis, & attemptatis, per quæ dictæ Treugæ noſcuntur, per partem dicti Philippi, notorie diſſolutæ.* He adds a little lower, *Ut taceamus de exceſſibus per Nuncium Sanctitatis veſtræ, pridem pro conſervatione Treugarum prædictarum miſſum in Britanniam, perpetratis, qui quod ſedaſſe debuit diſſidium, propenſius excitavit, non Conſervatorem Treugarum, ſed partem contra Nos & Noſtros potius ſe oſtendens; ſuper quo Sanctitas veſtra (ſalva pace ſua) remedium non adhibuit, licet ſuper hoc fuiſſet, ut decuit, requiſita.*

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i. e. "AND when thro' a ſmiling Hope of "Peace, in confidence of the ſaid Truce, re- "turning into *England*, having ſent a few of "our Servants into *Bretagne* for the Go- "vernment of thoſe Parts, and of our Coad- "jutors there, we had deſign'd to ſend our "Ambaſſadors to your Holineſs in order for "a Treaty of Peace, according to Agree- "ment, there came unto us certain News "not a little provoking, *viz.* of the Death "of certain Noblemen, our Adherents, "who were taken in *Bretagne*, and by the "ſpecial Command of the ſaid *Philip*, "contrary to the Form of the ſaid Truce, "ſhamefully and tyrannically put to death at "*Paris*: And alſo of the great Slaughter "and Devaſtation of our Liege People and "Places in *Bretagne*, *Gaſcoigne* and elſe- "where; and of his ſubtle and ſecret Trea- "ties held with our Allies and Subjects, whom "he thereby endeavour'd to take off from "us, and to bind unto himſelf; and of other "Injuries and Offences, not eaſily to be num- "ber'd, againſt the ſaid Truce, on the part of "the ſaid *Philip*, done and attempted both "by Land and Sea; whereby the ſaid "Truce, on the part of the ſaid *Philip*, is no- "rioufly known to be diſſolv'd. — Not to ſay "any thing of the exceſſive Enormities of your "Holineſs's Legate ſent into *Bretagne* for the "Preſervation of the ſaid Truce, who more ear- "neſtly rais'd the Contention which he ought "to have allay'd; not approving himſelf a Con- "ſervator of the Truce, but rather a Party a- "gainſt Us and Ours: Concerning which your "Holineſs (with your leave) apply'd no Reme- "dy, altho' (as was fitting) you was thereto "required."

A Miſtake of Mezeray, *and other Hiſtorians, about the Impriſonment of certain Lords in* Bretagne.

THIS Letter plainly diſcovers a Miſtake in *Mezeray* and other *French* Hiſtorians, who aſſert that the Lords of *Bretagne*, that were beheaded at *Paris*, were of the Party of *Charles* of *Blois*, and that they were actually apprehended at *Paris*, whither they went voluntarily to aſſiſt at a Tournament; for on the contrary it is evident, that they were of *John* Earl of *Montfort*'s Party, and that they were apprehended in *Bretagne*. *Quorundam Nobilium*, ſays *Edward*, *nobis Adhærentium, captorum in Bri-*

[g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Riſing*. [k] At *Avignon*. [l] At *Weſtminſter*. [m] At *Weſtminſter*.

tannia,

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tannia, i. e. *Certain Noblemen our Adherents who were taken in* Bretagne. This Error, whether a wilful one or not, is of the more Importance, because the Death of those Noblemen being the principal Foundation of the Breach of the Truce, if what those Historians advance were true, *Edward* could not be justify'd for having unseasonably broke the Truce: For what reason could he possibly have had to take offence at the Death of any Lords of the contrary Party, even tho' as *Argentre*, an Historian of *Bretagne*, affirms, they had maintain'd a Correspondence with him? Was it not lawful for *Philip* and *Charles* of *Blois* to punish their own Subjects? But if those Lords were of *John* of *Montfort*'s Party; and if they were apprehended in *Bretagne* during the Truce, how can *Philip* be excus'd for such a Breach of it?

John of Montfort's Escape.

It seems that *Philip* was willing to give *Edward* some Satisfaction, by releasing *John* of *Montfort* from the Tower of the *Louvre*, and leaving him in *Paris* upon his Parole: But *John* of *Montfort* did not think himself bound to keep his Parole; and therefore escaping out of *Paris*, he went to find out *Edward*, to whom he perform'd new Homage in these Terms: "I own you rightful King of *France*; "and to you as my Liege-Lord and natural "King of *France*, I perform my Homage for "the Duchy of *Bretagne*, which I claim to "hold from you my Lord, and become your "Liege-man in Life, and Member, and earthly "Honour, to live and die against all your Ene-"mies." It was perform'd [n] the 20th of *May*, 1345.

His new Homage to King Edward, p. 452.

59. *EDWARD*'s Declaration of the Causes of the War, and Justification of his Conduct. It is dated [o] the 14th of *June*, 1345.

Edward's Manifesto. p. 459.

60. The Act declaring the Homage perform'd to *Edward* by *Godfrey* of *Harcourt*, the *Norman* Lord, who fled to *England* for Refuge. It is dated [p] the 13th of *June*, 1345.

Godfrey of Harcourt's Homage. Ibid.

61. A Bull of Pope *Clement* VI, in answer to *Edward*'s Letter of the 6th of *May*. This is a remarkable Bull, in that it makes *Edward* only blameable for the Breach of the Truce. This put me upon examining the principal Articles of the Charge, because on such Inquiry depends the Illustration of this Fact, which the Historians have left in great Obscurity. At the same time this may serve as one among numerous Examples, to shew the vast Service that is done to Truth by the Acts printed in the *Fœdera*.

Pope's Letter to Edward taxing him with the Breach of the Truce. P. 465.

PORRO, says the Pope, *quia illi qui dictas tuas nobis missas Literas dictitarunt, rei veritatem forsitan ignorabant, multa posuerunt in eis, & aliqua tacuerunt, in quibus erraverunt notabiliter, factum taliter recitando*: i. e. Moreover, because they who dictated your Letters to us, perhaps not knowing the Truth, have inserted many things, and omitted others in which they have err'd remarkably, by reciting the Fact after such a manner.

Now the Proofs which the Pope brings to convince *Edward*, that he was the Infractor of the Truce, are these;

1. He upbraids him for not executing the Conventions, by which he engag'd to send Ambassadors to him, one of whom was to be a Prince of the Blood Royal; both which Articles, says he, *Philip* has perform'd.

In answer to this Objection it may be observ'd, that amongst the Ambassadors nominated by *Edward*, were *Henry* of *Lancaster* Earl of *Derby* his Cousin, and *Hugh Spenser* Son to one of his Cousin-Germans. The Nomination of these Ambassadors is prov'd by the full Power which was given them [q]. It is true, that before this solemn Embassy was sent away, he dispatch'd other Ambassadors to the Pope, to complain of some Infractions of the Truce, and of the carrying off of *Flisco*, as also to demand an effectual safe Conduct. From hence the Pope takes occasion to object, that not one of the Ambassadors sent to him was a Prince of the Royal Family. But who does not see that this Objection is perfectly captious, since those Ambassadors were not sent to treat of Peace? On the other hand, if *Edward* did not send his Plenipotentiaries, it was because no Satisfaction was given him, as to the carrying off of his Envoy, and that the Pope had even absolv'd those who committed that Violence without his Participation. In the second place, *John* of *Montfort* was detain'd in Prison, contrary to the Conventions of the Truce. And finally, the Pope refus'd to grant the *English* Plenipotentiaries their safe Conduct, in the Form wherein *Edward* demanded it. Therefore the Pope could blame none but himself for the Delay of the *English* Ambassadors, 'till the time that the Lords of *Bretagne* were put to death.

Edward III.

Vindication of Edward's Conduct.

p. 381.

2. As to the Execution of those Lords, the Pope excuses it thus. He says, that when he wrote about it to the King of *France*, *Philip* return'd for Answer, that he had caus'd them to be put to death for diverse Crimes which they had committed, and particularly for having broke the Truce of *Bretagne*: That besides, those very Gentlemen had affirm'd, that they had no manner of Confederacy with *Edward*, but only with *John* of *Montfort*; and that the said Earl, then a Prisoner at *Paris*, affirm'd on his part, that he had made no Alliance with *Edward*. But nothing is more evident than the Weakness of this Excuse. Could *Philip* be ignorant that the Truce was made in *Bretagne* upon account of the War which *Edward* carry'd into that Province in favour of *John* of *Montfort*? Besides, there's no manner of probability that *Montfort* should declare he had made no Alliance with *Edward*, since it was by vertue of the said Alliance that his Liberty was stipulated in the Articles of the Truce, and to that alone in all likelihood he ow'd his Life; for had it not been for *Edward*'s Protection he would have been expos'd to the Severity of the Laws, for having taken up Arms against his Sovereign. He was not so weak therefore to deprive himself of that Protection, by declaring that he had made no Alliance with his Protector. It is also worthy of Remark, that *Philip* own'd that the Lords who had been beheaded were of *John* of *Montfort*'s Party; and that he did not disown their being apprehended in *Bretagne*, as *Edward* affirm'd in his Letter to the Pope. It is therefore evident, that since all the Allies and Adherents of the two Kings were included in the Truce, *Philip* was the Man that broke it, by causing the Lords of the contrary Party to be taken up in *Bretagne*, and put to death at *Paris*.

[n] At the Archbishop's Palace at *Lambeth*. [o] At *Westminster*. [p] At *Westminster*. [q] Dated at *Westminster* the 29th of *August*, 1343.

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3. THE Pope ſays to *Edward*, that as he complain'd of certain Infractions of the Truce, *Philip* made the like Complaint on his part. In this it is poſſible that both Parties were to blame.

4. As to *Edward*'s Complaint that *Charles* of *Blois* broke the Truce, and that *Philip* aſſiſted him; the Pope makes anſwer, that the King of *France* had aſſur'd him, that he gave that Prince no manner of Aſſiſtance. He adds, that *Charles* of *Blois* repairing in Perſon to *Avignon*, had declar'd in his Preſence, that he was not included in the Treaty, that he was not once nam'd in it, and that he was not ſo much as requir'd to ſign it. But this again is an evaſive Anſwer, becauſe the Truce made in *Bretagne* between the two Kings, included all their Subjects and Allies, as may be ſeen in this Tome of the *Fœdera* [r], tho' they were not therein nominated, and that none but the Ambaſſadors of the two Kings ſign'd the Treaty. And if, under pretence that *Charles* of *Blois* had not ſign'd the Truce, and was not therein mention'd, it was lawful for him to continue the War in *Bretagne*, it was equally lawful for *Montfort*'s Party to have done the ſame: Conſequently this Truce, which had been chiefly made for the ſake of *Bretagne*, would have been a mere Deluſion.

Order for proclaiming the three Years Truce with France. p. 357.

5. As to *Edward*'s Complaints to the Pope about his Nuncio, *Clement* contents himſelf with denying the Fact, and with barely ſaying that he would have puniſh'd his Nuncio, if he had obſerv'd the leaſt Partiality in his Conduct.

6. IT is not ſo eaſy, indeed, to excuſe *Edward* upon the Pope's Complaint that the *Engliſh* had by force made themſelves Maſters of the City of *Vannes*, after having turn'd out the Pope's Troops, who ought to have kept it 'till the Expiration of the Truce. This perhaps might be by way of Repriſal for ſome Place which had been taken by *Charles* of *Blois*. By the way, this may ſerve to let us into the Secret how *Vannes* came into the Hands of *John* of *Montfort*, which is a Fact whereof the Hiſtorian of *Bretagne* was ignorant.

THESE were the Arguments on which *Clement* laid the greateſt Streſs, in order to convince *Edward* that it was he who firſt broke the Truce. He did not mention one Word in this Bull about the carrying off of *Fliſco*, and it is probable he had nothing to ſay to excuſe it. *Edward* therefore might juſtly ſay to the Pope upon this Article as well as the foregoing, that thoſe who had dictated his Bull had paſs'd over ſome important Articles in Silence, and diſguis'd the Truth of others. Several other Obſervations might be made upon this Bull, which is dated the 12th of the Calends of *Auguſt*, only I am afraid of running out into too tedious a Diſcuſſion of it; and am of Opinion that what has been ſaid may be ſufficient to ſhew which of the two Kings was chargeable with the Breach of the Truce.

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62. *EDWARD*'s Letter to the Pope dated [s] the 11th of *November*, 1345, wherein he acquaints him that he is preparing ſuch an Anſwer to the above-mention'd Bull, as he doubts not will be ſatisfactory to him.

Edward's Letter to the Pope. p. 413.

THE Anſwer is not inſerted in the *Fœdera*, nevertheleſs we find that afterwards he ſent a Man to the Pope with Inſtructions upon this Subject, dated the 8th of *January*, 1346 [t].

63. A PROCLAMATION, or Manifeſto dated [u] the 15th of *March*, 1346, juſtifying the War againſt *Philip* of *Valois*. What is very remarkable in this Proclamation is *Edward*'s ſaying, that immediately upon the Death of *Charles the Fair*, he conſulted the Lords Spiritual and Temporal, and the Civilians of his Kingdom; and that by their Advice he ſent Ambaſſadors into *France* to demand the Crown. He adds, that they could not obtain Audience; and that after having left their Proteſts, they were oblig'd to retire for fear of their Lives. This is a Confirmation of what was ſaid upon this very Particular in our Account of the fourth Tome of the *Fœdera*.

p. 489. *His Proclamation, ſetting forth the Reaſons of his War with* France. p. 496.

64. CONVENTIONS between *John* Duke of *Normandy*, Son to *Philip de Valois*, and the *Normans*, by which the latter oblige themſelves to follow the Duke into *England* with 40,000 Men, to make a Conqueſt of that Kingdom, on certain Conditions ſpecify'd on both ſides, in caſe the Undertaking ſhould be crown'd with Succeſs. It is dated at *Bois de Vincennes*, *March* the 23d, in the Year 38; which is ſuppos'd to be a Miſtake of the Preſs in this Collection for 1346 *.

The Normans deſign to invade England. p. 504.

65. A LETTER from the King's Son *Lionel*, then Regent in *England*, to the Mayors and Bailiffs of the chief Cities of the Kingdom, and to the Sheriffs of the Counties, acquainting them with the Victory gain'd by the King's Forces at *Creſſy*. It is dated the 6th of *September*, 1346 [x].

Regent's Letter to the chief Cities, upon the Victory at Creſſy. p. 529.

66. AN Order to ſend great Succours to the King, to make head againſt *Philip*, who was aſſembling all the Forces of *France* to raiſe the Siege of *Calais*. It is dated the 3d of *October*, 1346 [y].

Order to ſend the King Forces to ſupport the Siege of Calais. p. 527.

67. A TRUCE concluded near *Calais*, from the 28th of *September*, 1347, to the 9th of *July*, 1348.

Truce near Calais. p. 588.

68. SEVERAL Prolongations of it 'till the 1ſt of *Auguſt*, 1350, and full Powers to make a Treaty of Peace [z].

Prolongations of it, and full Powers for a Treaty of Peace. p. 608. 623. 629. 640. 642. 649. 658. 660. 664. 671. 672. 676. 678.

69. † A LETTER from Pope *Clement* VI, on the Death of *Philip de Valois*, exhorting *Edward* to make a Peace with *John* his Son and Succeſſor. It is dated [a] the 3d of the Nones of *September*, 1350.

† *Pope's Exhortation to* Edward *on* Philip's *Death.* p. 680.

[r] In the Order for proclaiming the three Years Truce, ſeal'd at *London* with the Great Seal the 20th of *February*, 1343. [s] At *Weſtminſter*. [t] At *Woodſtock*. [u] At *Weſtminſter*.

* MR. *Barnes* ſays this was call'd the *Ordinance of* Normandy; and that a Copy of it was produc'd in the *Engliſh* Parliament in *January*, 1337, according to which the Duke of *Normandy* was to paſs as Chief, with other Nobles of that Province, into *England*, with 40,000 Men of Arms, Knights, Eſquires and Perſons of good Eſtate, and 40,000 Foot-men, Methods being there preſcrib'd for keeping the Sea; and an Order was alſo added, That the ſaid Duke ſhould remain in *England* with the ſaid Forces for ten Weeks: That if the Realm of *England* ſhould be conquer'd, the Duke ſhould not only have all the Honour and Advantage of it, but all that the King of *England* was then poſſeſs'd of ſhould remain entirely to the ſaid Duke, and the Knights and Lords with him: That all which belong'd to the Nobles and Laity of *England*, ſhould be beſtow'd on the Churches and famous Towns of *Normandy*, only of the Revenues of the Church of *England* the *French* King ſhould receive 20,000 *l.* a Year, ſaving the Rights of the Pope; and that every thing taken from the *Scots* at any time, and annex'd to the Crown of *England*, ſhould be reſtor'd.

[x] At *Windſor*. [y] At *Windſor*. [z] *Edward*'s Prolongations of the Truce; and the full Powers he gave to his Ambaſſadors to repair for a Treaty of Peace to the Apoſtolic See, are dated the 13th of *February*, the 15th of *May*, the 6th of *Auguſt*, the 11th and 25th of *September*, and the 18th of *November*, 1348; and the 10th of *March*, the 2d and 15th of *May*, the 28th of *Auguſt*, 1349; and the 13th of *June*, the 1ſt and 28th of *July*, 1350. [a] At *Avignon*.

70. Full

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70. Full Powers to renew with *John* the Truce made with *Philip* his Father. They are dated [b] *November* the 2d, 1350.

Truce renew'd with his Successor. p. 690.

71. SEVERAL Prolongations of the Truce, in order to negotiate a Peace [c].

Prolongations of the Truce. p. 711. 714. 715. 722. 725. 727.

72. † *EDWARD*'s Letter to the Pope, in which he signifies his Resolution to conclude a Peace with *John*; *Ita quod ex parte nostra, non reperietur, per Deigratiam, dissimulatio, dilatio vel defectus, quod de nobis sentire velit vestra Moderatio circumspecta: i.e.* Insomuch that on our part there shall not be found, by the Grace of God, any Dissimulation, Delay or Deficiency, &c. It is dated [d] the 8th of *November*, 1353. This was when *John* made such Concessions as to offer *Guyenne*, *Artois*, *Guisnes* and *Calais* to *Edward* in full Sovereignty.

† Edward's Letter to the Pope. p. 772.

Another to the new Pope, Innocent VI. p. 753.

73. A LETTER to Pope *Innocent* VI, upon his Advancement to St. *Peter*'s Chair, dated the 20th of *June*, 1353 [e].

His full Power to his Ambassadors to renounce France. p. 779.

74. *EDWARD*'s full Power to his Ambassadors, more ample than the preceding, for concluding a Peace, and for renouncing the Crown of *France* in his Name, dated the 30th of *March*, 1354 [f].

Prolongation of the Truce. p. 781.

75. A PROLONGATION of the Truce from the 6th of *April*, 1353, to the 1st of *April*, 1354, dated *April* the 6th aforesaid, under the Tents before *Guisnes*.

King submits his Rights in France to the Pope's Jurisdiction. p. 794.

76. A POWER given to the Ambassadors more ample than all before granted, whereby it manifestly appear'd that *Edward* thought the Peace as good as concluded. It is dated the 28th of *August*, 1354 [g]; these are the Words of it, *Dantes & Concedentes eisdem Procuratoribus, Auctoritatem & Mandatum speciale Tractandi cum dicto Adversario nostro, seu Deputatis & Assignatis per eum, de pace finali inter Nos & ipsum feliciter, per Dei gratiam ineunda, & super omnibus Debatis, Litibus & Controversiis, inter Nos & dictum Adversarium Nostrum exortis: Specialiter super Jure quod habemus, vel habere poterimus, ad Coronam & Regnum Franciæ, & pertinentias eorundem, vel in eis Transigendi, Componendi, Pacificandi, & etiam Juri nobis in hac parte competenti ex causa Transactionis, seu Compositionis ac Recompensationis nobis propter hoc faciendæ renunciandi, &c. Et cum inter Nuncios utriusq; partis sic transactum fuerit & finaliter concordatum, ut sic concordata, quantum ad Nos attinet, fideliter observentur, submittendi Nos, Hæredes & subditos Nostros ac Terras & Dominia & omnia quæcunque quæ jam habemus in Regno Franciæ*, Et quæ, virtute hujusmodi Concordiæ in eodem contigerit nos habere, *jurisdictioni dicti Domini Summi Pontificis, (videlicet) ut ipse per Censuras Ecclesiasticas, & alias vias legitimas, ad observationes præmissorum Nos, & Hæredes & Subditos nostros, compellere valeat & artare, & omnia sic concordata, autoritate Apostolica confirmare, omologare, & quatum firmitate vallare: i. e.* Giving and granting to the said Plenipotentiaries full Power and special Command to treat with our said Enemy, or such as are deputed and assign'd by him, happily to negotiate a Peace betwixt Us and Him, by the Grace of God, and to treat of all Debates, Disputes and Controversies arisen betwixt us and our said Adversary; especially concerning the Right which we have, or may have, to the Crown and Kingdom of *France*, and their Appurtenances; even to transact, compound, or bargain therein; and also to renounce our competent Right for the sake of the Transaction or Composition, and Recompence to be made to us on that Account, &c. And when it has been so transacted and finally agreed between the Ambassadors on both sides, that the Articles so agreed on, as far as appertains to us, may be punctually observ'd, we give them the Power to submit Us, our Heirs and Subjects, Lands, Dominions, and all things whatsoever are ours in the Kingdom of *France*, and which we shall happen to have there, by vertue of such Agreement, to the Jurisdiction of our said Lord the Pope, (*viz.*) That he may compel and bind Us, our Heirs and Subjects by Ecclesiastical Censures, and other legal Methods, to the Observation of the Premises, and confirm, ratify and fortify the said Agreement in all its Articles.

EDWARD III.

IT is evident from this full Power, that such Offers had been made to *Edward* as he thought fit to accept; which confirms what the *English* Historians have advanc'd on this Head, tho' *Mezeray* has thought fit to pass it over in Silence,

Mezeray convicted of wilful Silence in a material Article.

77. THE Power given by the Archbishops and Bishops of *England* to five Civilians to consent in their Name to the Treaty which was to be sign'd in the Presence of the Pope, desiring the Pope to confirm it by his Authority, and to oblige to the Observation of it by the severest Censures; dated [h] *August* the 28th, 1354.

The Bishops Power to certain Civilians for signing the Treaty. p. 796.

78. THE Power given by *Lionel* and *John*, Sons to King *Edward*, and by 85 *English* Noblemen, of the same Tenor and Date as the former.

The like from the Princes and Nobility. p. 797.

THIS Negotiation being spun out to the end of the Year 1354, *Edward*'s Expectations were frustrated by King *John*'s Refusal to confirm what had been agreed upon before *Guisnes*.

King John's Refusal to ratify the Treaty near Guisnes.

79. *EDWARD*'s Letter dated [i] *June* the 1st, 1355, to the Bishops of *England*, informing them that the Ambassadors of the two Crowns assembled between *Guisnes* and *Calais* had concluded Articles of Peace, and agreed to go to the Pope to get them confirm'd by his Authority; but that his Ambassadors, after having waited a long time, had been oblig'd to return home, those of *France* having refus'd to confirm what had been agreed to.

Edward's Letter on that Subject to the Bishops of England. p. 816.

80. THE Commission by which *Edward* sent the Prince of *Wales* in quality of his Lieutenant to the Province of *Gascoigne* [k].

Prince of Wales's Commission as Lieutenant of Gascoigne. p. 823.

81. THE Patent appointing *Henry* of *Lancaster* the King's Lieutenant in *Bretagne*; dated [l] *September*, the 14th, 1355.

Duke of Lancaster's as Lieutenant in Bretagne. p. 826.

82. THE King's Answer to a Letter from the Pope pressing him to renew the Negotiations of Peace, wherein *Edward* tells him, that after having been so grossly deluded by his Enemy, he has taken up Arms again, and cannot think of renewing the Negotiations up-

[b] At *Westminster*. [c] They are dated at *Westminster* the 27th of *June*; at the Tower the 26th and 27th of *July*, and the 4th of *September*; the 11th *ditto* at the place of Treaty between *Guisnes* and *Calais*, and at *Westminster* the 1st of *October*, 1351. [d] At *Westminster*. [e] At *Westminster*. [f] At *Westminster*. [g] At *Westminster*. [h] At *Westminster*. [i] At *Westminster*. [k] Dated *July* the 16th, at *Northstreet*. [l] At *Portsmouth*.

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on such very uncertain Hopes. It is dated *May* the 2d, 1356 [m].

Edward's *Letter to the Pope, declaring he cannot enter into a new Treaty with* France. p. 851.

NEVERTHELESS to give some Satisfaction to the Pope, who incessantly teaz'd him to make Peace, *Edward* empower'd his Son the Prince of *Wales*, then actually in *Guyenne*, to treat with *France*: which Power is dated [n] *August* the 1st. 1356.

His full Power to his Son to enter on a Treaty. p. 858.

IT is very probable that *Edward* referr'd the Affair to the Prince his Son, who was at that time ravaging the Provinces of *France*, for no other end but to get rid of the Pope's troublesome Sollicitations.

His Letter to the Bishops on the Victory at Poictiers. p. 869.

83. *EDWARD*'s Letter to the Prelates of his Kingdom, acquainting them of the great Victory the Prince of *Wales* had gain'd near *Poictiers*, and of the taking of King *John*; dated *October* the 10th. 1356 [o].

He appoints Philip *of* Navarre *his Governour in* Normandy. p. 871.

84. HIS Letters Patent appointing *Philip* of *Navarre* Governour of *Normandy*; dated [p] *October* 30, 1356.

THIS Prince was Brother to *Charles* King of *Navarre*, whom King *John* detain'd in Prison at the Castle of *Arleux* in the District of *Cambray* *.

EDWARD's *Affairs with* Scotland.

Anno 1338.

WHEN we clos'd our Account of the fourth Tome of the *Fœdera*, we left *Scotland* in a very unhappy State. *Edward* being Master of the chief Places reign'd there, while *Edward Baliol* had the Title indeed of King, but no more than the Shadow of Sovereignty, so long as King *David* was a Refugee at the Court of *France*, which sought rather to prolong the War in *Scotland*, than to put an end to it by any powerful Succours. After the time that *Edward* had made known his Designs against *France*, *Philip* of *Valois* would have been very glad if he could have made a powerful Diversion in *Scotland*; but it was too late, for then he had enough to do to oppose a League form'd against him, while *Edward* amus'd him with the false Hopes of Peace, as was observ'd in the Account of the preceding Tome. For this Reason the Succours with which he was able to furnish the *Scots*, were not very considerable. Mean time *Robert Stuart*, who was Regent in *Scotland* for King *David*, perceiving that *Edward* would have Work enough cut out for him in *Flanders*, flatter'd himself with the Hopes of making his Advantage of this Diversion; and therefore, after having assembled some Troops, as soon as he heard that *Edward* was gone beyond Sea, he renew'd the Hostilities in *Scotland*. The little Opposition he met with from *Baliol*, with whom *Edward* had left but few Forces, and some little Success which attended his Arms at the beginning, giving him a fair Opportunity to augment his Army, he resolv'd to besiege *Perth*, which he did accordingly next Year, *viz.* 1339, just about the time that *Edward* began his first Campaign in *Flanders*. The taking of this Place, which cost him a Siege of three Months, having oblig'd *Baliol* to retire towards the Frontiers of *England*, the Regent improv'd his Advantages, and attack'd the strong Town of *Sterling*, which he took by Composition, after he had likewise made himself Master of *Edinburgh* by a Stratagem.

Robert Stuart's *Progress in* Scotland.

Anno 1339.

EDWARD III.

EDWARD being too busy in his Preparations for the Campaign which he was to make in *Flanders* in the Year 1340, to have any Thoughts of *Scotland*, *Steuart* took that Opportunity to make an Incursion into *Northumberland*, from whence he carry'd away a great Booty. Afterwards, while *Edward* was before *Tournay*, the Regent of *Scotland* made himself Master of *Roxborough*, and in short, of all other Places which the *English* held in *Scotland*, so that *Berwick* only remain'd in their Hands.

Anno 1340.

THE *Scots* being expresly included in the Truce which was made before *Tournay* in the Year 1341, as soon as it was expir'd, *Edward* resolv'd to go once more and ravage *Scotland*, while the Truce which he had prolong'd with *France* still subsisted. With this View he went to *Newcastle*, where he waited in vain for his Fleet which was to bring Provisions for his Army. A violent Storm which dispers'd that Fleet having broke his Measures, he was oblig'd to grant the *Scots* a Truce, on condition that they would submit to his Authority if King *David* did not return to *Scotland* by a certain time with an Army strong enough to give Battel. *Buchanan* says, that *David* was already in *Scotland incognito*, and that he likewise made an Incursion into *Northumberland*. Be this as it will, *Edward*, whose Head was full of the Affair of *Bretagne*, mention'd in the preceding Article, granted a new Truce to King *David*, and then retir'd.

Anno 1341.

Edward's *Truces with the* Scots.

Anno 1342.

IT was during this Truce, towards the latter end of the Year 1342, that *Edward* went to carry the War into *Bretagne*, where in *February*, 1343, he made a Truce which was to last 'till *Michaelmass* 1346, and in which *Scotland* was included. It was observ'd in the foregoing Article, that this Truce was broke so far as related to *France*, in the Year 1345, and that *Edward* made a Descent in *Normandy* in 1346.

Anno 1346.

King David *invades* England.

WHILE *Edward* was that Year ravaging *Normandy*, and the Neighbourhood of *Paris*, *David* broke the Truce on his part, by sending Forces to make an Incursion into *England*, while himself was preparing to give a more powerful Diversion. This evidently appears from an act in the *Fœdera*, which I shall mention hereafter.

EDWARD laying siege to *Calais* after the Battel of *Cressy*, *Philip* who was not in a Condition to come soon enough to raise it, engag'd King *David* to make a powerful Diversion in *England*, in hopes that *Edward* would be oblig'd to hasten home to the Relief of his own Subjects. By this time *David* could not but be very well prepar'd to receive him, because he had been in *England* six Weeks after the Battel of *Cressy*, at the Head of 60,000 Men, and was even advanc'd as far as *Durham*. The Diligence of the *English* to oppose this Invasion was so great, that by the Care of the Archbishop of *York*, and some Lords in the North, they were soon in a Condition to give the *Scots* Battel; which they did near *Durham*, where the *Scots* Army was entirely routed, with the Loss of 15,000 Men, and King *David* himself taken Prisoner.

He is routed and taken Prisoner.

[m] At *Westminster*. [n] At *Westminster* [o] At *Westminster*. [p] At *Westminster*.

* Mr. *Barnes* says that King *John*, who was his Father-in-law, imprison'd him for privately corresponding with his Enemies.

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THE Loſs which the *Scots* ſuffer'd, together with the Impriſonment of their King, would have put them out of a Capacity to ſtop the *Engliſh* Arms, if *France* had not taken care to get them included in the Truce of *Calais*, and in the frequent prolongations thereof to the Year 1354, as was obſerv'd in the preceding Article. During theſe Truces, Endeavours were us'd for procuring King *David* his Liberty by ſeveral Negotiations, which after having laſted many Years, were at length conſummated in a Treaty made in the Year 1354, by which *Edward* engag'd to ſet *David* at full Liberty for a Ranſon of 90000 Marks Sterling, payable in nine Years; for which *David* was oblig'd to give good Sureties. This happen'd at the very Juncture when *Edward* made ſure of concluding a Peace with King *John*, according to the Articles agreed on, betwixt *Guiſnes* and *Calais*: But as *John* had no deſign to confirm thoſe Articles, he engag'd the *Scots* to renew the Hoſtilities, by ſending 40000 Crowns to be diſtributed, as *Buchanan* ſays, among the leading Men in *Scotland:* Therefore juſt as *David* was going to be ſet at liberty, *Stuart* took *Berwick* by Surprize, and ſet fire to it [a]. This unexpected Rupture forcing *Edward* to take other Meaſures, he caus'd *David* to be more cloſely confin'd in the Caſtle of *Odiham*, and march'd towards the Frontiers of both Kingdoms to recover *Berwick*; which was no difficult matter for him to do, becauſe the *Scots* had abandon'd it.

King David's *Ranſom.*

Scots fid with Money from the French *King.*

Berwick taken by ſurprize, fir'd, and then abandon'd by the Scots.

EDWARD's Expedition did not end with *Berwick*, but he likewiſe made himſelf Maſter of *Edinburgh* and *Roxburgh*, and ravag'd ſome of the Counties of *Scotland* without mercy; and if it had not been for a Breach of the Treaty, then begun with *France*, 'tis very likely that *Edward* would have made himſelf Maſter of all *Scotland*. At leaſt, there is no doubt but he intended it, when 'tis conſider'd, that at that time he began his Negotiations with *Baliol*, whereby the latter was to make over to *Edward* all his Right to that Kingdom, as appears by ſome Acts in this Tome. The Negotiations for this purpoſe, which probably were interrupted by the Preparations that *Edward* was oblig'd to make for renewing the War againſt *France*, were begun again in the Year 1356. Till then *Edward* made uſe of *Baliol's* Name in the War with *Scotland*; but at length he took off the Mask, and determin'd to act in his own Name. For this end, he got *Baliol* to yield him the Kingdom of *Scotland*, with all its Dependencies, on the Payment of a yearly Penſion of 2000*l.* Sterling, which he gave him as a Compenſation for that imaginary Crown. And with this the Acts of the fifth Tome relating to *Scotland* conclude: We will juſt run thro the chief of them.

Edward's Ravages in Scotland.

Baliol reſigns his Claim to Scotland *to* Edward *for a Penſion.*

EDWARD III.

1. AN Act declaring *Baliol's* Dependence upon *England*, dated [b] the 4th of *Auguſt* 1338, *Teſte Cuſtode Angliæ*. 'Tis a Requeſt, or rather an Order to *Baliol* to give the Government of *Perth* to *Thomas Ughtred*, in theſe Terms; *Cum, pro reipublicæ, ac veſtrorum & noſtrorum ſubditorum, commodo & utilitate, de Concilio noſtro, ordinaverimus, quod Dilectus & Fidelis noſter, Thomas Ughtred habeat cuſtodiam villæ Sancti Johannis de Perth in Scotia. —— Veſtram amicitiam requirimus & rogamus, quatenus eidem Thomæ cuſtodiam villæ prædictæ, per Literas veſtras Patentes, in forma debita, committi faciatis: i.e.* Whereas, for the publick Good, and for the Profit and Advantage of your and our Subjects, we have order'd that our truſty and well-beloved *Thomas Ughtred* ſhall have the Government of *Perth*, or *St. Johnſtown* in *Scotland*—— We require and expect from your Friendſhip, that you commit the Government of the ſaid Town to *Thomas Ughtred*, as aforeſaid, by your Letters Patent diſpatch'd in due form.

Edward's Nomination of a Governor of Perth. P. 70.

2. AN Order to pay *Baliol* thirty Shillings a Day for his Subſiſtence in time of Peace, and fifty Shillings a Day in time of War. 'Tis ſign'd *Teſte Cuſtode*, [c] *May* the 3d, 1339.

Order for Baliol's *Subſiſtence Money.* P. 109.

3. A PARDON granted to *Thomas Ughtred* for having ſurrender'd the Town of *Perth* to the Enemy; dated *October* the 29th, 1339 [d].

Thomas Ughtred's *Pardon.* P. 131.

4. AN Allowance to *Baliol* of forty Shillings a Day in time of Peace, and three Pounds in time of War [e].

A farther Allowance to Baliol. P. 186.

5. SEVERAL Furloughs for the Earl of *Murray*, a Priſoner in *England* [f].

Furloughs to the Earl of Murray. P. 197, 200, &c.

6. A POWER granted to *Henry* Earl of *Lancaſter* to make a Peace or Truce with the *Scots*; dated [g] *October* the 10th, 1341.

Power to the Earl of Lancaſter. P. 285.

7. AN Order to aſſemble an Army againſt *Scotland*; dated *November* the 4th, 1341 [h].

Order to aſſemble an Army. P. 290.

8. A PASSPORT for certain Envoys coming into *England* from *David Bruce* to treat with the King; dated *March* the 20th, 1342 [i].

Paſſport for David's *Envoys.* P. 303.

9. AN Order for the exact Obſervation of the Truce concluded in *Bretagne* with the *Scots*; dated *May* the 20th, 1343 [k].

Order for obſerving the Truce. P. 367.

10. AN Order to aſſemble Troops to make head againſt the *Scots*, who after having

Another Order to aſſemble Troops. P. 524.

[a] Mr. *Barnes* ſays this happen'd on the 6th of *November* 1355. [b] At *Northampton*.
[c] And dated at *Berkhampſtede*. [d] At *Kenington, Teſte Cuſtode*.
[e] Dated at *Weſtminſter, May* the 20th, 1340.
[f] They are dated at *Kenington, July* the 18th; at *Billibrig, Auguſt* the 1ſt; at *London, Auguſt* the 20th; at *Berkhampſtede, Auguſt* the 25th; at *Andover, September* the 25th; at *Wallingford, October* the 25th and 26th, 1340; at *Weſtminſter, February* the 8th, and *May* the 28th; at *Langley, July* the 1ſt; and at the Tower of *London, July* the 21ſt, 1341. [g] At *Weſtminſter*. [h] At *Newcaſtle upon Tine*. [i] At *Weſtminſter*.
[k] At *Weſtminſter*.

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having made an Incurſion into *England*, were withdrawn, and muſter'd all their Forces to make a freſh Invaſion; ſign'd *Teſte Cuſtode*, the 20th of *Auguſt* 1346[a]. The Date of it is remarkable, becauſe it ſhews that King *David* had begun Hoſtilities even before the Battle of *Creſſy*, which was not fought till the 26th of the ſame month.

Regent's Thanks to the Archbiſhop of York *for the Victory at* Durham, *P.* 528.

11. A LETTER from the Regent of *England* to the Archbiſhop of York, thanking him for the Victory at *Durham*; dated [b] *October* the 20th, 1346. It appears by this Letter, that the ſaid Prelate did not only raiſe Forces to make head againſt the *Scots*, but that he was alſo in the Battle; *Veſtras, inſuper fidelitatem & ſtrenuitatem probatiſſimas, pro honore noſtri nominis, & tuitione Rei noſtræ publicæ Anglicanæ, contra hoſtiles invaſiones Scotorum, Inimicorum & Rebellium noſtrorum, modernis temporibus præexpertas, ſudoribus bellicis, præſertim in noſtra abſentia, claras factas, cum intimis gratiarum actionibus in Domino commendamus: i. e.* Moreover, We heartily commend in the Lord your approv'd Fidelity and Valour for the Honour of our Name, and the Defence of our Government of *England*, againſt the hoſtile Invaſions of the *Scots*, our Enemies and Rebels, which you have lately ſignaliz'd in the Toils of War, eſpecially in our abſence.

An Act for the Pardon of the Archbiſhop of York. *P.* 692.

IN another Act [c] the King ſays, *Attendentes grata & laudabilia obſequia, quæ venerabilis Pater Willelmus de la Zouche Eborum Archiepiſcopus, multipliciter nobis fecit, nec non locum magnum, quem nobis & toti Regno Angliæ, pro defenſione ejuſdem Regni, præſertim in conflictu Dunelmenſi, noſcitur tenuiſſe: i. e.* In Conſideration of the acceptable and commendable Acts of Obedience of many kinds, which the moſt Reverend Father *William de la Zouche* Archbiſhop of *York* has perform'd to us; and alſo the great Share which 'tis known to us, and to the whole Kingdom of *England*, he has had in the Defence of the ſaid Kingdom, eſpecially at the Battle near *Durham*, &c.

Order to commit David *to the Tower. P.* 537.

12. AN Order to bring *David Bruce* to the Tower; dated *December* the 15th, 1346 [d].

Coupland's Reward for taking him. P. 542.

13. THE Honour conferr'd on *John Coupland*, who took *David Bruce* Priſoner [e]; *January* the 20th, 1347.

Order for proſecuting the Earls of Menteith *and* Fife. *P.* 549.

14. AN Order for the Proſecution of the Earls of *Menteith* and *Fife*, who revolted from *Edward's* Intereſt, and were taken in the Battle of *Durham* [f].

Judgment paſs'd on them. P. 550.

15. THE Judgment by which Sentence of Death is paſs'd upon thoſe Earls, and a Repriève granted to the Earl of *Fife*, the King's Couſin; dated as above.

16. SEVERAL Acts relating to the Negotiations ſet on foot for the Enlargement of *David Bruce* [g].

Treaties for the Releaſe of David. *P.* 618, 625, 632, 634, 645, 646, 647, 657.

17. *EDWARD*'s Acceptation of *Baliol*'s Proteſt that the Treaty on foot with *David Bruce* ſhou'd not prejudice his Rights; dated *March* the 4th, 1351 [h].

Edward's Acceptation of Baliol's *Proteſt. P.* 699.

18. A PASSPORT for *David Bruce*'s going to *Scotland* with the King's Permiſſion; dated *September* the 4th, 1351 [i].

David's Paſſport to Scotland. *P.* 722.

19. CONTINUATION of the Negotiations for *David*'s Liberty [k].

More Treaties for his Liberty. P. 723, 724, 725, 727, 728, 733, 736, 737, 746, 756, 758, 761, 787.

20. A CONCESSION to *Baliol*, that the Treaty on foot with *Scotland* ſhall not prejudice his Rights; dated *March* the 8th, 1353 [l].

Edward's Conceſſion to Baliol's *Proteſt. P.* 748.

21. *EDWARD*'s Letters Patent, by which he conſents that all the Overtures whatſoever which *Baliol* ſhou'd make in the Treaty then negotiating with him, relating to the Ceſſion of the Kingdom of *Scotland*, ſhall not do him any prejudice in caſe the Treaty be not concluded; dated *June* the 30th, 1354 [m].

Another Conceſſion. P. 788.

22. CONVENTIONS betwixt the *Engliſh* and *Scotch* Commiſſioners for the Liberty of *David Bruce*; dated at *Newcaſtle* upon *Tine*, *July* the 13th 1354. The Conditions were, 1. That he ſhou'd be at entire liberty to go where he pleas'd: 2. That he ſhould pay King *Edward* 90000 Marks Sterling, in nine Years time, payable at the rate of 10000 *per Annum*: 3. That there ſhould be a Truce between *England* and *Scotland* till the whole Sum be paid: 4. That *Edward Baliol* ſhould be included in the Truce: 5. That *David* ſhould deliver up 20 Hoſtages. The reſt of the Articles relate to the Character of the ſaid Hoſtages, and the Security for the Payment.

Conventions for David's *Liberty. P.* 793.

23. *EDWARD*'s and the *Black Prince*'s Ratifications of it; dated *October* the 5th, 1354 [n].

Ratifications of it by the King and Prince of Wales. *P.* 799, 800.

THESE Conventions were reduc'd into the Form of a ſolemn Treaty, which was ſign'd at *Berwick* the 12th of *November* following. 'Tis ſurprizing that no *Engliſh* or *Scotch* Hiſtorian has made mention of it.

Treaty about it. P. 812.

An Omiſſion of our Hiſtorians.

IN purſuance of this Treaty, *David* was conducted to *Newcaſtle* to be put into the hands of the *Scots*; and it appears from ſeveral Acts of this Year, that they only waited for the Arrival of the chief Hoſtages to be exchang'd with the ſaid Prince; but the above-mention'd Treaty not being executed by reaſon of the Surprize of *Berwick*, which happen'd towards the middle of *December* 1354.

[a] At *Weſtminſter*. [b] At the Tower of *London*.

[c] Dated at *Weſtminſter*, *November* the 18th, 1350, for the Pardon of the Archbiſhop of *York*.

[d] At *Eltham*. [e] King *Edward* made him a Knight Banneret for this Service, and ſettled 500 Pounds a Year on him and his Heirs for ever, as appears by the Patent dated at *Eltham*.

[f] 'Tis dated at *Windſor*, *February* the 22d, 1347.

[g] They are dated at *Weſtminſter*, *April* the 16th, and *July* the 3d; at *Odiham*, *Auguſt* the 8th; at *Weſtminſter*, *Auguſt* the 12th; at *Odiham*, *Auguſt* the 12th; at *Weſtminſter*, *October* the 10th, 18th, and 23d, 1348; and at *Langley*, *February* the 25th, 1349. [h] At *Weſtminſter*. [i] At the Tower of *London*.

[k] Dated as above, the 4th, 5th, and 6th of *September*, and at *Weſtminſter* the 3d of *November* 1351; at *Weſtminſter* the 1ſt of *February*, and the 18th of *March*; at *Windſor* the 28th of *March*, and at *Weſtminſter*, *December* the 6th, 1352; at *Weſtminſter*, *July* the 7th and 13th, and *October* the 15th, 1353; and at *Weſtminſter*, *June* the 18th, 1354.

[l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Weſtminſter*.

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1354, *Robert Stuart*, Regent of *Scotland*, had a mind to renew the Negotiation in 1356, as appears from a full Power granted by the ſaid Regent to his Envoys, dated the 17th of *January* 1356[a]. This Affair was ſpun out till the Year 1357, that *David* was at length releas'd, as we ſhall find when we come to the next Tome of the *Fœdera*.

Regent of Scotland's Powers for a new Treaty. P. 822.

24. *BALIOL's* Ceſſion of the Kingdom of *Scotland*, and all its Dependencies, *&c.* to *Edward*[b].

Baliol's Ceſſions to Edward. P. 832, 833, 834 838, 839, 840, 842, 845.

25. CONVENTIONS between *Edward* King of *England*, and *Edward Baliol*, by which the former engag'd to pay the latter in lieu of the Crown of *Scotland* a yearly Penſion of 2000 *l.* Sterling, payable at four Terms; dated at *Banbury*, *January* the 20th, 1356.

Conventions betwixt him and Edward. P. 836.

26. *EDWARD's* Proclamation, wherein he promiſes to maintain the Laws and Cuſtoms of *Scotland* without Variation; dated *March* the 15th, 1356[c].

Edward's Proclamation for maintaining the Laws of Scotland. P. 846. P. 859.

WE find by an Inſtrument[d] that *Edward* deſir'd time of *Baliol* for the Payment of the ſecond Quarter of his Penſion, by reaſon of the great Expences he had been oblig'd to.

27. A COMMISSION to treat with the *Scots* concerning the Liberty of *David Bruce*; dated *March* the 25th, 1356[e].

Commiſſion to treat about David's Liberty. P. 847.

28. A PASSPORT for the *Scots* Envoys; dated[f] the 13th of *December* 1346.

Paſſport for the Scots Envoys. P. 875.

Other Foreign Affairs.

DURING the nineteen Years to which the Acts of this Tome relate, *Edward* had a multitude of Negotiations with ſeveral Princes, eſpecially with reſpect to his grand Affair, I mean the War with *France*. But as it would run me too great a length to account for all theſe Negotiations, I ſhall but juſt mention the Princes and others with whom he had to treat during that Term; to the end that ſuch as ſhall happen to want recourſe to any of thoſe Articles, may conſult the *Fœdera* it ſelf.

Summary of Edward's Negotiations.

HERE are Negotiations therefore with the Emperor *Lewis* of *Bavaria*, the Towns of *Flanders*, the Duke of *Gueldre*, the Marquis of *Juliers*, and the Duke of *Brabant*, particularly the latter, about a Marriage which was propos'd between *Edward*, eldeſt Son to the King, and a Daughter of that Duke. It ſeems that the Pope refus'd a Diſpenſation for this Marriage, tho' it was often deſir'd of him.

Diſpute betwixt his Queen and her Siſter.

THERE's alſo a Treaty with the Earl of *Hainault*, *Edward's* Brother-in-law. After that Earl's Death, there was a Difference between his two Siſters, the eldeſt of which, *Margaret*, was Widow to the Emperor *Lewis* of *Bavaria*, and *Philippa* the youngeſt had marry'd *Edward* III. They both laid claim to the Succeſſion of *Hainault*, *Holland*, and *Zealand*, as appears by ſeveral Acts in this 5th Tome.

HERE we alſo find certain Negotiations with *Alphonſo* IX. King of *Caſtile*, chiefly relating to the Marriage of *Joan*, *Edward's* eldeſt Daughter, with *Peter*, afterwards ſurnamed the *Cruel*, who was *Alphonſo's* eldeſt Son. The Match being at laſt concluded, after tedious Negotiations, that Princeſs died at *Bourdeaux* in her way to her Spouſe.

Marriage of his Daughter.

IN this Tome we likewiſe find ſome Acts which make mention of a certain *Spaniſh* Fleet that committed great Diſorders in the Channel, and which *Edward* went in Perſon to attack. The Advantage, he gain'd in the Action, procur'd a Truce of 20 Years with the *Spaniards*[g].

Truce of 20 Years with Spain. P. 717.

HERE are Treaties alſo with the Kings of *Arragon*, *Portugal* and *Majorca*, *Philip* of *Navarre*, Brother to *Charles the Bad*; the Duke of *Auſtria*, the Marquis of *Brandenburgh*, the Emperor *Charles* IV. the Count of *Geneva*, the Dauphin of *Viennois*, *Godfrey* of *Harcourt*, and ſeveral Lords of *Guyenne*, and particularly with the Lord *de le Bret* or *d'Albret*.

THERE are alſo ſeveral Acts in this Tome which relate to *Bretagne*, and to the Alliance with *John* of *Montfort*; and a Treaty made with *Charles* of *Blois*, who having been taken Priſoner at the Battle of *Rien* in 1347, was brought to *England*, where he ſtay'd till 1356, when he obtain'd his Liberty for a Ranſom of 700000 Crowns, payable at ſundry Terms, of which *Edward* forgave him one half, on condition that he would pay the other punctually at the Terms agreed on[h].

Ranſom of Charles *of* Blois. P. 862.

HERE are moreover ſeveral Propoſals for the Marriage of *Edward's* Children; all which Articles furniſh Matter for an infinite number of Acts, which it wou'd be too tedious to give an account of.

Domeſtick Affairs.

ENGLAND having enjoy'd a profound Peace during theſe 19 Years, there happen'd no Event at home of any conſequence. Therefore all the Contents of this Article may be rang'd under ſome looſe Acts, of which theſe that follow are the moſt material.

1. AN Order to ſeize all the Tin of *Cornwal* and *Devonſhire*, to help defray the Expences of the War, by giving Security to the Proprietors; dated *May* the 10th, 1338[i].

Order for ſeizing the Tin of Cornwal, *&c.* P. 39.

2. LOANS made to the King by Abbeys, conſiſting of ſeveral Pieces of Plate belonging to Churches[k].

Loans to the King by Abbeys. P. 48, 49, 50, 59, 60.

3. A PERMISSION to dig in the County of *Devon* for Mines of Gold and Silver, on condition that the Proprietors of the Lands

Permiſſion to ſearch for Gold and Silver Mines in Devon. P. 71.

[a] At *Perth*.
[b] Dated at *Roxburgh* and *Banbury*, *January* the 20th, 25th, and 27th; and at *Weſtminſter*, *March* the 12th, 1356.
[c] At *Weſtminſter*. [d] Dated at *Weſtminſter*, *Auguſt* the 6th, 1356. [e] At *Weſtminſter*.
[f] At *Weſtminſter*. [g] Which is dated at *London*, *Auguſt* the 1ſt, 1351.
[h] The Act for this Purpoſe is dated at *Weſtminſter* the 10th of *Auguſt* 1356.
[i] At the Tower of *London*. [k] In the Months of *May* and *June* 1338.

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Lands ſhould be at the Expence, and that the King ſhould have one third of the Gold or Silver when refin'd[a].

Payment of the King's Debts ſtopt. P. 109.

4. A PROHIBITION to pay either the King's Creditors, or the Aſſignments payable out of the Revenues, till the King's Return[b].

Licence for making Woollen Cloth. P. 137.

5. A LICENCE to the Weavers of *Briſtol*, &c. to make Woollen Cloth without being liable to any moleſtation from the King's[c] Officers.

A Wool Staple at Bruges. P. 273.

6. AN[d] Order for erecting a Staple of Wool, *&c.* at *Bruges*.

King's Repeal of a Statute made by himſelf. P. 282.

7. A REPEAL of a Statute made in Parliament by the King's ſingle Authority, pretending that he had not given his Conſent to it, if he had not been afraid that the Parliament would break up without finiſhing the publick Affairs; dated *October* the 1ſt, 1341[e].

Attainder of Maltravers *revers'd.* P. 600.

8. AN Act for reverſing the Attainder of *John Maltravers*, becauſe contrary to the Laws of the Kingdom he had never been heard in his own defence; dated *December* the 28th, 1347[f].

'TIS very probable that this was the ſame *Maltravers* who was charg'd with the Murder of *Edward* II. for 'tis ſaid in this Act, that he came to wait on the King at *Sluys* in *Flanders*. But this Reverſal was only a matter of mere Form, becauſe *Edward* granted it on condition that he ſhould appear in Court when ſummon'd.

A Wool Staple at Calais. P. 618.

9. AN Order for erecting another Wool Staple at *Calais*[g].

Offer to elect the King Emperor of Germany. P. 622.

10. THE King's Credentials to his Ambaſſadors, to anſwer thoſe ſent from the *German* Electors to make him an Offer of advancing him to the Empire: dated *May* the 10th, 1348[h]. —— We don't meet with this Anſwer in the *Fœdera*, but 'tis very well known from other Authorities that he refus'd this Dignity.

Order not to depart the Kingdom on account of the Plague. P. 668.

THE Plague which ravag'd *England* during the Year 1349, gave occaſion for ſeveral Acts, of which there are theſe two remarkable.

THE firſt is a Prohibition to leave the Kingdom upon account of the Peſtilence; dated *December* the 1ſt, 1349[i].

Order relating to Servants in time of the Plague. P. 693.

THE ſecond is an Order whereby both Men and Women, who had no Eſtates, or no Profeſſion to maintain themſelves, were oblig'd to enter into Service, for the Wages common to the places where they liv'd, on pain of being impriſon'd till they could find Sureties for their Obedience. What gave occaſion to the Order was this: The Plague having carry'd off moſt of the Domeſticks in the Kingdom, it was a hard matter to get any; and thoſe that were inclin'd to go to work, or Service, took that Opportunity to exact upon their Maſters.

Affairs with the Court of Rome, *or relating to Religion.*

THE Uſurpations of the Popes in the matter of Collations to Benefices, and ſome Differences between the Archbiſhops about carrying the Croſs, are the chief Subject of the few Pieces in this Tome relating to Religion. Theſe that follow may be deem'd the moſt material.

Order againſt Eccleſiaſtical Cenſures. P. 234.

1. AN Order to the Archbiſhop of *Canterbury* to revoke certain Cenſures which he had denounc'd againſt the Commiſſioners charg'd by the King to make Inquiry into the Miſdemeanors of his Miniſters, of whom this Prelate was the chief.

QUOD ſi facere non curaveritis, ad vos tanquam Inimicum, & Rebellem noſtrum, & pacis Regni noſtri perturbatorem, quantum de jure poterimus, capiemus: i. e. Which if you do not take care to do, we ſhall proceed againſt you by Law as an Enemy, a Rebel, and Diſturber of our Peace: 'Tis dated[k] *March* the 6th, 1341.

Notifications of the King's Prerogatives to the Pope's Commiſſioners. P. 335.

2. NOTIFICATION to two Chaplains and Commiſſioners of the Pope, of certain Articles relating to the Regal Rights and Prerogatives, to the end that they may not infringe upon them in their Judgment of ſuch Cauſes as are brought before them[l].

King deſires the Pope to revoke ſome Orders. P. 363.

3. A LETTER wherein *Edward* earneſtly intreats the Pope to revoke certain Orders contrary to the Prerogatives of the Crown, which, he ſays, he is reſolv'd to maintain[m].

Order againſt thoſe that came for Benefices. P. 371.

4. AN Order to arreſt all that came into the Kingdom with Bulls from the Pope, for Benefices depending on the King's Collation[n].

Another. P. 377.

5. A PROHIBITION, purſuant to a Reſolution of Parliament, to execute the Pope's Mandates, touching the Grant of Benefices to Strangers[o].

Another. P. 378.

6. AN Order to arreſt all that brought Bulls into the Kingdom[p].

King's Letter to the Pope. P. 382.

7. THE King's Letter to the Pope on this Subject[q]; in which are theſe Words: *Novit igitur Deus veritatis, eſſe verum quod tam Proceres, & Nobiles, quam Communitas Regni noſtri Angliæ, nuper in Generali Parliamento noſtro apud Weſtmonaſterium congregati, attendentes* Proviſorum exercitum qui Regnum noſtrum Angliæ in exceſſiva multitudine jam invaſit, *& perpendentes ac dolentes dampnum & præjudicium intolerabilia, quæ dicto Regno, ex hujuſmodi Proviſionibus, provenerunt, & provenire timentur per amplius in futurum, & impatientes dictorum doloris & præjudicii; propoſuerunt querelosè & clamosè unanimiter, & dixerunt quod talia diutius tolerare non poterant, nec volebant.*

i.

[a] Dated at *Northampton*, *Auguſt* the 4th, 1338, *Teſte Edwardo Duce Cornubiæ*, &c. *Cuſtode Regni.*
[b] Dated *May* the 6th, 1339, at *Antwerp.* [c] Dated at *Langley*, *November* the 25th, 1339.
[d] Dated at the Tower of *London*, *Auguſt* the 8th, 1341. [e] At *Weſtminſter.* [f] At *Guilford.*
[g] Dated at *Weſtminſter*, *April* the 5th, 1348. [h] At *Weſtminſter.* [i] At *Weſtminſter.* [k] At *Weſtminſter.*
[l] 'Tis dated at the Tower of *London*, *July* the 28th, 1342. [m] 'Tis dated at *Weſtminſter*, *May* the 12th, 1343.
[n] Dated at *Weſtminſter*, *June* the 15th, 1343. [o] Dated at *Clarendon*, *July* the 23d, 1343.
[p] Dated as above, *July* the 30th. [q] Dated at *Weſtminſter*, *Auguſt* the 30th, 1343.

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Another. P. 385. 8. ANOTHER Letter to the Pope on the ſame Subject, but much ſtronger [a]; and has theſe words in it: *Sed (quod dolendum eſt) ipſius vineæ propagines degenerant in labruſcas, & exterminant illam apri de ſylva, ſingulareſque feræ depaſcunt eam, dum per impoſitiones & proviſiones ſedis apoſtolicæ (quæ ſolitò graviùs invaleſcunt) ipſius peculium, contra piam voluntatem & ordinationem donatorum, manus occupant indignorum, & præſertim exterorum; & ejus dignitates & beneficia pinguia perſonis conferuntur alienigenis, plerumque nobis ſuſpectis; qui non reſident in dictis beneficiis, & vultus commiſſorum eis pecorum non agnoſcunt, linguam non intelligunt, ſed animarum curâ neglectâ, velut mercenarii, ſolummodo temporalia lucra quærunt: & ſic diminuitur Chriſti cultus, animarum cura negligitur, ſubtrahitur hoſpitalitas, eccleſiarum jura depereunt, ruunt ædificia clericorum, attenuatur devotio populi. Clerici dicti regni, viri magnæ literaturæ, & converſationis honeſtæ, qui curam & regimen animarum poſſent ibi ſalubriter peragere, & forent pro noſtris, & publicis conſiliis opportuni, ſtudium deſerunt, propter promotionis congruæ ſpem ablatam, quæ divinæ ſcimus non eſſe placita voluntati.—— Nos autem Anglicanæ depreſſionem eccleſiæ, & exhæredationem coronæ regiæ, & mala prædicta, quæ diſſimulata diutiùs adjicerent veriſimiliter graviora, patulo cernentes intuitu, ad vos, ſucceſſorem apoſtolorum principis, qui ad paſcendum non ad tondendum oves dominicas, ac ad confirmandum, & non deprimendum fratres ſuos mandatum a Chriſto ſuſcipit, iſta deferimus, votivis affectibus ſupplicantes, quatenus*, &c.

i. e. BUT what is matter of Grief is, that the Slips of this very Vine are degenerated into a wild Vine, and the Boars out of the Wood do waſte it, and every wild Beaſt devours it, while by the Impoſitions and Proviſions of the Apoſtolick See (which now grow more inſupportable than ever) its own Subſtance, contrary to the pious Intent and Order of the Donors, is detain'd in the hands of the unworthy, and eſpecially Foreigners; and its Dignities and fat Benefices are conferr'd upon Strangers, who for the moſt part are Perſons whom we ſuſpect, and who neither reſide on the ſaid Benefices, nor know the Face nor underſtand the Voice of the Flock to them committed; but wholly neglecting the Cure of Souls, like Hirelings, only ſeek temporal Gain; and ſo the Worſhip of Chriſt is impair'd, the Cure of Souls neglected, Hoſpitality withdrawn, the Rights of the Church loſt, the Houſes of the Clergy dilapidated, the Devotion of the Laity decay'd, the Clergy of the ſaid Kingdom, who are Men of great Learning and honeſt Converſation, and are able to perform the Cure of Souls effectually, and would alſo be fit for Ours and the publick Service, forſake their Studies, becauſe the Hopes of any reaſonable Preferment are thus taken away, which we know is not pleaſing to the Divine Will.——We therefore by this their Repreſentation plainly beholding the Depreſſion of the Church of *England*, and the Diſinheriſon of our Crown, with all the foreſaid Evils, which, if longer diſſembled, would probably very much increaſe, do now refer them unto you, who are the Succeſſor of the Prince of the Apoſtles, who receiv'd Command from Chriſt to feed, not to ſhear the Lord's Sheep, and to *ſtrengthen*, not to *oppreſs* his Brethren, heartily intreating that, *&c.*

A Perſon arreſted with Bulls. P. 843. 9. A MEMORANDUM concerning a Man who was taken up [b] with nine Bulls of Proviſion to Benefices in his Cuſtody.

NOTWITHSTANDING all the Remonſtrances that *Edward* made to the Pope, it ſeems the latter had no Regard to 'em, ſo that the King was oblig'd to get ſatisfaction by ſome other means. For this end he ſeiz'd all the Revenues of the Benefices poſſeſs'd by Foreigners, in order to help defray the Charges of the War; and wrote a Letter of Excuſe to the Pope for ſo doing [c].

Benefices enjoy'd by Foreigners ſeiz'd. P. 490.

Popes fill up the beſt Livings before vacant.

THE Popes did not only nominate to vacant Benefices, but alſo reſerv'd to themſelves, under various Pretexts, the Collation to Archbiſhopricks, Biſhopricks, and all the beſt Benefices; and granted Letters of Proviſion before they became vacant, for fear of being foreſtall'd. Here are ſeveral Bulls in this Collection containing ſuch Proviſions; particularly,

Bulls for Biſhopricks before vacant. P. 744. 1. A BULL enjoining that the Biſhop of *Worceſter* be put in poſſeſſion of the Archbiſhoprick of *York*, as ſoon as it ſhall become vacant [d].

P. 745. 2. ANOTHER to fill the See of *Worceſter*, when it ſhall become vacant by the Tranſlation of the Biſhop to the Archbiſhoprick of *York* [e].

For a Canonſhip and Prebend. P. 512. 3. A BULL of Proviſion for a Canonſhip of the Cathedral of *Litchfield*, tho' there was

[a] 'Tis dated at *Weſtminſter*, *Sept.* 10. 1343. [b] The 4th of *November*, 1344.
[c] Which he dated from *Weſtminſter* the 12th of *February*, 1346.
[d] Dated at *Avignon* the 16th of the Calends of *November*, 1352.
[e] Dated as before at *Avignon* the 11th of the Calends of *November*.

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was none vacant, and for the first vacant Prebend: *Non obstantibus de certo Canonicorum numero, & quibuslibet aliis Statutis, & Consuetudinibus ejusdem Ecclesiæ contrariis, juramento, confirmatione Apostolicâ, vel aliâ quæcumque firmitate roboratis: i. e.* Notwithstanding the certain number of Canons, and all other Statutes and Customs of the said Church whatsoever to the contrary, whether bound by Oath, Apostolical Confirmation, or any other Security whatsoever [a].

King's Injunction about Procurations. P. 558.

4. THE King's Prohibition to the Prelates to suffer the raising of Money in their Dioceses, under the Title of *Procurations*, for the Cardinal Legates employ'd in *France* in the Negotiations of Peace [b].

P. 630, 635.

5. A PERMISSION to raise those *Procurations*, by reason of the good Services which the Legates had done the King [c].

Order about the Archbishop of Armagh's *carrying the Cross.* P. 666.

6. AN Order to hinder the Archbishop of *Armagh*, pretending to be Primate of *Ireland*, from having the Cross carry'd before him in *Dublin* [d].

His Quarrel thereupon with the Archbishop of Dublin. P. 743.

7. A PERMISSION to the said Prelate to be absent from the Parliament assembled at *Dublin*, because of the Quarrel betwixt him and the Archbishop of that See about carrying the Cross [e].

Pope's Nuncio forbid to raise first Fruits, &c. P. 747.

8. A PROHIBITION to the Pope's Nuncio to raise the first Fruits of the Benefices for the Pope under pretence of the Collations, or Reservations of the Court at *Rome* [f].

Archbishop of York *carries the Cross in* London. P. 753.

9. A PROHIBITION to molest the Archbishop of *York* for bearing the Cross in *London* [g].

Marry'd Clergy. P. 824.

10. ANOTHER against molesting certain Clergymen at *Bourdeaux*, who were marry'd notwithstanding they had the Tonsure [h].

Permission to search for the Corpse of Joseph *of* Arimathea. P. 458.

11. A LICENCE to *John Blome* of *London*, to go to the Monastery of *Glastenbury*, and dig for the Corpse of *Joseph* of *Arimathea*, according to a divine Revelation which he said he had upon that Subject in the Year 1344 [i].

EDWARD III.

THE [k] fixth Tome of the *Fœdera* contains sixteen Years of the Reign of *Edward* III. *viz.* from the beginning of the Year 1357, to the end of 1372. Forasmuch as *Edward*'s Affairs with *France* are the principal Subject of this Tome, I shall insist chiefly on this Article, the rest containing little remarkable.

I. *The Affairs betwixt* Edward *and* France.

Truce with France, *and* King John *brought Prisoner to* London.

IMMEDIATELY after the glorious Victory which *Edward* the Son gain'd near *Poictiers*, the said Prince repair'd to *Bourdeaux*, whither the Pope sent a Cardinal to him, to negotiate a Truce in favour of *France*. A Truce being accordingly concluded for two Years, the Prince of *Wales* set out in the Month of *April* 1357, to conduct King *John* to *London*, where [l] *Edward* receiv'd the Captive King with as much Honour as if he had come purely to pay him a Visit.

His Son takes the Title of Regent.

NEVERTHELESS the Imprisonment of this Prince occasioned such Troubles in *France*, that the Dauphin his Son, who took the Title of Regent, had no hopes of procuring his Father's Liberty. He had an Enemy, in the King of *Navarre*, who knew so well how to improve that fatal Conjuncture in order to sow Discord in the State, that it was not possible for the Regent to make Preparations for renewing the War, as soon as the Truce should be expir'd. King *John*, who was thorowly inform'd of all those Disorders, and saw plainly that there was nothing to expect from the Sword, hoped to procure his Liberty himself, by negotiating a Treaty of Peace with *Edward*. This Treaty, which cou'd not but be very advantageous to *England*, considering the Situation of Affairs, having been sent to *France*, the General Assembly of the States refus'd to ratify

King John treats with King Edward for his Liberty.

[a] 'Tis dated at *Avignon* the 8th of the Ides of *June*, 1346.
[b] Dated at *Reading*, *April* the 12th, 1347, *Teste Custode*.
[c] Dated at *Westminster*, *August* the 6th, 1348; and at *Clarendon*, *September* the 5th following.
[d] Dated at *Westminster*, *November* the 20th, 1349.
[e] This Act is dated at *Westminster*, *September* the 12th, 1352.
[f] Dated at *Hertford*, *January* the 20th, 1353.
[g] Dated at *Westminster*, *April* the 1st, 1353.
[h] Dated at *Sandwich*, *July* the 25th, 1355.
[i] 'Tis dated at *Westminster*, *June* the 10th, 1345.

[k] *We come now to the Sixth Tome of the* Fœdera, *which we shall introduce, as we have done the two former Tomes, with such part of Mr.* Rymer's *Dedication of it to Queen* Anne, *as opens a farther View of the glorious Reign of King* Edward III.

May it please your Majesty,

" After the many Leagues and Alliances in former Tomes, in the last (that was presented to your Majesty) " appear'd the Operations of War, and a wonderful Success in Battles.

" In this Book TWO CAPTIVE KINGS (whom God had given into the hands of your most noble Pro- " genitor *Edward* III.) are ransom'd and set at liberty.

" Thereupon ensu'd (that commonly call'd) THE GREAT PEACE; a Treaty the most solemn, and the " most memorable that ever had been form'd between two contending Nations.

" This furthermore contains, besides the Peace with *France*, one Exploit of War on the other side of the *Py-* " *reneans*, one decisive Blow at *Nazara*.

" In short, your Majesty, with this Tome, gives to the World a Partition of *France*, and the Conquest of " *Spain*, &c."

[l] He was met in *Southwark* by above 1000 of the chief Citizens of *London* on horseback: The Captive being mounted on a noble white Courser, in token of Sovereignty, and the Conqueror riding by his side on a little black Hobby, as if he shunn'd all Suspicion of a Triumph. He was receiv'd by the Lord-Mayor of *London*, &c. in all their Formalities, with the City-Pageants; and in the Streets thro' which he pass'd to *Westminster*, the Citizens hung out all their Plate, Tapestry, and Armour, so that the like had never been seen before in the Memory of Man. King *Edward* received him on a Royal Throne in *Westminster-Hall*, from whence he rose hastily and caress'd him. He the same Day treated the *French* King, his Son *Philip*, and the rest of the noble Captives at a Princely Rate; and 'till the Palace of the *Savoy* was ready for him, he lodg'd him in his own Court. *See* Barnes's *History*, *p.* 526.

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ratify it, and promis'd the Dauphin to enable him to obtain Terms more advantageous, but were not as good as their Word.

He is sent to a Castle in Lincolnshire.

EDWARD consequently despairing of such a Peace as he wish'd for, resolv'd to take up the Cudgels again; and as he thought that *John* meant nothing but to amuse him in the late Negotiation, he treated him with less Regard, and caus'd him to be shut up in the Castle of *Sommerton*. Mean time he made Preparations to carry the War into the very Heart of *France*, not doubting but he should be a vast Gainer by the Confusion which then reign'd in that Kingdom. He

King Edward sails with a mighty Army to France.

set out from *England* therefore in the Month of *October* 1359, with 1000 Sail of Ships, and an Army of 100000 Men. With this

His Progress in Normandy.

numerous Host he made himself Master of many places in *Normandy*, where he put his Army into Winter Quarters; and in the Month of *March* 1360, he advanc'd towards *Champagne* with a design to take in *Rheims*, where 'tis said he resolv'd to be crown'd.

In Burgundy.

But missing his Aim, he caus'd the Gates of *Sens* to be open'd to him; and then turning towards *Burgundy*, he threaten'd that Province with entire Desolation. The Duke of *Burgundy*, who was not in a Condition to oppose him, resolv'd to capitulate upon the best Terms he could, in order to save his Dominions from being pillag'd; and obtain'd a particular Truce for three Years, on condition of paying down 200000 Florins, and furnishing the *English* Army with Provisions.

As *Edward* quitted *Burgundy*, he marched towards the Isle of *France* with a Design to draw the Regent to a Battle: But that Prince was too wise to hazard the safety of *France* so rashly, and therefore lay close in *Paris*, so that all *Edward's* Bravadoes could not fetch him out. The Siege of *Paris* seeming an Enterprize too difficult for the King of *England*, he turn'd back towards *la Beausse*, with a design to go and refresh his Army on the Banks of the *Loire*. While he was encamp'd near

Great Storm of Thunder and Hail.

Chartres, a terrible Storm arose, with Thunder and Hail of a prodigious bigness, which kill'd 3000 Horses, and above 1000 of his Soldiers. This extraordinary Event, which seem'd to denote the Wrath of Heaven, struck this Prince with such a Terror, that turning towards the Steeple of the Church of *Chartres*, he fell on his knees, and made a Vow to give Peace to *France* upon equitable Terms. With this Resolution he sent his Son the Prince of *Wales*

Treaty of Bretigny.

to *Bretigny*, whither the Dauphin likewise repair'd; and in that very place those two Princes, after a Negotiation which lasted not above a Week, concluded a Treaty of Peace, which in all appearance was much the same with what had been agreed on at *London* the Year before.

BY the Treaty of *Bretigny*, the Crown of *France* yielded to the King of *England* a great number of Provinces in full Sovereignty, and, as it were, made a Partition of the Kingdom with the *English*. Besides this, King *John* engag'd to pay three Millions of Crowns of Gold for his Ransom, and to deliver up several Hostages, of whom five should be Princes of the Blood. In pursuance of this Treaty, King *John* was conducted to *Calais*, where he was set at liberty, after he had ratified the Treaty, and given all the other Securities that *Edward* was pleas'd to demand of him.

King John ransom'd and releas'd.

WHEN he was arriv'd at *St. Omer*, he ratified every thing that he had done at *Calais*, swore to the Peace again, and made his eldest Son *Charles*, his other Sons, and twenty of the best Noblemen in the Kingdom take the same Oath. In fine, he did every thing that he cou'd to shew that what he had done was voluntary, altho' he was a Prisoner. And he made a greater Discovery of his Sincerity afterwards, by punctually executing the Treaty of *Bretigny*, two Articles excepted: The first related to the County of *Gavre* in *Gascoigne*, and to the Territory of *Belville* in *Poictou*, about which some Dispute arose: The second was with respect to his Ransom, which it was not possible for him to pay at the Terms prescrib'd, because of the ill State of his Kingdom.

MEAN time, the Non-Execution of these two Articles was the reason that *Edward* detain'd the Hostages in *England*. Among these there had been four that were call'd Lords of the Flower *de Lis*, *viz.* the Duke of *Orleans*, Brother to the King of *France*, the Dukes of *Anjou* and *Berry*, the King's Sons, and the Duke of *Bourbon*. As these Princes were quite weary of *England*, *Edward* was willing to set them at liberty, on condition that the County of *Gavre* and the Territory of *Belville*, which occasion'd his Quarrel with King *John*, should be deliver'd up to him. But just as they were at the point of executing this agreement, which was ratified by the King of *France*, the Princes who were to be deliver'd being already conducted to *Calais*, the Duke of *Anjou* retir'd without leave, and never return'd more: His ill Example was follow'd by four other Hostages of an inferior Rank; and by their Escape the Measures which had been concerted for the Liberty of the other Princes, were entirely broke.

'TIS hard to guess the reason why *John*, who had acted so sincerely in the execution of the Treaty, did not oblige the Prince his Son to return into *England*, or why he did not send Prince *Philip* his fourth Son thither, or at least some other Hostages, to supply the place of the Duke of *Anjou*. Whatever Cause it was, his taking a Resolution soon after to return to *England*, made some do him the honour to say, that it was to throw himself again into Prison, in order to make Reparation for his Son's Crime, and to shew

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that he was not consenting to his Escape. But of this there's not the least shadow of Probability, because by the Treaty he was only oblig'd to send back the Duke of *Anjou*, or to give the King of *England* some Satisfaction by sending him other Hostages in the Duke's room. Besides, he had already executed the most important Articles of the Treaty, nothing remaining to be determin'd but the Affair of *Gavre* and *Belville*, and the residue of his Ransom Money, of which he had already pay'd near a Million. Consequently, there was not the least necessity for his surrendering himself again a Prisoner to discharge his Faith. 'Tis still more ridiculous to assert, as some have done, that his Love for a Lady at the Court of *England* made him return to *London*; for can it be imagin'd that a Prince, of 50 Years of Age, should abandon a Kingdom in so bad a Condition as his was in then, to follow the Impulse of a foolish Passion[a]? They who tell us that he had a mind to settle with *Edward* the Expedition of a Croisado, of which the Pope had declar'd him General, seem to have more reason for what they say, tho' even this is at most but Conjecture. Whatever was the Motive of it, 'tis certain that he return'd to *London*, and that there he died some Months after, *viz.* on the 8th of *April* 1364.

King John *returns to* London, *and dies there.*

IN *September* following, the famous Quarrel between the Families of *Blois* and *Montfort* was decided by the Battle of *Avray*, where *Charles* of *Blois* was kill'd. This Battel was follow'd with the Treaty of *Guerande*, which put *John* of *Montfort* in Possession of *Bretagne*.

Battle of Avray, *and Treaty of* Guerande.

AFTER the Peace of *Bretigny*, *Edward* had in 1362. erected the Dutchy of *Guyenne* into a Principality, with which he had invested *Edward* his eldest Son. This Prince was gone to keep his Court at *Bourdeaux*, where he led an unactive Life, very unsuitable to his warlike Temper, the Peace giving him no manner of Opportunity to exercise his Valour. But in 1366, he was call'd out of this State of Inactivity by *Peter* surnam'd the *Cruel*, King of *Castile*, who having been drove out of his Dominions by *Henry* Count of *Trastemare*, his Bastard Brother, went to *Bayonne* to implore the Assistance of the Prince of *Wales*. As *France* naturally favour'd *Henry*, whom she had plac'd upon the Throne of *Castile*, this was a sufficient Reason to induce the *English* Prince to espouse the Interest of *Peter*. Therefore he assembled a powerful Army in his Principality; and after having made a Treaty with the King of *Navarre*, who gave him passage into his Dominions, he repair'd to the Frontiers of *Castile*, where he met *Henry*, who was advanc'd to dispute his Entrance into that Kingdom. It was hard by the little Town of *Najara* that these two Princes fought a bloody Battle, in which the *Castilians* were intirely defeated. The Prince of *Wales's* Victory was follow'd with the Restoration of *Peter*, who instead of making an Acknowledgment for so great a piece of Service, suffer'd the best part of that Army, which had fought for him so valiantly, to perish with Hunger and Misery. This perfidious Action oblig'd the Prince of *Wales* to quit *Castile*, where he had contracted a Distemper he never got rid of, in order to return to *Guyenne* with the rest of his Troops, who had reason to repent of their Expedition, glorious as it was.

The Black Prince *made Prince of* Guyenne.

He restores Peter *King of* Castile *to his Dominions by the Victory at* Najara.

Peter's *base Ingratitude.*

AS soon as the Prince came to *Bourdeaux*, he disbanded his Army without paying it, having taken no Measures to find the Money, because he had depended upon the Faith of *Peter*, who had engag'd to bear the whole Expence of the War. The Troops, when thus disbanded without their Pay, thought they had Authority to get it where they could: Therefore they divided themselves into several little Bands, under the Conduct of some Officers of Reputation, and committed a multitude of Ravages in *Guyenne*. The Prince of *Wales*, who was not in a condition to satisfy them, and who could not prevail on himself to push Soldiers who had serv'd him so well to the utmost extremity, only intreated them to commit their Ravages elsewhere. Whether it was in respect to this Prince, or whether those Troops thought they could get more Booty in other Parts, they fell into the next adjacent Provinces of *France*, where they committed extravagant Outrages. *Charles* V. then upon the Throne, complain'd of it as a Breach of the Treaty; but he was answer'd that they were Persons unauthoriz'd, and that he might fall upon them in what manner he pleas'd, without *England*'s taking their part. Mean time, to give him yet greater Satisfaction, *Edward* publish'd a Proclamation recalling all those Vagabonds, declaring them, in case of Refusal, Traitors and Rebels, and confiscating all their Estates. Tho', after such a Declaration,

Prince of Wales *forc'd to disband his Soldiers without Pay, who thereupon ravage all* Guyenne.

Edward's *Proclamation against them.*

[a] Mr. *Barnes* takes notice that many of our Writers indiscreetly surmise, as if one occasion of King *John*'s coming to *England* at this time, was for Love of the Countess of *Salisbury*: Which Opinion, saith he, the noble Lord *Orrery* hath authoriz'd with his excellent Pen, in his Play call'd *The Black Prince*. But he wou'd have it consider'd, that my Lord wrote a Poem for Delight, and not a History for the Establishment of Truth. Therefore he cannot pardon Sir *Richard Baker*, and others of his Character: For, says he, if they mean by the Countess of *Salisbury*, the first Earl of *Montague*'s Lady, who was *Catherine*, Daughter of the Lord *Grandison*, she had been dead above 12 Years: If they refer to the fair Lady of *Kent*, she was married two Years before to Prince *Edward*, and was now with him in *Aquitain*, of which King *John* cou'd not be ignorant: And if they be forc'd to own the Lady *Elizabeth*, Daughter to the Lord *Mohun*, who was Wife to the second Earl of *Montague*, and the only Countess of *Salisbury* at this time; he defies them to bring the least Shadow of Authority for it. And upon the whole Mr. *Barnes* professes a great Resentment to see the Honour not only of a noble Lady, but also of two Kings, *John* and *Edward*, who are both said to have been in love with her, thus shamefully traduced by Men of no Industry, or else of no Honesty.

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ration, it was the buſineſs of *France* to find Ways and Means to get rid of thoſe Plunderers, yet the Prince of *Wales* was afraid leſt the Affair ſhould end in a War, of which he might be charg'd as the Author. To prevent this Inconvenience, he ſtudy'd Methods to ſatisfy thoſe Troops, by impoſing a Tax upon his Dominions, call'd *Fouage*, or Smoke-Money, becauſe it was laid upon every Hearth or Chimney. This Expedient bid fair for Succeſs, if after the Peace of *Bretigny*, the King his Father had not unhappily revok'd ſeveral Grants which he had made to the principal Lords of *Guyenne*, at a time when his Affairs requir'd him to make ſure of the Fidelity of the *Gaſcons*. This Revocation ſo incens'd thoſe Noblemen, that they reſolv'd to be reveng'd; and the new King of *France* was not wanting to excite them underhand. We ſhall find hereafter that this Prince had already form'd a Deſign to break the Peace, to have an occaſion to recover thoſe Provinces which *France* had loſt ſince the Treaty of *Bretigny*. The Nobility of *Guyenne*, who found themſelves ſupported by the King of *France*, incited their Vaſſals and Tenants to complain to them of the Chimney Tax newly impos'd; and having receiv'd their Complaints, they carry'd them to the Prince, by whom they were but ill receiv'd. Upon his Refuſal to redreſs this pretended Abuſe, they apply'd to the King of *France*, ſuppoſing that he was ſtill Sovereign of *Guyenne*, notwithſtanding his Renunciation of that Sovereignty; and begg'd him to grant them Letters of Appeal. *Charles* maintain'd them for a time at *Paris*, till his Affairs were ready; and at length granted them what they deſir'd. In conſequence of this Appeal, he caus'd the Prince of *Wales* to be cited before the Court of Peers, to vindicate himſelf againſt the Complaints of his Subjects. The Prince making anſwer that he wou'd not fail to appear at the head of 60000 Men, *Charles* caus'd War to be declar'd againſt *Edward* by a Footman, becauſe the Prince had taken ſome pretext to arreſt thoſe who had brought him the Citation.

He impoſes a Chimney-Tax

His Subjects complain of it.

Charles *ſummons him to the Court of Peers.*

Declares War againſt him.

As we find but few Circumſtances of this War in our Collection of the publick Acts in the *Fœdera*, I ſhall content my ſelf with barely relating the ſucceſs of it, which was very fatal to *England*. Immediately after the Declaration of the War, *Edward* ſaw himſelf robb'd of the County of *Ponthieu*, and heard at the ſame time that the greateſt part of *Guyenne* was revolted. As he found himſelf under an indiſpenſable Neceſſity to renew the War, he reſum'd the Title of King of *France*, which he had drop'd ever ſince the Treaty of *Bretigny*, but the Title procur'd him no manner of advantage. *Bertrand du Gueſclin*, Conſtable of *France*, made great Progreſs in *Guyenne*,

Edward *reſumes the Title of King of* France.

His ill Succeſs, Sickneſs and Return to England.

and the neighbouring Provinces; inſomuch that the Prince of *Wales*, whoſe Illneſs was turn'd into a perfect Dropſy, cou'd not oppoſe his Arms. On the contrary, after having ſeverely puniſh'd the City of *Limoges* for its Rebellion, he was oblig'd to return into *England* for the recovery of his Health, leaving *John* Duke of *Lancaſter*, his Brother, in his place.

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NOT long after, the Duke marry'd the eldeſt Daughter of *Peter the Cruel*, and immediately took the Title of King of *Caſtile*. This Enterprize oblig'd the Baſtard *Henry* to unite himſelf more cloſely with *France*, and to give the Conſtable powerful Aſſiſtance by Sea to beſiege *Rochel*. *Edward* did what he cou'd to relieve the place by a Fleet commanded by the Earl of *Pembroke*, which was beat by the *Spaniards*, and *Rochel* was taken. Afterwards, *Du Gueſclin* advanc'd into *Poictou*, and laid ſiege to *Thouars*, to which all the Nobility of the Province was retir'd. That Town being in no condition to hold out long, the Noblemen of *Poictou* capitulated, and promiſed to own the King of *France* for their Sovereign, if the King of *England*, or one of his Sons, did not come into *Poictou* before *Michaelmas*, with an Army ſtrong enough to give Battle. *Edward* hearing of this Capitulation, order'd a Fleet to be fitted out, on which he embark'd about the end of *Auguſt*, to ſave that Province; but the contrary Winds conſtantly oppoſing his Paſſage for above a Month, *Thouars* was taken from him, with all the reſt of *Poictou*.

Rochel *beſieg'd and taken.*

All Poicton *reduc'd.*

IN one word, this War was ſo fatal to the *Engliſh*, that they had nothing left of all the Conqueſts they had made in *France*, but the ſingle Town of *Calais*. Affairs being come to this paſs, the King of *France* conſented to a Truce, which was concluded on the 11th of *February* 1375, and afterwards prolong'd to the 1ſt of *April* 1377. *Edward* died the 21ſt of *June* this ſame Year, three Months after the expiration of the Truce.

Truce with France.

THE moſt important Acts in this ſixth Tome of the *Fœdera*, with reſpect to the Affairs of *France*, are theſe.

1. A TREATY of Truce made at *Bourdeaux*, *March* the 23d 1357, to laſt till *Eaſter* 1359. *Another* P. 3.

2. A PASSPORT for a Cardinal coming to *England* to negotiate a Peace, with a Retinue of 100 Domeſticks, and 150 Horſes[a]. P. 21.

3. AN Order to conduct King *John* to the Caſtle of *Sommerton*; dated *January* the 2d[b], 1358. This was after the States of *France* had refus'd to approve of the Articles of Peace agreed on at *London* betwixt the two Kings. *Order to carry King* John *to* Sommerton. P. 113.

4. A PASSPORT for the Deputies of *Languedoc* going to wait on King *John* in *England*; dated *February* the 13th[c]. This Province diſtinguiſh'd it ſelf among the reſt by its Zeal for its Sovereign. P. 117.

5.

[a] Dated at *Weſtminſter*, *June* the 15th, 1357.

[b] At *Weſtminſter*. [c] At *Weſtminſter*.

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5. A PROLONGATION of the Truce to the 24th of *June* following; [a] dated *March* the 18th 1359.

The Truce prolong'd. P. 121.

6. *EDWARD*'s Letter to the two Archbiſhops of *England*, wherein he complains of his being deceiv'd in the Negotiations of Peace; and as he is ready to take Arms again, he charges both thoſe Prelates to appoint Prayers to God for the happy Succeſs of his Expedition. They are dated *Auguſt* the 12th [b], 1359.

Edward's *Letter to the two Archbiſhops.* P. 134.

7. A MEMORANDUM of the Day that *Edward* embark'd for *France*, *viz.* the 28th of *October* 1359.

His embarking for France. P. 141.

8. THE Agreement made with the Duke of *Burgundy*, containing a particular Truce of three Years for that Province, on the Duke's Payment of a Sum of 200,000 Deniers of Gold [c], call'd *Moutons*, within the Term of one Year; dated *March* the 10th [d], 1360.

His particular Agreement with the Duke of Burgundy. P. 161.

9. A BULL of *Innocent* VI. to exempt the Churches of *France* from Pillage; dated [e] the ſixth of the Calends of *May* 1360.

Pope's Bull to ſecure the Churches of France *from Pillage.* P. 172.

10. ORDER to carry King *John* to the *Tower* of *London*, *Teſte Cuſtode*, [f] the 28th of *April* 1360.

King John *committed to the Tower.* P. 173.

11. TREATY concluded at *Bretigny* near *Chartres*; dated *May* the 8th, 1360.

Treaty at Bretigny. P. 178, *&c.*

NOTWITHSTANDING the length of this Treaty, which contains 40 Articles, 'tis abſolutely neceſſary to make an Extract of it, becauſe it ſerves as a Foundation for moſt of the Acts of this ſixth Tome, and many of the next: And it may be ſaid, that 'tis almoſt impoſſible to underſtand the Hiſtory of that time fully without the knowledge of this Treaty.

Article I. *Imprimis*, THE King of *England*, beſides what he holdeth in *Guyenne* and *Gaſcoigne*, ſhall have for himſelf and his Heirs for ever, and ſhall hold in like manner as the King of *France*, or his Son, or their Anceſtors, Kings of *France*, did hold them, the Provinces of *Poictou*, *la Saintoigne*, *l'Agenois*, *le Perigord*, *le Limouſin*, *le Quercy*; the Country of *Bigorre*, that of *Gaure*, *Angouleſme*, and the Land of *Rovergne*. And,

II, III, IV, V, VI. *MONSTREVIL*, the Earldom of *Ponthieu*, Town and Territory of *Calais*, the Earldom of *Guiſnes*, and all the Iſlands adjacent to the Countries above-nam'd.

VII. *Item*, 'TIS agreed that the King of *France* and his eldeſt Son ſhall, within a Year after *Michaelmas* next enſuing, transfer to the King of *England* all the *Honours*, *Obediences*, *Homages*, *Allegiances*, *Vaſſalages*, *Fiefs*, *Services*, *Recogniſances*, *Rights*, *mere and mixt Empire*, *high and low Juriſdictions*, *Reſorts*, *Safeguards*, *Patronages of Churches*, and all manner of *Lordſhips* and *Sovereignties*, with all the Rights which they have, or may have had under any Title or Colour of Right veſted in them, or the Crown of *France*, to the Places before-named, and their Dependencies, without reſerving any thing for them or their Succeſſors. Alſo the ſaid King and his eldeſt Son ſhall command by their Letters-Patent all Prelates, Counts, Viſcounts, Barons, Nobles, and Citizens, to obey the King of *England* and his Heirs, and ſhall diſcharge them of all Homages, Fealties, Oaths, Obligations, Subjections, and Promiſes made by any of them to the Kings and Crown of *France*.

EDWARD III.

VIII. THAT all Alienations made within 70 Years paſt that the Kings of *England* were diſpoſſeſs'd of thoſe Provinces, ſhall be repeal'd and aboliſh'd.

IX. THAT the King of *England* ſhall have and hold all the Places above-mention'd, which did not belong to his Predeceſſors, in the ſame manner as the Kings of *France* have held them hitherto.

X. THAT all Places in the ſaid Countries, which belong'd to the King of *France* on the Day of the Battel of *Poictiers*, ſhall remain to the King of *England*.

XI. THAT the King of *France* and his eldeſt Son ſhall transfer to the King of *England* all manner of Lordſhip and Sovereignty over the aforeſaid Places; and that the Subjects thereof ſhall be Liegemen to the Kings of *England*, who ſhall hold the ſaid Countries as Liege-Sovereigns, and as Neighbours to the Realm of *France*, without recognizing any Sovereign, and without being ſubject to any Recognizance or Service to the Crown of *France*.

XII. THAT the King of *France* and his eldeſt Son ſhall expreſſly renounce the Sovereignty of the ſaid Countries, and that the King of *England* and his eldeſt Son ſhall renounce all things to which the preſent Treaty doth not give them a Right; eſpecially the Title and Crown of *France*, the Homage and Sovereignty of the Dutchies of *Normandy* and *Tourain*, and the Counties of *Anjou* and *Maine*, the Homage of *Bretagne*, and the Earldom of *Flanders*, and in general all other Demands, *&c.*

XIII. THAT the King of *England* ſhall cauſe the King of *France* to be conducted to *Calais* within three Weeks after *Midſummer-day* next at the Expence of the ſaid King of *England*, except only the Charges of the King of *France's* Houſhold.

XIV. THAT the King of *France* ſhall pay the King of *England*, three Millions of Crowns of Gold (two of which make a Noble) *viz.* 600,000 Crowns, four Months after his Arrival at *Calais*, and afterwards 400,000 every Year, till the whole Sum is paid.

XV.

[a] At *London*. [b] At *Weſtminſter*.

[c] Authors are not agreed what this Sum was; *Mat. Villani* makes it 100,000 Moutons, *Paradin* calls it 200,000 Florins, *Walſingham* and an old *Engliſh* Manuſcript in the Library of *Chriſt-Church College* at *Cambridge*, makes it only 70,000 Florins; but *Mezeray*, *Holliſhed*, *Speed*, and *Barnes* call it 200,000 Florins of Gold, or 35,000 *l.* Sterling. [d] At *Guillon* in *Burgundy*. [e] At *Avignon*. [f] At *Reading*.

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XV. THAT as ſoon as the King of *France* has paid the firſt 600,000 Crowns, and given the Hoſtages here under-named to the King of *England*, with the Town of *Rochel*, and the Earldom of *Guiſnes*, he ſhall be ſet at liberty, on condition that he ſhall not make War againſt the King of *England* till the Treaty is fully executed.

The Hoſtages that are to be deliver'd to the King of England, *as well Priſoners taken at the Battel of* Poictiers, *as others, are,*

Names of the Hoſtages for King John.

Lewis Earl of *Anjou*, (afterwards Duke.) } *Both Sons to King* John.
John Earl of *Poictiers*, afterwards Duke of *Berry*; }
Philip Duke of *Orleans*, King *John*'s Brother.

The Duke of *Bourbon*.
The Earl of *Blois*, or his Brother.
The Earl of *Alenſon*, or his Brother.
The Earl of *St. Pol*.
The Earl of *Harcourt*.
The Earl of *Porcien*.
The Earl of *Valentinois*.
The Earl of *Breme*.
The Earl of *Vaudemont*.
The Earl of *Forreſt*.
The Viſcount of *Beaumont*.
The Lord of *Coucy*.
The Lord of *Fienles*.
The Lord of *Preaux*.
The Lord of *St. Venant*.
The Lord of *Garantieres*.
The Dauphin of *Auvergne*.
The Lord of *Hangeſt*.
The Lord of *Montmorency*.
Lord *William* of *Craon*.
Lord *Lewis* of *Harcourt*.
Lord *John de Ligny*.

The Priſoners who are to be Hoſtages, are,

Philip of *France* (who was afterwards Duke of *Burgundy*) King *John*'s Son
The Earl of *Eu*.
The Earl of *Longueville*.
The Earl of *Ponthieu*.
The Earl of *Tankerville*.
The Earl of *Joigny*.
The Earl of *Sancerre*.
The Earl of *Dammartin*.
The Earl of *Ventadour*.
The Earl of *Salbruck*.
The Earl of *Anceurs*.
The Earl of *Vendoſme*.
The Lord of *Craon*.
The Lord of *Derval*.
The Marſhal of *Denham*.
The Lord of *Aubigny*.

XVI. THAT the ſixteen Priſoners, who are to remain Hoſtages, ſhall no longer be deem'd Priſoners, but diſcharg'd without paying any Ranſom, *&c.* EDWARD III.

XVII. IF any of the Hoſtages goes out of *England* without leave, the King of *France* ſhall be oblig'd to ſend another as good, within four Months after the Bailiff of *Amiens*, or the Mayor of *St. Omer*, ſhall be certify'd thereof by the King of *England*. And when the King of *France* departs from *Calais*, he may carry with him ten of the Hoſtages, ſuch as the two Kings ſhall agree upon. And it ſhall ſuffice that of the aforeſaid number of [a] forty there remain the full number of thirty.

XVIII. THAT the King of *France* within three Months after his Departure from *Calais*, ſhall deliver up as Hoſtages four of the moſt conſiderable Burghers of *Paris*, and two Perſons out of each of the Towns following, *viz.*

Paris.	*Troyes.*
St. Omers.	*Chartres.*
Arras.	*Toulouſe.*
Amiens.	*Lyons.*
Beauvais.	*Orleans.*
Liſle.	*Champagne.*
Doway.	*Roan.*
Tournay	*Caen.*
Rheims.	*Tours.*
Chaalons.	*Burges.*

XIX. THAT the King of *France* ſhall ſtay four Months at *Calais*, but pay nothing the firſt Month for his keeping.

XX. THAT he ſhall reſtore the County of *Montfort* to *John* Earl of *Montfort*, upon his performing Liege-Homage to him for the ſame.

XXI. AS to the Diſpute ariſen about the Succeſſion to the Dutchy of *Bretagne*, the two Kings ſhall appoint Commiſſioners to accommodate the Parties, without going to war with one another upon that account, in caſe an Accommodation ſhould not take place.

XXII, XXIII, XXIV, XXV, XXVI. THESE Articles relate to private Perſons, or Facts of little importance.

XXVII. THAT the King of *France*, within a Year after his Departure from *Calais*, ſhall put the King of *England* in poſſeſſion of the Lands yielded to him by the preſent Treaty.

XXVIII. THAT as ſoon as the King of *France* has deliver'd up the Lands abovemention'd with the neceſſary Renunciations, *viz. Ponthieu*, *Montfort*, *Saintoigne*, and the Territory of *Angouleſme*, the King of *England* ſhall put him in poſſeſſion of all that is poſſeſs'd by himſelf, or his

[a] The Reader may obſerve that the Names of the Hoſtages, tranſcrib'd as above from the *Fœdera*, amount to 41. Mr. *Barnes* makes them exactly to anſwer the number of 40, by leaving out the Lords of *Prienles*, *Preaux*, and *St. Venant*, and by altering *or* after the Names of the Earls of *Blois* and *Alençon* into *and*; in which he corrects all the Copies, whether *French* or *Latin*. Mr. *Barnes* alſo makes this a diſtinct Article N°. XVIII. contrary to the *Latin* and *French* Originals in the *Fœdera*, and to *Du Cheſne*; his Authorities for it are an *Engliſh* Manuſcript of Dr. *Spencer*, and a *Latin* one of Dr. *Stillingfleet*.

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his Allies, in *Tourain, Anjou, Berry, Auvergne, Burgundy, Champagne, Normandy, Picardy*, and in all other parts of *France, Bretagne* excepted.

XXIX. THAT if any of the Subjects of the Kings of *France* and *England*, on either part, refuse Obedience, they shall compel them respectively at their own Expence.

XXX. THAT the Clergy shall be subject to that King of the two, under whom they hold their Temporalities: And if they have Temporalities under both Kings, they shall be subject to both.

XXXI. THAT there shall be a good Alliance and Friendship between the two Kings, notwithstanding any other Alliances they may have, and particularly those with *Scotland* and *Flanders*.

XXXII. THAT the King of *France* shall give no Assistance to the *Scots* against the King of *England*, nor the King of *England* to the *Flemings* against the King of *France*.

XXXIII. THAT the Collations to Benefices made on either part during the late War, shall stand good.

XXXIV. THAT the two Kings shall cause the said Treaty to be confirm'd by the Pope in the strongest manner.

XXXV. THAT the Subjects of both Kingdoms shall enjoy the Privileges of the Universities of the two Kingdoms.

XXXVI. THAT the present Treaty shall be confirm'd by the Letters-Patent of the two Kings, by their reciprocal Oaths, and also by the Oaths of the Princes of each Royal Family, and by the most considerable Noblemen of each Nation. That they shall reduce the Refractory to Obedience.—That the two Kings shall submit to the Censures of the *Roman* Church for the Execution of the said Treaty.——That they shall renounce all Hostilities, and all Acts of Violence in case of its non-performance. And that if thro' the Disobedience of any Persons disaffected, any of the Articles of the present Treaty cannot be executed, the two Kings shall not therefore go to War with one another, but shall endeavour to reduce the Rebels to their Duty.

XXXVII. THAT by the present Treaty all others preceding are made null and void.

XXXVIII. THAT the present Treaty shall be sworn to at *Calais* by the two Kings personally; and that within one Month after the King shall depart from *Calais*, they shall reciprocally send their Letters-Patent confirming the said Treaty.

XXXIX. THAT neither of the two Kings shall procure any Opposition or Obstacle to the Execution of the Treaty from the Court of *Rome*; and that if the Pope goes about it, the two Kings shall do their utmost to hinder him.

EDWARD III.

XL. THAT the two Kings shall agree together at *Calais* about the Hostages who are to be deliver'd to the King of *England*.

THUS we have given the Substance of the famous Treaty of *Bretigny*, which is the principal Act of this sixth Tome of the *Fœdera*. We proceed now to the other Acts, which are for the most part depending upon the said Treaty.

1. A MEMORANDUM of *Edward*'s Return to *England, viz. May* the 18th, 1360. *Edward's Return to* England.

2. AN Order to conduct King *John* to *Calais*; dated *June* the 17th, 1360[a]. But he did not arrive there till the 8th of *July* following, as appears by the Letter he wrote to the Inhabitants of *Rochel*[b]. *King* John *conducted to* Calais. P. 198.

3. PRIVILEGES granted by *Edward* to *Rochel*; dated *October* the 22d[c], 1360. P. 217.

ALL the time betwixt *John*'s Arrival at *Calais*, and the 24th of *October*, was spent in preparing all the necessary Acts for confirming the Treaty of *Bretigny*. King *John* not only ratify'd the Treaty in general, but likewise made particular Acts for the Ratification of each Article of the Treaty, as well in his own Name, as in that of the Dauphin who was gone to *Boulogne*. All these Acts, which were Confirmations, Ratifications, Renunciations, Mandates, *&c.* being ready, *Edward* repair'd to *Calais*, where the two Kings sign'd those particular Acts, and solemnly swore to the Observation of the Treaty, on the 24th of *October* 1360. *Treaty of* Bretigny *ratified.* P. 219, &c.

TO all these Acts was added one, being an Obligation enter'd into by King *John* and the Dauphin, that on the failure of restoring one or two Castles on the part of *Edward*, they would nevertheless execute the Treaty. *Particular Obligation of* King John *and the Dauphin.* P. 276.

EDWARD was willing to comply with the King of *France*'s Request, that his Son *Philip*, who was taken at the Battle of *Poictiers*, might be one of the ten Hostages that he was to carry along with him from *Calais*. Edward *releases* King John's *Son.* P. 285.

HERE is a particular Obligation which *Edward* enter'd into, with respect to his Treatment of the Hostages. *His Obligation as to Hostages.* P. 283.

AND the Renunciation of all Acts of Violence on the part of both Kings, their Sons, and the greatest Noblemen of both Kingdoms, in case of non-performance of the Treaty. *All Hostilities renounc'd.* P. 269, *&c.*

ALL these Acts, which are most of them dated the 24th of *October* 1360, are to be found from *P.* 217, to *P.* 294. of this Tome, together with the Dauphin's Confirmations; dated from *Boulogne*. The others that follow are,

1. KING *John*'s Obligation, whereby he engages to pay the King of *England* what remain'd due to him for *Burgundy*, which was reunited to the Crown by the Death of the Duke of that Name; 'tis dated *February* the 21st[d], 1362. *King* John's *Obligation as to* Burgundy. P. 351.

2.

[a] At *Westminster*. [b] Dated at *Calais* the 18th *ditto*. [c] At *Calais*. [d] At *Paris*.

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Treaty about the Princes of the Flower de Lis. P. 396. P. 405.

2. A TREATY for the Liberty of the Princes of the Flower *de Lis*, who were Hoſtages [a].

3. KING *John*'s Ratification with ſome Alteration [b].

4. HIS pure and ſimple Ratification without Alteration [c].

Letter to the Prince of Wales. P. 430.

5. *EDWARD*'s Letter to the Prince of *Wales*, dated *December* the 6th, 1363 [d], wherein he acquaints him that the ſaid Treaty was broke: This was by reaſon of the Duke of *Anjou*'s Eſcape.

Paſſport for John. Ib.

6. A PASSPORT for King *John*, who was coming over to *England*; dated *December* the 10th, 1363 [e].

Summons of the Hoſtages. P. 452. &c.

7. A SUMMONS to *Charles* King of *France* to give up the Duke of *Anjou*, his Brother, and the other Hoſtages who had made their Eſcape; dated *November* the 20th [f].

8. A SUMMONS to the ſaid Hoſtages, and a Letter from *Edward* upon that Subject to the King and Peers of *France* [g].

Notice of their Eſcape. P. 455.

9. INFORMATION given to the Mayor of *St. Omers* of the Eſcape of the Hoſtages, purſuant to the 17th Article of the Treaty of *Bretigny*; dated as above.

WE don't find any Anſwer in the *Fœdera* either to the Summons or Letter.

Grant to Thomas of Woodſtock. P. 458.

10. THE Duke of *Orleans*'s Grant of the Lordſhips of *Chiſec*, *Melle*, *Chivray*, *Villeneuve*, and of all that he poſſeſs'd in *Saintoigne* and *Poictou*, to *Thomas* of *Woodſtock*, one of the Sons of King *Edward*; dated [h] *December* the 27th, 1364.

Orleans's Diſcharge. P. 407.

11. THE full Liberty granted to the Duke of *Orleans*, in conſideration of the Grant which he had made of his own accord to Prince *Thomas*; dated *May* the 30th [i].

Harcourt's Obligation to return to England. P. 473. &c.

12. THE Obligation of the Earl of *Harcourt*, to whom *Edward* had given leave to go to *France* on condition of returning again, by ſuch a time to *England*; dated *July* the 28th [k].

Acquittances for King John's Ranſom. P. 490, 491.

13. SEVERAL Acquittances for the Payment of King *John*'s Ranſom [l]. It muſt be obſerv'd that part of the firſt Million was yet unpaid upon the 10th of *December* 1365, tho' according to the Terms of the Treaty the three Millions ought to have all been paid before then, except 400,000 Crowns.

Affair of Belville referr'd. P. 484.

14. CONVENTIONS for referring the Affair of *Belville* to Arbitration; dated *January* the 20th, 1366 [m].

Security upon it. P. 486, 488.

15. AN Obligation by the Duke of *Bourbon* and the Earl of *Alenſon*, to remain Hoſtages till the Diſpute relating to *Belville* is determin'd [n].

16. A PERMISSION to the Duke of *Bourbon* and the Dauphin of *Auvergne*, to go to *France*, upon the Security given by the Duke of *Berry* for their Return [o].

Duke of Bourbon, &c. to go to France. P. 489.

17. A FURLOUGH granted to the Count de *St. Pol*, upon leaving two of his Sons as Hoſtages; dated *February* the 21ſt, 1366 [p].

To the Count de St. Pol. P. 494.

18. THE Revocation of the Grant of certain Lands in *Guyenne*, annex'd to the Crown of *England*; dated *May* the 8th, 1366 [q].

Crown Lands in Guyenne. P. 499.

19. CONVENTIONS between *Peter* King of *Caſtile*, *Charles* King of *Navarre*, and *Edward* Prince of *Wales*, whereby *Charles* obliges himſelf to give this Prince paſſage into his Dominions; dated *September* the 23d, 1366 [r].

Convention betwixt the Kings of Caſtile, &c. P. 514.

20. *PETER*'s Grant to the Prince of *Wales* of certain Lands in *Caſtile*; dated as above.

Caſtile's Grant to the Prince of Wales P. 521.

21. A PRIVILEGE granted to the *Engliſh*, that they ſhall always have the Vanguard, when they are in the Armies of *Caſtile*; dated alſo as above.

Privileges to the Engliſh. P. 531.

22. A LETTER in *Spaniſh* from the Prince of *Wales* to the Count *de Traſtemare*, two Days before the Battle of *Najara* [s].

Prince of Wales's Letter. P. 554.

23. *HENRY*'s Anſwer [t].

Anſwer. P. 556.

24. A MEMORANDUM of the Day of the Battle of *Najara*, viz. *April* the 3d, 1367.

Battle of Najara. P. 557.

25. AN Obligation, whereby *Peter* King of *Caſtile* engages himſelf to bear all the Expence of the War [u].

King of Caſtile to bear the Expence of the War. P. 559.

26. A PROLONGATION of the Term for adjuſting the Affair of *Belville*, and of the Furloughs of the Duke of *Berry*, and the Count of *Alenſon*; dated *May* the 15th, 1367 [w].

More time granted for Belville, &c. P. 562.

27. *EDWARD*'s Proclamation againſt his Subjects who ravage *France*; dated *November* the 16th, 1367 [x].

Edward's *Proclamation.* P. 577.

28. AN Acquittance for 100,000 Crowns, part of the ſecond Million payable for the King's Ranſom; dated *May* the 13th, 1367 [y].

Acquittances for the King's Ranſom. P. 562. P. 579.

26. ANOTHER Acquittance for 92,000 Crowns, part of the ſecond Million; dated *November* the 18th, 1367 [z].

THIS was the laſt Payment made towards the Ranſom; ſo that inſtead of three Millions, *Edward* receiv'd but one Million 192,000 Crowns.

30. A SUMMONS to the Earl of *Harcourt* to return to *England*, the Term of his Furlough being a long time expir'd; dated *December* the 1ſt, 1367, and *January* the 5th, 1368 [a].

Summons to the Earl of Harcourt. P. 580, 582.

31. A LEAGUE offenſive and defenſive between the King of *France* and *Henry* King

League betwixt France *and* Caſtile. P. 598.

[a] Concluded at *London* in *November*, 1362. [b] Dated at *Avignon*, *January* the 26th, 1363.
[c] Dated as above, the 13th of *March* following. [d] At *Windſor-Caſtle*. [e] At *Weſtminſter*.
[f] At *Weſtminſter*. [g] Both of the ſame Date with the former. [h] At *London*.
[i] At *Windſor-Caſtle*. [k] Ibid. [l] Dated at *Weſtminſter*, *January* the 26th, 1366.
[m] At *Paris*. [n] Dated at *Weſtminſter*, *January* the 22d, 1366. [o] Dated at *London*, as above.
[p] At *Weſtminſter*. [q] Ibid. [r] At *Libourne*.
[s] Dated at *Navarrete* in *Caſtile*, *April* the 1ſt, 1367. [t] Dated next Day from his Palace near *Najara*.
[u] Dated *May* the 2d, 1367, at *Burgos*. [w] At *Weſtminſter*. [x] Ibid. [y] At *Weſtminſter*.
[z] Ibid. [a] At *Weſtminſter*.

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King of *Caſtile*, whereby the latter engages to aſſiſt the King of *France* againſt the King of *England*; ſign'd *November* the 20th, 1368[a].

Edward *jealous of the* French *King.* P. 617.

THO' *Charles* made Preparations for War, he endeavour'd to make *Edward* believe that he had a deſign to maintain the Peace. But it appears that *Edward* was jealous of him, becauſe he ſent him back a Preſent which he had made him of 50 Pipes of Wine, as we find by an Act dated *April* the 26th, 1369[b].

French *Hoſtages.* Ibid.

32. A PROCLAMATION by *Edward* of the ſame Date, to protect the *French* Hoſtages from being inſulted by the *Engliſh*.

Edward *reſumes his Title to* France. P. 621. P. 626.

33. *EDWARD* by the Advice of his Parliament reſumes the Title of King of *France*, as appears by a Memorandum of *June* the 3d[c].

34. HIS Grant of the Lands in *France* to ſuch as conquer them; dated *June* the 19th[d].

Letter to the Lords of Guyenne. P. 643,

35. *EDWARD*'s Letter to the Lords of *Guyenne* upon the Rupture with *France*; dated *December* the 30th, 1369[e].

Treaty with the Duke of Bretagne. P. 699.

36. TREATY of Alliance betwixt *Edward* and the Duke of *Bretagne*[f].

Alliance between France *and* Scotland. P. 696. P. 747.

37. THE Alliance betwixt *Charles* V. King of *France*, and *Robert Stuart* King of *Scotland*; ſign'd *October* the 28th, 1371[g].

38. A PASSPORT for the Ambaſſadors of *France*, nominated to treat of a Peace[h].

39. A MEMORANDUM of the Day of *Edward*'s embarking for *France* to go to the Relief of *Thouars*, viz. *Auguſt* the 30th, 1372.

Full Power to to the Ambaſſadors. P. 760.

40. A FULL Power to the Ambaſſadors of *England* to treat of a Peace with *France*; dated *January* the 8th, 1373[i].

II. *Some Reflections upon the Treaty of* Bretigny, *and the Violation of it by* France, *for the fuller underſtanding of the Acts contain'd in this ſixth Tome of the* Fœdera.

Remarks on the Treaty of Bretigny, *and the Breach of it.*

EVERY body that is not well vers'd in the Hiſtory of *England* would be apt to think, after having run over this Treaty, that *Edward* improv'd his Advantages beyond all reaſon, and without any mercy; for to conſider the Treaty alone, it appears that he was not content with raviſhing a great number of Provinces from *France*, but that he likewiſe depriv'd her of the Sovereignty of thoſe ſame Countries, without giving her any other Equivalent than a few rambling Places, which he had lately conquer'd in ſeveral Provinces. Yet 'tis certain that this Treaty, far from being unreaſonable, was on the contrary exceeding moderate, whether we conſider the State in which the Fortune of War had plac'd *Edward*, or whether we have regard only to his Rights, and to Juſtice it ſelf. EDWARD III.

WE have already ſeen what Pretenſions *Edward* had to the Crown of *France*; Pretenſions, which far from being ſo frivolous as the *French* Authors would have it thought, had a very good foundation, if they are conſider'd on the foot of Equity, independent on State-Policy, and on his Advantages in *France*. Be this as it will, at the time that *Edward* demanded the Conditions ſtipulated by the Treaty, he ſaw himſelf juſt in reach of the Mark which he had all along in view from the very beginning of the War; I mean the Crown of *France*, which he intended to wreſt from that Prince, whom he look'd upon as an Uſurper of his Eſtate; for he had King *John* Priſoner in *England*. The *Scots*, whoſe King was alſo in his hands, were in no manner of condition to give him the leaſt Uneaſineſs. *France* was in ſuch confuſion by the Diſcords which prevail'd in the Kingdom, and by the Cabals of the King of *Navarre*, a ſworn Enemy to the Royal Family, that it was not poſſible for the Dauphin to raiſe an Army fit to defend the Kingdom. Moreover, *Edward* was got into the very Heart of *France* with an Army of 100,000 Men, which nothing could ſtand before. He had alſo made himſelf Maſter of a great number of Places in *Normandy*, *Touraine*, *Anjou*, *Maine*, *Poictou*, *Auvergne*, *Berry*, *Burgundy*, *Champaigne*, *Picardy*, &c. and had carry'd his Conqueſts into the Iſle of *France* as far as the Gates of *Paris*. What was it then that cou'd incline him to put up with ſo ſmall a part of the Kingdom of *France*, at a time too when he had ſo much reaſon to expect the whole? Certainly it can be aſcrib'd to nothing but his Moderation, and to the Vow which he had enter'd into, to make Peace upon equitable Terms. This Moderation of his was the more remarkable, becauſe we ſeldom ſee Conquerors ſtop ſhort on a ſudden, and confine themſelves without Force, or ſome apparent Cauſe, to a ſmall part of their Pretenſions, when they are juſt on the point of ſeeing the entire Accompliſhment of their Deſigns. Thus much for the Condition that *Edward* was in at the time of the Concluſion of this famous Treaty. We proceed now to his Rights.

Edward's Circumſtances at the Concluſion of the Treaty.

WHEN *Henry* II. one of his Predeceſſors, came to the Crown of *England*, he was in quiet poſſeſſion, by Hereditary Right, of *Normandy*, *Anjou*, *Touraine* and *Maine*; and by his Marriage with *Eleanor* of *Aquitain*, he was in poſſeſſion of *Guyenne* and *Poictou*, and all their Dependencies. This is a Fact which cannot be diſputed. *France*, contenting it ſelf with the Reſervation of the direct

Edward's Rights.

[a] At the Siege of *Toledo*. [b] At *Weſtminſter*. [c] 1369. [d] Ditto at *Weſtminſter*.
[e] At the Tower of *London*. [f] Sign'd at *Weſtminſter*, *November* the 4th, 1371.
[g] At the Caſtle of *Edinburgh*. [h] Dated at *London*, *February* the 20th, 1372. [i] At *Weſtminſter*.

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direct Sovereignty of those Provinces, never troubled herself to dispute the possession of them, either by that Prince, or by his Son *Richard* who succeeded him. *John Lackland*, *Richard*'s Brother and Successor, took possession of the same Provinces, without the least Obstruction from *Philip Augustus*, who then reign'd in *France*, and was sensible that he had no other Right to it but that of Sovereignty. But afterwards *John* being accus'd of having put his Nephew *Arthur* Duke of *Bretagne* to death, upon this bare Accusation, *Philip*, without causing the Witnesses to be heard, and without the necessary Forms of proceeding in an Affair of such Importance, caus'd *John* to be condemn'd, and all the Lands which he held in *France* to be confiscated. It was in pursuance of this Arret pass'd by default of Appearance, that *Philip Augustus* put himself in possession of *Normandy*, *Maine*, and part of *Anjou*, while it was impossible for King *John* to recover what was so taken from him.

HENRY III. *John*'s Son and Successor, a Prince of a very mean Genius, and not qualified for War, made an Effort to recover those Provinces; but by so doing he only drew *St. Lewis*'s Arms upon those Parts which yet remain'd in his possession; so that he robb'd him of the rest of *Anjou*, *Poictou*, and part of *Guyenne*.

We observ'd in our Account of the second Tome of the *Fœdera* how *Edward* I. lost *Guyenne* by the Treachery of *Philip the Fair*. 'Tis true, that this Province was at last restor'd to him, but not without leaving a part of it in the hands of the King of *France*.

EDWARD II. lost the *Agenois* by means of the Affair of *Sardos*, of which mention was made in that Reign. *France* not only took this part of *Guyenne* from him, but also made him pay the Charges of that preposterous War. And afterwards, when she granted him leave to transfer *Guyenne* to his Son *Edward*, she did not consent to the Bargain till she had exacted a Sum of 60,000 Livres from him: so ready was *France* to take all Advantages against *England*, that Opportunity presented.

We may see by this short Dissertation, in which there's nothing aggravated, with what Injustice those Provinces, which lawfully belong'd to the Kings of *England*, were seiz'd by *France*, which had no other Right to them than what Power had given her. The Countries we have been speaking of, did not come to the Crown of *England* by Conquest, or by Treaties made at the Point of the Sword, but by a lawful Succession from Father to Son, time out of mind. As to the Earldom of *Ponthieu*, it devolv'd to *Edward* by the Right of his Mother *Eleanor*; and the King of *France* himself gave him the first Investiture of it, tho' there was some Injustice too in the case, because he demanded of *Edward* that he should in the first place relinquish all his claim to *Normandy*.

Edward III.

Now let the Treaty of *Bretigny* be examin'd upon that Footing, and it will appear that *Edward* III. by this Treaty only reclaim'd those Provinces which *France* had unjustly torn from his Ancestors, by mere Force of Arms. For all those Countries which *France* yielded to the King of *England*, if we except *Guisnes* and *Calais*, were Dependencies on *Guyenne* and *Poictou*, and had been quietly possess'd by *Edward*'s Ancestors. 'Tis true, that this Prince demanded *Calais*, and the Earldom of *Guisnes*, with the Sovereignty of all the Provinces which *France* deliver'd up to him, into the bargain; but in requital thereof he left him *Normandy*, *Anjou*, *Touraine*, and *Maine*, with the Homage of *Bretagne*, to which he had as good a Right as to the former, and which, as well as all the rest, was part of the Inheritance of his Ancestors. He likewise yielded him all the Conquests which he had made in several Provinces of *France*; and what was more than all, he drop'd his Pretensions to the Crown.

As to King *John*'s Ransom, I know not whether it can be properly call'd an excessive Sum for so great a Prince, whom the Fortune of War had cast into the hands of his Enemy: such Examples are so rare to be met with, that 'tis a difficult matter to ascertain the Ransom of a Captive King, in proportion to the Extent of his Dominions, by the Rules of Justice and Equity.

As to the Hostages that *Edward* demanded for his Security, can any one think it strange that he took such Precautions at that Juncture, to oblige the *French* to the Execution of a Treaty which was so much to their disadvantage? It was plain, that those Securities were no more than necessary, because they were not strong enough to guard against the Treachery of *Charles* V. nor against the Baseness of some of the most considerable Hostages, who made no scruple to violate the publick Faith, and even to serve against that very Prince to whom they had engag'd themselves both by Parole of Honour, and by solemn Oaths.

Inquiry into the Breach of the Treaty of Bretigny.

These are the Reflections which I thought necessary, in order to give the Reader a just Idea of the Treaty of *Bretigny*; in which one cannot but perceive a Moderation which is not common to Princes flush'd with Victory. We proceed now to take notice of the Breach of this Treaty, and at whose door it lay. But that we may not be too precipitant in passing Judgment upon this matter, 'tis necessary to know first of all, what was the State of Affairs between *France* and *England* at the time of the said Rupture.

King *John*, whose strict Adherence to his Engagements can be never enough commended, had put *Edward* in possession of

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of all the Countries which he had engag'd to deliver up to him, except the County of *Gavre* ſituate in *Armagnac*, and the Territory of *Belville* in *Poictou*, about which there aroſe ſome Diſpute. As to the firſt, I know nothing of it; but as to *Belville*, I find in one of the Acts of this Tome of the *Fœdera*, that *Edward* claim'd that ſome other Lands which depended on the ſaid Fief, ſhould be deliver'd to him, which King *John* did not agree to. As to the Hoſtages, they had all been deliver'd up except two Burghers of *Tholouſe*, Perſons not conſiderable enough to be the Subject of any great Contention. Tho' *John* nicely kept his Word in thoſe Articles of the Treaty which related to the Provinces yielded to *England*, he found it impoſſible for him to be as punctual in the Payments of his Ranſom. After the Payment of the firſt 600,000 Crowns before his departure from *Calais*, the reſt came in but very ſlowly; for of the three Millions which, according to Agreement, ought to have been paid at the end of the Year 1366, there was but a Million and about two hundred thouſand Crowns paid in 1369, when the War was declar'd. 'Tis very probable that *Edward* was ſo generous as to admit of the Excuſes made to him from time to time, on default of Payment, the rather becauſe he had always Hoſtages in his hands who were anſwerable to him for what was due.

AMONG theſe Hoſtages, were five Princes of the Blood of *France*, viz. the Dukes of *Orleans*, *Anjou*, *Berry*, and *Bourbon*, and the Count of *Alenſon*. There being nothing wanting towards the entire Execution of the Treaty, but the two Lordſhips of *Gavre* and *Belville*, and the Payment of the reſt of the three Millions, *Edward* probably was ſcrupulous of keeping ſo many Princes as Hoſtages for ſuch a trifle. Therefore, of his own accord, he propos'd the abſolute Releaſe of the four firſt, and of the Lords of *Brenne*, *Grandpre*, *Montmorency*, *Clare*, *Hengeeſt*, and *Andreſel*, the laſt of whom was of the number of the Priſoners, with a Proviſo that the County of *Gavre* and the Territory of *Belville* ſhou'd be deliver'd up to him, in the Condition that he demanded them; that *Meſle*, *Chiſay*, *Chivray*, *Villeneufve*, and ſome other Territories in *Poictou* and *Saintonge*, ſhould be pledg'd to him for Security of the Execution; and that if before the Feaſt of *All-Saints*, he was not put in poſſeſſion of *Gavre* and *Belville*, the Lordſhips ſo pledg'd to him ſhould be confiſcated to his Profit; and the four Princes and the other ſix Lords, be oblig'd to ſurrender themſelves again as Hoſtages. The *French* Princes having accepted theſe Terms, King *John* confirm'd the Treaty, on condition that for the Lords of *Grandpre*, *Clare* and *Andreſel*, *Edward* would releaſe the Earl of *Alenſon*, the Dauphin of *Auvergne*, and the Lord of *Coucy*; but *Edward* refuſing to conſent to this Exchange, *John* ratify'd the Agreement as it ſtood at firſt.

EDWARD III.

WHEN the Ratification of the King of *France* was arriv'd, theſe ten Lords were conducted to *Calais*, and left at full liberty not only to walk about the Town, but alſo to go where they pleas'd for three Days, provided they return'd to lie at *Calais* the fourth Night. Probably there aroſe ſome Difficulty with reſpect to the Territories that were to be given in pledge, and that this was what detain'd the *French* Lords at *Calais* longer than they expected. However it was, the Duke of *Anjou*, who no doubt was afraid of being oblig'd to return again to *England*, abus'd the Liberty which had been granted him of going out of *Calais*, and never return'd more: And the Counts *de Brenne* and *Grandpre*, and the Lords of *Clare* and *Derval* following his ill Example, eſcap'd as well as he; after which there was no more talk of the Execution of the Treaty for the Liberty of the others. Soon after, King *John* returning to *England*, either to excuſe the Duke of *Anjou*, or for ſome other Reaſon, died there in the Month of *April* 1364 *.

HIS Son *Charles* V. aſcending the Throne of *France*, the Face of Affairs was changed; and if *Edward* had not blindly believ'd that this Prince was as honeſt as his Father, he might have eaſily perceiv'd that he had ſome ill Deſign. *Charles* gave him no Satisfaction as to the Eſcape of the Hoſtages, tho' he earneſtly demanded it, nor as to the two Burghers of *Tolouſe*, nor the two other Hoſtages which he requir'd in the place of the Lords of *Eſtampes* and *Hengeeſt*, who had died in *England*. He never troubled himſelf to pay the reſt of King *John*'s Ranſom; and if he remitted him any part, it was but a ſmall matter, and only to amuſe him. Four Years run on after this manner in fruitleſs Negotiations upon the Affair of *Belville*, which was never decided, tho' referr'd to Arbitration; becauſe, in all appearance, *Charles* did not care whether it was or no.

ONE

* Mr. *Barnes* ſays he arriv'd at *Dover* the 4th of *January* 1364, and died the 8th of *April* following at the *Savoy*, then one of the faireſt Manſions in *England*, where he was lodg'd with thoſe Hoſtages that were of the Royal Blood, and often made and receiv'd Viſits to and from the Kings of *England*, *Scotland*, *Denmark* and *Cyprus*. *Stow* tells us in his Survey of *London*, that theſe five Kings were all feaſted at one time, together with the chief Hoſtages of *France*, King *Edward*'s Sons, and many of the chief Nobility of *England*, by Sir *Henry Picard* Wine-Merchant, who ſome Years before had been Lord Mayor of *London*. Mr. *Barnes* quotes *Knighton* and *Walſingham* to prove, that King *John* on his Death-bed ſent for King *Edward*, and confeſs'd to him, that from his firſt coming into *England* he had Confederates in *London*, &c. who ſecretly collected the fineſt Gold of the Kingdom, made it into Plates, and put it into Barrels hoop'd with Iron to ſend to *France*, with Bows and Arrows, and a great quantity of other Arms; and that he had unjuſtly withheld the Crown of *France* from him, until the Peace of *Bretigny*: for all which he heartily begg'd the King's Pardon, and for which *Edward* entirely forgave him, and caus'd all the Gold and Arms to be ſeiz'd, and ſeverely puniſh'd thoſe *Engliſhmen* who had offended, among whom were many *Lombard* Merchants, who were clapp'd up in the Tower till they had compounded as the King pleas'd.

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ONE cannot help ſuſpecting, that the Hoſtages in *England* were appriz'd of the Deſign of the *King* of *France* to break the Peace, becauſe ſeveral Pieces in this Tome ſhew that it was chiefly about that time they made the greateſt ſtruggle to obtain Furloughs, on various Pretences, or to compound with *Edward* for their entire Liberty.

THE Duke of *Orleans* obtain'd Liberty for himſelf and the Lord of *Andreſel*, by granting ſome Lands in *Poictou* to *Thomas* of *Woodſtock*, *Edward*'s Son.

THE Duke of *Bourbon*, and the Dauphin of *Auvergne*, had leave to go to *France*, upon the Security of the Duke of *Berry*; and their Furlough being prolong'd, the Duke of *Bourbon* made an Agreement with *Edward* for 12,000 Crowns, which *Edward* paid to him who took the Duke Priſoner at the Battle of *Poictiers*.

THE Duke of *Berry* having obtain'd a Furlough to go to *Paris*, never return'd.

THE Count de *St. Pol* obtain'd the ſame Permiſſion, on leaving his two Sons as Security for his Return.

THE Count de *Harcourt*, who had a limited Furlough, upon his Parole of Honour, excus'd himſelf from keeping to his Engagement, tho' *Edward* recall'd him ſeveral times.

MONTMORENCY, *Boucherche*, and *Maulevrier* did the ſame; but 'tis probable they gave the King ſome Satisfaction afterwards.

CHARLES of *Artois* retir'd without taking leave.

ENGUERRAND de Coucy, by what means I know not, procured his entire Liberty.

GUY of *Blois*, who had obtain'd a limited Furlough, never return'd more to *England*, having made his Accommodation while he was abroad.

THE Dauphin of *Auvergne* obtain'd a Furlough, on condition of paying 10,000 Crowns, in caſe he did not return by ſuch a time.

THE Earl of *Luxemburg*, the Lords of *Eſtampes* and *Hengeeſt*, died in *England*; and *Charles* never ſent any other Hoſtages to ſupply their place. Add to theſe the ten Hoſtages that *John* carry'd with him from *Calais*, who probably were the chief; and we ſhall find that at the time of the Breach of the Peace, there were none leſt of any conſequence in *Edward*'s hands.

ALL this appears from divers Acts in this Tome: From whence it may eaſily be conjectur'd, that the King of *France* could not be much diſturb'd about thoſe Hoſtages that ſtill remain'd in *England*; conſequently he was no longer concern'd for the Execution of the Treaty, after he had withdrawn his Brothers, and the chief of the Nobility. On the other hand, the Diſtemper of the Prince of *Wales* growing every day more dangerous, *Charles*, who ſaw that this Prince was not in a Capacity to do any thing, thought he ought to make his advantage of this Opportunity, while *Edward*, who was in a State of perfect Security, could not imagine that *France* was in a Condition to renew the War. *Charles* being reſolved upon it, made ſeveral Alliances with the Princes of *Germany*, and particularly with the King of *Caſtile*, before he diſcover'd his Deſign. He obtain'd great Sums of the Eſtates of the Realm, who, to be ſure, were not ignorant of his Intentions, tho' thoſe Sums were granted upon other Pretences. When his Affairs were almoſt arrived to the Maturity he wiſh'd for, he complain'd bitterly of the Ravages committed by the *Engliſh* Troops in *France*. We have ſeen that *Edward* gave him all the Satisfaction poſſible in the like Caſe. But as *Charles* was bent upon picking a Quarrel with him, he ſhew'd that he was not ſatisfy'd, and pretended that *Edward* actually made War againſt him. In order to give the more Colour for the Rupture which he intended, he complain'd that the *Engliſh* had not evacuated all the Caſtles that were to be reſtored to him: But as no Hiſtorian has ſpecify'd what thoſe Caſtles were, there is reaſon to believe that his complaint was trifling. In the mean while happen'd the Clamour againſt the Tax the Prince of *Wales* had eſtabliſh'd in *Guienne*; which Clamour was probably fomented and ſupported by the King of *France*. Be this as it will, tho' *Charles* had no Right to meddle in the Affairs of that Principality, the Sovereignty of which the King his Father and himſelf too had expreſſly renounc'd, he took occaſion from thence to ſummon the Prince of *Wales* before the Court of Peers; and upon his Refuſal to appear, order'd all the Lands which the *Engliſh* held in *France* to be confiſcated.

EDWARD III.

HAVING thus examin'd the State of Affairs betwixt the two Crowns, nothing now remains but to judge whether *France* had good Reaſon to break the Peace. *Edward* had Subjects of Complaint, which were very real and ſubſtantial. *Gavre* and *Belville* were yet in the hands of the King of *France*. Near two thirds of King *John*'s Ranſom were ſtill unpaid, and the chief Hoſtages were either eſcap'd, or were not return'd according to the Terms of their Furloughs, or had compounded for very ſmall Sums in proportion to the two Millions of Crowns of Gold which remain'd due to him. Mean time *Charles*, pretended that the Treaty of *Bretigny* was void, becauſe ſome Caſtles, of which no Hiſtorian has given us the Names, were not reſtor'd; becauſe *Edward* had not hinder'd his Subjects from ravaging *France*, tho' he had diſowned them; and finally, becauſe the Prince of *Wales* had refus'd to appear as a Vaſſal, tho' it was certain that *France* had renounc'd the Sovereignty of *Guienne*.

FROISSARD ſays, that *Charles* having cauſed the Treaty of *Bretigny* to be

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examin'd in Council, they dwelt chiefly upon that Article whereby the two Kings renounc'd all Hoſtilities in caſe of non-performance of the Treaty. He adds, that 'twas upon this Conſideration that *Charles* was adviſed to found his Declaration of War, becauſe it was pretended that *Edward* had not ceaſed to make War againſt *France* ever ſince the Peace of *Bretigny*. It were to be wiſh'd that this Hiſtorian had been a little more explicit, and had ſhewn upon what Particular the Complaint was founded. If it was upon the Ravages committed by the Prince of *Wales*'s disbanded Troops, it ſeems that ſince *France* her ſelf could not get rid of them, it was yet more difficult for the Prince of *Wales*, or the King his Father, to reduce thoſe Vagabond Troops to their Obedience, becauſe they were in a foreign Country.

MEZERAY, who was very ſenſible of the Iniquity of this Rupture on the part of *Charles*, paſſes very ſlightly over it, and ſpeaks of it in ſuch a manner as demonſtrates that Policy had a greater ſhare in it than Equity. This is what he ſays of it in his Extract of the Year 1369. "*Edward* believed himſelf abſolute Sovereign of *Guienne* after the Peace of *Bretigny*; but as on his part he had not drawn off the Gariſons, and had moreover committed divers Hoſtilities, the King pretended the Treaty was null and void, and that therefore the ſaid Prince ſtill remain'd a Vaſſal of the Crown. It was upon that foot that he ſent a Declaration of War to him; and that afterwards in an Aſſembly of his Parliament on the Eve of Aſcenſion, he then ſitting on his Bed of Juſtice, paſs'd an Arret, which for thoſe Rebellions, Outrages, and Diſobediences, confiſcated all the Lands the *Engliſh* held in *France*." Let the Reader compare the Terms of *Rebellion* and *Diſobedience* with the Articles of the Treaty of *Bretigny*, wherein both King *John* and his Son *Charles* renounc'd all manner of Sovereignty to the Provinces which they yielded up to *Edward*, and then let him judge whether the Parliament had the leaſt Colour to make uſe of ſuch Expreſſions againſt a Prince, who ſince the laſt Peace did not poſſeſs ſo much as a ſingle Village in the Kingdom of *France*, for which he was a Vaſſal to that Crown.

THIS Rupture, which was made ſo expreſſly for the purpoſe, and which reſtor'd *France* to her former State, was one of the principal Reaſons for aſſigning the Surname of *Wiſe* to *Charles* V. But I would fain know what Name would have been given him if the War had miſcarry'd, as might have been the Caſe. Could he be ſure of the Conſequences? And may it not be ſaid, that if *France* had happened to have been plung'd again in the Abyſs from whence ſhe was but juſt extricated, ſhe would have had none to blame but her King? For the reſt, tho' this Prince had very fortunate Succeſs, yet to him, as the firſt Cauſe, ought to be aſcribed all thoſe Miſeries that *France* ſuffer'd in the Reign of *Charles* VI. his Son and Succeſſor, during which the *Engliſh* took a ſweet Revenge. EDWARD III.

III. *The Affairs of* Scotland.

UNDER this Article there are few remarkable Circumſtances. It was obſerv'd in our Account of the fifth Tome, that by the Treaty which was concluded for the Liberty of King *David*, he had engag'd to pay 90,000 Marks Sterling for his Ranſom. This Treaty, which remain'd without Execution, was renew'd in the Year 1357. but with this Difference, that the King of *Scotland* ſhould be oblig'd to pay 10,000 Marks more. This laſt Treaty is dated *October* 3, 1357[a].

A GREAT many Acts follow it, by which the Prelates, the Temporal Lords, and all the good Towns of *Scotland*, engag'd to pay the Ranſom of their King. *Ingagements for the King of* Scots *Ranſom.* P. 46, 56, 59, 61.

HERE is a remarkable Brief from Pope *Innocent* VI. to the King of *Scotland*, in which he declares that he cannot conſent that the Clergy of *Scotland* ſhould be bound for him[b]. The other principal Acts relating to *Scotland* are, *Pope won't conſent for the* Scots *Clergy to be bound for* David. P. 59.

1. A PASSPORT for King *David* going into *England*[c]. *David's Paſſport.* P. 361.

2. *EDWARD*'s full Powers to treat of a final Peace with *Scotland*[d]. *Treaty with him.* P. 375.

IT appears by a Memorial[e] that *Edward* try'd to perſuade the *Scots* to declare him King *David*'s Succeſſor, in caſe that Prince died without Children; and that he made them large Promiſes to bring them into it: but this Project did not ſucceed. *Edward's view to the Crown of* Scotland. P. 426.

3. A PROLONGATION of the Truce for four Years, dated [f] *June* the 12th, 1365. *Truces with* Scotland. P. 464, 468.

4. ANOTHER Prolongation of the Truce for fourteen Years[g]. P. 632.

DAVID dying in 1371[h], *Robert Stuart* his Succeſſor, who was his Nephew, being Son of his eldeſt Siſter, no ſooner got into the Throne, but he made an Alliance with *France*, dated *October* the 28th, 1371[i]. *David's Death and his Succeſſor's Treaty with* France. P. 696.

THIS is all that is of any great Conſequence in this ſixth Tome of the *Fœdera*, with reſpect to *Scotland*.

IV. *Domeſtic Affairs.*

THIS Article conſiſts only of ſome looſe Acts relating to *England* in particular, or to the Royal Family, of which theſe are the chief.

[a] At *Berwick upon Tweed*. [b] 'Tis dated at *Villeneufve*, in the Dioceſe of *Avignon*, the 11th of the Calends of *July*, 1358. [c] Dated at *Weſtminſter*, *April* the 18th, 1362.
[d] Dated at *London*, *June* the 25th, 1362. [e] Dated at *Weſtminſter*, *November* the 27th, 1363.
[f] At *London*, *May* the 20th, and at *Edinburgh-Caſtle*. [g] Dated at *Edinburgh-Caſtle*, *July* the 20th, 1369.
[h] This diſcovers a Miſtake of Mr. *Barnes* and other Hiſtorians, who place his Death in the Year 1370. *Robert*, his Succeſſor, was the firſt King of the Race of the *Stuarts*; of the Original of which Family Mr. *Barnes* gives the Genealogy, and explodes an old Error of the *Scots* Hiſtorians concerning *Robert*'s Children.
[i] At *Edinburgh-Caſtle*.

1. AN Order of King *Edward*[a] to pay the Charges of the Anniversary Service for his Mother Queen *Isabel*. It appears that this Princess died in 1358, at the Castle of *Rising*, where she had been confin'd twenty Years before[b].

Death of Isabel the Queen-Mother. P. 140.

2. AN Act for erecting the Dutchy of *Guyenne* into a Principality, in favour of the Prince of *Wales*; dated *July* the 19th, 1362[c].

Guyenne a Principality. P. 384.

3. AN Act of the same Date, by which the new Prince of *Aquitain* engages to pay an Ounce of Gold every Year, as an Acknowledgment to the Crown of *England*.

Acknowledgment for it. P. 388.

4. AN Order against idle Sports and Pastimes in use among the common People, and an Injunction to the Sheriffs to make them exercise the Bow; dated *June* the 1st, 1363[d].

Order for the exercise of the Bow. P. 417.

5. A PASSPORT for *Waldemar* King of *Denmark* coming to *England*; dated *February* the 1st, 1364[e].

King of Denmark's Passport. P. 432.

6. ARTICLES of Marriage betwixt the Earl of *Cambridge*, *Edward*'s Son, and the Dutchess Dowager of *Burgundy*, Daughter to *Lewis* Earl of *Flanders*; dated *October* the 19th, 1364[f].

Marriage of Edward's Sons with the Dutchess of Burgundy. P. 445.

7. THE Marriage Articles betwixt *Lionel* Duke of *Clarence*, *Edward*'s second Son, and *Violante* Daughter of *Galeaz* Duke of *Milan*; dated *May* the 15th, 1367[g].

And the Duke of Milan's Daughter. P. 564.

8. AN Order for the Departure of the Duke of *Clarence*, for *Milan*, with a Retinue of 457 Men and 1280 Horses[h]. This Prince died in *Italy*, in the Year 1370[i].

Duke of Clarence goes to Milan. P. 590.

9. A PROTECTION for three Clockmakers, coming from *Delft* to exercise their Profession in *England*[k].

Protection for Clockmakers. Ibid.

V. *Affairs relating to Religion or the Popes.*

THE old Differences still subsisted betwixt *England* and the Court of *Rome* about the Collation to Benefices, the foreign and non-resident Clergy, the Benefices of Royal Collation which the Pope usurp'd from time to time, the Temporality of the Bishopricks which the Pope pretended to confer by his Bulls, and the Provisions which he gave to Benefices before they were vacant, whereby he depriv'd Patrons of their Rights. These were the Subjects of the greatest part of the Acts in this Tome, relating to Religion; but as they are the same with those mention'd in the former Months, 'tis needless to insist long upon them here. I shall therefore only take notice of some Acts, which shew that neither the King nor the Pope receding from their Pretensions, those Differences remain'd undetermin'd, each Party taking hold of every fair Opportunity that offer'd to maintain their Rights.

1. AN Order from the King to the Lord Mayor of *London* to imprison all Persons in the City carrying the Pope's Bulls; dated *October* the 10th, 1357[l].

Order against the Bulls. P. 65.

2. AN Order to pay to those Cardinals, who were sent to treat of Peace, the Procurations which were due to them upon the Bishoprick of *Ely*, which was then in the King's hands; dated *November* the 7th, 1357[m].

Payment of the Procurations. P. 63.

WHEN the King wanted any Favour from the Court of *Rome*, he caus'd those Procurations to be paid; but at other times he stopp'd Payment.

3. A BULL of *Innocent* VI. whereby he consents to the Execution of the Treaty of Peace concluded at *Bretigny*, tho' it contains Articles prejudicial to the Holy See[n]. This had a special View to the 39th Article of the said Treaty.

Pope's Bull about the Treaty of Bretigny. P. 201.

4. A PROHIBITION to carry Money out of the Realm, that is to say, to *Avignon*; and an Order to take up those that carry'd Bulls about the Kingdom, dated *July* the 28th, 1365[o].

Prohibition to carry Money out of the Realm. P. 475.

5. AN Attestation by the King, that a Woman committed to Prison for the Murder of her Husband, subsisted in the said Prison 40 Days without eating or drinking; and his Pardon granted to her, in acknowledgment of the Miracle; dated *April* the 25th, 1357[p].

A Woman lives forty Days in Prison without eating or drinking. P. 13.

6. *EDWARD*'s Present to the Abbey-Church of *Westminster* of the Head of St. *Benedict*, Abbot and Confessor; dated *July* the 5th, 1358[q].

Edward's *Present of St. Benedict's Head.* P. 93.

7. *EDWARD*'s Certificate that a certain *Hungarian* Gentleman had passed a whole Day and Night in St. *Patrick*'s *Purgatory* in *Ireland*; 'tis dated *October* the 24th, 1358[r].

St. Patrick's Purgatory. P. 107.

8. THE Restitution made to the Foreign Priors of their Revenues which were seiz'd at the begining of the War; dated *February* the 16th, 1361[s].

Restitution to the foreign Priors. P. 311.

9.

[a] Dated at *Sandwich*, *October* the 16th, 1359.

[b] Mr. *Barnes*, who says she died the 22d of *August*, was certainly mistaken in the time of her Interment, which he says was on the 27th of *September* following, in the midst of the Choir of the *Gray-Friars*, now called *Christ-Church*; whereas there is an Order in this Volume of the *Fœdera*, p. 110. and dated at *Westminster*, *November* the 20th, for cleaning the Streets without *Bishopsgate* and *Aldgate*, against the Arrival of her Corpse in *London*. As to her Imprisonment, tho' tedious, Mr. *Barnes* tells us it was easy and respectful; that she had Freedom enough under the Eye of her Keeper, and an Allowance of 4000 *l. per Annum*, that the King paid her a Visit at least once a Year, and gave her many Princely Recreations. As to her Guilt in the Murder of her Husband, our Author is of opinion, that upon her first coming with an armed Force into *England*, she had no Design against the King her Husband, but only against the *Spencers*; but that *Mortimer* and others, who were already obnoxious to the Law on account of their Treason, artfully drove her on so far for their own Security, that she was not able to retire; and that when the King was depos'd, they so terrified her with making her believe, that if ever he came to the Crown he would burn her, that she complied with the Design for his Destruction.

[c] At *Westminster*. [d] Ditto. [e] At *Dover-Castle*. [f] At *Westminster*.

[g] Dated at *Westminster*, *May* the 10th, 1368. [h] Mr. *Barnes* says he died, not without Suspicion of Poison, upon the 17th of *October*, the same Year that he was married.

[i] Dated *May* the 4th, 1368, at *Westminster*. [k] At *Westminster*. [l] Ditto.

[m] The Bull is dated at *Villeneufve*, in the Diocese of *Avignon*, the 2d of the Calends of *July*, 1360.

[n] At *Westminster*. [o] Ditto [p] At *Westminster*. [q] Ditto. [r] At *Westminster*.

FOEDERA Tom. VI.

Order to the Archbishops of Armagh *and* Dublin. *P.* 467.

9. AN Order to the Archbishops of *Armagh* and *Dublin* to agree about carrying of the Cross, and to permit each other to bear it reciprocally in their several Provinces, after the Example of the Archbishops of *Canterbury* and *York*; otherwise he orders them to come to Court to decide the Difference there: 'tis dated *June* the 9th, 1365[b].

Order for imprisoning a Heretick. P. 651.

10. A PERMISSION to the Bishop of *London* to imprison a Heretick; dated *March* the 20th, 1370[c].

The most important Acts of the four last Years of King Edward, *viz. from* 1373, *to his Death, which happen'd in* June 1377, *are inserted in the beginning of the Seventh Tome of the* Fœdera; *the chief which relate to the Affairs of* France *are,*

FOEDERA Tom. VII.

Duke of Lancaster *goes to* France. *P.* 7.

1. AN Order for the Embarkment of *John* Duke of *Lancaster*, King of *Castile*, with design to go and make War in *France*[d].

And the Earl of Cambridge. *P.* 48.

2. THE like Order for the Earl of *Cambridge*, who went over for the same purpose; 'tis dated[e] *November* the 18th, 1373.

Truces with France. *P.* 53. *P.* 68. *P.* 100.

3. A TRUCE with *France* till *Easter*; dated *February* the 11th, 1375.

4. THE Prolongation of the Truce to the 30th of *June*, 1376[f].

5. ANOTHER Prolongation of it to the 1st of *April*, 1377[g].

Treaty with her. P. 110. *P.* 143.

6. A FULL Power to make a Peace with *France*[h]; dated *June* the 12th, 1376.

7. THE like full Power, dated[i] *April* the 26th, 1377.

As to the Articles of Religion, or his Affairs with the Pope, we have only these three Acts:

Pope's Letter to the King. P. 115.

I. POPE *Gregory*'s Letter to *Edward*, acquainting him of his Intention to go and hold his Court at *Rome*[k].

Accommodation of their Disputes. P. 136.

II. A COMPOSITION of the Differences betwixt the King and the Pope, by which *Edward* engag'd himself to confer no Benefice that was vacant and unprovided, before the 15th of *February*, in the 50th Year of his Reign, but without drawing the same into Consequence for the future[l].

THE Pope enter'd into several Engagements on his part; but he did it in a manner so general, and with so many Restrictions, that it was plain he did not intend to cramp himself by any Engagements of this nature.

1. HE promis'd for the future to be more moderate in his collating to Benefices in *England*.

2. THAT he would grant a convenient time for Elections, and that he would not fail to admit the Person elected, provided he was fit to serve the Church.

3. THAT he would give Benefices to those that were in a Capacity to reside on them.

4. AS to the Complaint which had been made to him, that a great number of foreign Ecclesiasticks possess'd Benefices in *England*; he answer'd, that he had confer'd but one to any such Person, except to Cardinals.

5. AS to the Representation made to him, that the Cardinals had more Revenue in *England* than in *France*, tho' *France* was three times bigger than *England*; he made answer, that for the future it should be more moderate.

6. THAT he could not recede from the first Fruits; but that he hoped to find a way to moderate them.

7. THAT as to Reversions and Provisions, he would not for the future be so ready to grant them, but without any Restriction of his Power.

John Wickliff sent Ambassador to the Pope. P. 41.

III. A FULL Power to treat with the Pope's Nuncios; dated at *London*, *July* the 26th, 1374. by which it appears that *John Wickliff*, who made such a noise afterwards, was one of the Ambassadors whom the King sent this Year to the Pope.

The chief Acts in the beginning of this seventh Tome, relating to Domestic Affairs, in the Remainder of Edward's *Reign, are,*

Commission to John *of* Gaunt. *P.* 13.

1. A COMMISSION appointing his Son, *John* of *Gaunt* Duke of *Lancaster*, and King of *Castile*, to be the King's Lieutenant beyond Sea[m].

Edward's Grant to Alice Perreres. *P.* 28.

2. *EDWARD*'s Grant to *Alice Perreres* of some Jewels which had belong'd to his deceas'd Queen *Philippa*. This is the only Act we find here that gives any Indication of the Affection which *Edward* conceiv'd for this Lady in his old Age. She is by some Authors call'd *Alice Piercy*, by others *Piers* or *Pierce*; but in this Grant, which is dated[n] *August* the 8th, 1373, she is call'd *Perreres*, which probably was her true Name[o].

3.

[b] At *Westminster*. [c] Ditto. [d] 'Tis dated at *Westminster*, *April* the 28th, 1373.
[e] At *Westminster*. [f] Dated at *Bruges*, *June* the 27th, 1375.
[g] Ditto, *March* the 12th, 1376. [h] Dated at *Westminster*. [i] At *Westminster*.
[k] 'Tis dated at *Villeneufve*, in the Diocese of *Avignon*, the 5th of the Nones of *July*, 1376.
[l] The Instrument is dated at *Westminster*, *February* the 15th, 1377, in the 51st Year of his Reign.
[m] 'Tis dated at *Westminster*, *June* the 12th, 1373. [n] At *Woodstock*.
[o] Mr. *Barnes*, who calls her *Alice Perrers*, quotes *Stow*'s Survey of *London*, to prove that she was a Person of such extraordinary Beauty, that about the Year 1374 she was made Lady of the *Sun*, and rode from the Tower of *London* thro' *Cheapside*, accompanied with many Lords, Knights, and Ladies; every Lady leading a Lord or a Knight by his Horse's Bridle, 'till they came to *Smithfield*, where presently began a solemn Just or Tournament, which held for seven Days together. But tho' it appears from a Record mention'd by Sir *Robert Cotton*, that this Lady was in such Credit with King *Edward* III. that she sat at his Bed's-Head, when others were fain to stand at the Chamber-Door; and that she mov'd those things to him, which they of the Privy-Chamber durst not; yet Mr. *Barnes* will by no means allow what is asserted by very many Writers, that she was King *Edward*'s Concubine,

FOEDERA Tom. VII. Edward's Death. P. 151.

3. A MEMORANDUM of the Day the Twenty-firſt of *June*[a], *Anno Dom.* 1377[b]. EDWARD III.

The

cubine, becauſe of the Improbability, that he who was ſo chaſte in the Flower of his Years, ſhould burn with Luſt in the very Impotence of Age; and that ſo noble a Baron as the Lord *William Windſor* ſhould afterwards take her in Marriage, if ſhe had been thought ſo lewd at that time, as ſhe has been repreſented ſince.

[a] And of his Reign the 51ſt, at his Mannor of *Shene* in *Surrey*.

[b] EDWARD *the Third's Character.*

We cannot well diſmiſs this great and glorious Reign, without giving a Summary of *Edward's* Character and Succeſſes, from his Hiſtorian Mr. *Barnes*.

He was a Prince, ſays Mr. *Barnes*, the ſooneſt a Man, and the longeſt that held ſo, of any we meet with; his Stature not exceeding the uſual Bigneſs of Men, but of the middle ſort, that is, juſt ſix Foot high; his Limbs neat and well-made, his Body ſtrong, his Shape exact, his Viſage ſomething long, but exceeding comely, graceful, and angelical; his Noſe, long, ſtrait and manly; his Eyes ſparkling and majeſtic, but with ſo much Sweetneſs, that it was reckon'd a good Omen to behold his Face, tho' only in a Dream. Fortunate he was beyond meaſure, eſpecially 'till the ſix latter Years of his Reign: wiſe and provident in Council; well-learned in the Laws, in Hiſtory, Humanity, in Divinity. He underſtood *Latin*, *French*, *Spaniſh*, *Italian*, and High and Low *Dutch*, beſides his native Language. He was of quick Apprehenſion, judicious and skilful in Nature, elegant in Speech, ſweet, familiar, and affable in Behaviour; ſtern to the Obſtinate, but calm and meek to the Humble; magnanimous and courageous above all the Princes of his Days; apt for War, but a Lover of Peace; never puffed up with Proſperity, nor diſmayed at Adverſity. He was of an exalted, glorious, and truly Royal Spirit, which never entertain'd any thing vulgar or trivial, as may appear by the moſt excellent Laws which he made, by thoſe two famous Jubilees he kept, and by the moſt noble Order of the Garter, which he firſt deviſed and founded. His Recreations were Hawking, Hunting and Fiſhing; but chiefly he lov'd the martial Exerciſe of Juſts and Tournaments. In his Buildings he was curious, ſplendid and magnificent; in beſtowing of Graces and Donations free and frequent; and to the Ingenious and Deſerving always kind and liberal; devout to God, bountiful to the Clergy, gracious to his People, charitable to the Poor, true to his Word, loving to his Friends, terrible to his Enemies. And becauſe he was ſo ſtrictly obſervant of his Faith and Honour, and withal ſo valiant, politick, and fortunate, his Subjects imagin'd that to live under him was to reign in Triumphs; and his Renown ran abroad even to barbarous and foreign Nations; and all thought themſelves happy and ſecure, if they were either under his Protection, or any way Confederate with him. The *Turks* and *Saracens* fear'd him; the oppreſs'd Chriſtian Princes humbly implor'd his Aſſiſtance; the *Germans* he had at his Command during the time of his Lieutenancy under *Lewis* of *Bavaria*, and might have had them entirely, had he accepted their Proffer of the Empire: The *Flemings* were his Confederates; the *Italians* he oblig'd to him by the Bond of Affinity; the *French*, *Spaniards* and *Scots* he ſubdued by Force of Arms; he won *Calais*, recover'd *Aquitain*, *Normandy* and *Ponthieu*; and took *John* King of *France*, and *David* King of *Scots*, his Priſoners; being the firſt of *Engliſh* Kings that bore the Arms and Title of *France*. In ſhort, he had the moſt Virtues, and the feweſt Vices of any Prince that ever I read of; he was valiant, juſt, merciful, temperate, and wiſe; the beſt King, the beſt Captain, the beſt Law-giver, the beſt Friend, the beſt Father, and the beſt Husband in his Days. And after all this, adds Mr. *Barnes*, his very Enemies will be found to ſay much more of him.

To this we ſhall join the Teſtimony of a Perſon of Honour, *viz.* Sir *Robert Howard*, in his Compariſon of the Reigns of the three firſt *Edwards* and *Richard* II.

Edward III. ſays Sir *Robert*, by the Virtues and Methods of his Grandfather, reſtor'd what his Father had loſt. He obſerves, that he came to the Crown, after it had been *ſhaken* by the *Errors* of his Father: That like *Edward* I. he was a Man *earlier* than others, and *victorious* before others us'd to *attempt* Victory; ſo that before he *was King*, he ſhew'd *how fit he was to be ſo*. That tho' he was able to *judge*, yet he was never unwilling to hear the *Judgment of others*: That he was *deliberate* in *reſolving*, and *firm* in his *Reſolutions*; unſhaken in *Dangers*, and ſteddy and equal in *Safety*: That his *Promiſes* were *Mankind's Security*, and *Truth* his *Wiſdom*: That his great *Virtues* and *Courage* made the Nation expect *Succeſs* from all his *Actions*: That he grew *fierce* by *Oppoſition*, and *gentle* by *Submiſſion*: That he ſeldom denied pardon to thoſe who implor'd it, nor ſuffered any *abuſed Mercy* to paſs unrevenged: That he was mighty enough to conquer Enemies, and powerful enough to forgive thoſe he conquer'd: That he was equally *victorious* both to *himſelf* and *others*; and that thoſe, who *ſubmitted* to him, prov'd always more fortunate than thoſe who *reſiſted*: That in his greateſt *Hazards* he requir'd none to attempt more than he did in his *own Perſon*; and in the greateſt *Proſperity* and *Safety* preſcrib'd no more *Virtue* and *Temperance* than he gave *Examples* for: That he knew how to *gain Power*, and how to *uſe it*: That he who might have the *eaſieſt* attempted to break Laws, made the *beſt*: That he knew how to *gain*, and how to *preſerve* the Love and Confidence he rais'd in his Subject's Hearts, by requiting the *firſt*, and never abuſing the *laſt*: That his great *Taxes* and *Supplies*, however large they might appear in *themſelves*, would not ſeem ſo vaſt when compar'd with his *Victories*, the Conqueſt of *Wales*, *Scotland* and *France* being not ſuch *light Victories* to be obtain'd with *ſmall Aſſiſtance*; and that what the Nation gave him was *juſtly beſtow'd* for what it was given, and *faithfully laid out* for their Honour and Intereſt: That he not only return'd *Security* and *Benefit* for his Subjects *Gifts*, by *Conqueſts* abroad, but by *excellent Laws* at home: That what *Edward* I. began well, *Edward* III. gave perfection to: That this brave Prince was not more *juſt* in making *good Laws*, than *ſevere* in the *due Execution* of them; and never ſhewed ſo much Severity as againſt thoſe that abuſed the *Truſt of Juſtice*; as if he had been more offended at the *Enemies of Mankind*, than at *his own*: That he mingled his *own Intereſts* with his *Subjects*, and never refus'd to *hear the Wrongs* of thoſe that aſſiſted him to *revenge his Injuries on others*: That both *Edward* I. and *Edward* III. were *equally valiant*, and *equally ſucceſsful*; and both died uncheck'd by Fortune, only *Edward* I. *died himſelf*, and *Edward* III. *outliv'd himſelf*. But the Death of his *Glorious Son*, the *Black Prince*, join'd with the weight of *old Age*, might juſtly make that *Sun* ſet *clouded*.

Froiſſard ſays, that when *Charles* of *France* heard of the Death of his Enemy King *Edward*, he gave this Teſtimony of him, *viz. That he had reign'd moſt nobly and valiantly, and well deſerv'd to be added to the Number of the ancient Worthies.* And ſoon after, he aſſembled all the Nobles and Prelates of his Realm, and with them ſolemnly perform'd his Obſequies. We ſhall ſhut up his Character with the *Latin* Epitaph on his Tomb in *Weſtminſter-Abbey*, according to the Rhyme of thoſe Days.

Hic Decus Anglorum, Flos Regum Præteritorum,
Forma Futurorum, Rex Clemens, Pax Populorum
Tertius Edvardus, Regni complens Jubilæum,
Invictus Pardus, Bellis pollens Machabeum.
Proſpere dum vixit, Regnum Pietate revixit:
Armipotens Rexit: Jam Cœlo (Cælice Rex) ſit!

Tertius Edvardus *Fama ſuper æthera Notus,*
PUGNA PRO PATRIA.
M.CCC.LXXVII.

The Inſtitution of the moſt noble Order of the Garter, being univerſally allowed to be one of the Glories of this Reign, deſerves to be mention'd before we paſs to the next. However uncertain the Original or Foundation of it may appear, from the various Accounts given of it by Mr. *Aſhmole* and other learned Antiquaries, which

we ſhall not undertake to reconcile in this place, 'tis certain that it was inſtituted by King *Edward* III. in the Year 1349, and as Mr. *Aſhmole* ſays, on the 23d of *April*, the Anniverſary of St. *George*, call'd the Patron of *England*, and of this Order in particular. As to the common Opinion that it was inſtituted by this King in Memory of his taking up the Counteſs of *Salisbury*'s Garter, which dropp'd off her Leg at a Ball; and that the Motto *Honi ſoit qui mal y penſe*, was taken from the Anſwer he made to that Lady, when ſhe was ſurpris'd to ſee him ſtoop down to her Feet; Mr. *Rapin* and the beſt Hiſtorians decry it, and reckon it a Diſhonour to an Order which has ſhone throughout ſo many Ages with ſuch Splendor, to aſcribe its Original to an Act of ſo much Levity. To omit the mention of other Opinions, which ſtand unſupported by any ſufficient Proofs, this is indiſputably true, that King *Edward*'s main Deſign was to engage all that had then, or were hereafter to have the Honour of being admitted into that Society, to diſtinguiſh themſelves by their Courage and Virtue: That no Order of the like nature has ſo nicely obſerv'd the Rules of its Inſtitution: That it is more ancient than even thoſe of the *Golden Fleece* or the *Holy Ghoſt*: That it has always kept up its old number of Companions, which is twenty-ſix, including the Sovereign of the Order, who is always the King or Queen of *England*. And the Foreign Kings and Emperors to the number of near forty, as well as many other Sovereign Princes, who have been admitted into this Illuſtrious Order, ſhew the Eſteem that all *Europe* has had for it.

Biſhop *Nicholſon*, who makes the Improvement of the Regulation of the Coin another of the Glories of this Reign, takes notice of King *Edward*'s Groats, coin'd after he took the Title of *France*, bearing his Head crown'd, and inſcrib'd, *Edward. D. Gra. Rex Angl. & Franc. D. Hyb.* and on the reverſe, *Poſui Deum Adjutorem meum*, (a Motto continued by all his Succeſſors down to the Union of the two Kingdoms) and the Biſhop infers by the numbers of them daily diſcovered, eſpecially on the Frontiers of both Kingdoms, that they were miſtaken who obſerv'd, that his Victories and Expeditions in *France*, &c. drain'd almoſt all the Money out of the Kingdom. The Biſhop gives the Form of one of his Grants to the Abbots and Monks of *Reading* for the Coining of Half-pence and Farthings, and ſmall Pieces of Sterling Money; from whence he conjectures, that the Abbots, or other great Men in thoſe Days, were only permitted to coin ſmall Pieces, uſeful in Exchange, as our Kings to this day grant Patents for Copper Halfpence and Farthings; and that the Sovereign reſerv'd the ſole Power of coining the larger Money to himſelf, by his own immediate Officers.

The Reign of *RICHARD* II.*

Foedera Tom. VII.

RICHARD II. Son to the famous Prince of *Wales*, ſucceeded his Grandfather King *Edward* III. *June* the 21ſt, 1377, when he was but eleven Years of Age, and reign'd to the end of *September* 1399.

Richard II.

THIS Seventh Tome of the *Fœdera*, and a ſmall part of the Eighth, contain the Acts which relate to the Events that happen'd in the Reign of this Prince. Of all the Tomes I have run thro', this ſeems to me to have the feweſt Pieces in it which are capable of illuſtrating any part of the Hiſtory of that Time. There's but a ſmall number of thoſe which regard the principal Events; whereas on the contrary, there's a multitude relating to Matters of an independent nature, of which I could not poſſibly make an Abridgment without running into too great a length. I ſhall confine myſelf therefore to the ſix chief Articles, which concern *France*, *Great-Britain*, *Scotland*, *Caſtile*, Domeſtick Affairs, and the Church; there being few remarkable Events in the whole courſe of this Reign, but what are contain'd under one or other of thoſe Articles.

I. *The Affairs of* France.

THE Truce which *Edward* III. had made with *France* expir'd in *April* 1377, near three Months before his Death, at a time when the *Engliſh* had not made the leaſt Preparation to renew the War; whereas on the contrary, *France* was eager to improve the Opportunity of the Weakneſs of a dying Enemy, and of a Minority, which in all probability would be attended with Conſequences fatal to *England*. However, *Charles* V. did not renew the Hoſtilities till towards the end of *June*, five or ſix Days after *Edward*'s Death. Then it was that the *French* made a Deſcent upon *England* and the Iſle of *Wight*, and committed great Ravages, becauſe of the little Oppoſition they met with from the *Engliſh*.

French invade England.

NEXT Year (1378) the King of *Navarre*, who had great Domains in *Normandy*, deliver'd up *Cherbourg* to the *Engliſh*; but tho' this Acquiſition gave them as fair an Inlet into *Normandy*, as they had before in *Picardy*, by the means of *Calais*, yet they made no advantage of it.

Cherbourg deliver'd to the Engliſh.

IN 1380 they made an Effort to ſupport the Duke of *Bretagne*, but they fail'd of the Succeſs which they expected.

CHARLES V. dying in that Year, and *Charles* VI. his Succeſſor, being a Minor when he aſcended the Throne, the War was carry'd on but faintly on the part of *France*, and more weakly ſtill on the ſide of *England*, which was but in an indifferent plight.

Death of Charles V. and Acceſſion of Charles VI.

IN 1383 the *French* made another Decent upon *England*; but not long after, the two Crowns concluded a Truce of ten Months, which was next Year prolong'd for a ſhort ſpace.

Another Deſcent, and a Truce.

THE ſaid Truce expiring in 1385, the King of *France* ſent a powerful Reinforcement to the King of *Scotland*, to make a Diverſion in the Northern Counties of *England*,

Deſign of France againſt England.

* "A Reign, which, ſays Mr. *Rymer* in his Dedication of the Seventh Tome of the *Fœdera* to Queen *Anne*, "affords but little Matter that may ſhine in Hiſtory, and cannot boaſt of any one great and diſtinguiſh'd Captain, "any one memorable Battle, nor one important Siege; no Proceeding to St. *Paul*'s, no *Te Deum* for Victory.

"Beyond the *Pyreneans*, *John* Duke of *Lancaſter*, without fighting, made a Compoſition with his Adverſary, "and took an Equivalent for the Crown of *Spain*.

"Beyond the *Alps*, Sir *John Hawkwood* gave Law to the *Italian* Princes, and taught them the Myſtery of "commanding Armies.

"But on this ſide the Mountains continued a wavering, hazy, undetermin'd Face of things, neither Peace nor War.

"Prorogations of Truces, Abſtinences, Sufferances, Patiences, Tolerances were the Language and the Amuſe-"ment of the Times; and all the while were kept on foot Treaties for a *Perpetual Peace*:

"Treaties hitherto fruitleſs, illuſory and unpracticable."

FOEDERA Tom. VII.

land, while he was preparing a Fleet to ravage the Southern Coasts. The Court of *England* was so alarm'd at the Preparations of *France*, that they assembled all the Militia of the Kingdom, and muster'd an Army of 300,000 Men; which Precaution so terrify'd the *French*, that they dropp'd their Projects, and left the *Scots* alone to bear the whole Expence of the War.

IN 1386, the Duke of *Lancaster*, *Richard*'s Uncle, having carry'd an Army of 20,000 Men into *Castile*, *France* resolv'd to lay hold of that Opportunity to conquer *England*, and for that end prepar'd an Army of 60,000 Men, and a Fleet of 900 Ships. But 'tis pretended that the Duke of *Berry*, who was Uncle to *Charles* VI. baulk'd the Expedition by an affected Delay. However that was, those Troops were not embark'd, the Transports design'd to carry them were scatter'd by a Tempest, and some of them actually taken by the *English*.

THE great Expence laid out upon this Armament was such, that the King of *France* was not able to do much afterwards. *Richard* on his part was equally unable to prosecute the War. Consequently in 1389, the two Kings concluded a Truce for three Years, which in 1391, was prolong'd for another Year.

Truce.

RICHARD's Disinclination to Arms, and the excessive Charge he was at in other respects, to no purpose, hinder'd him from thinking seriously on a War. On the other hand, *Charles* VI. being seiz'd in 1392, with a Distemper which very often depriv'd him of the Use of Reason, the Court of *France* fell into so many Divisions, that instead of putting themselves in a posture to make an advantage of the Enemy's Supineness, they only aim'd at each other's Ruin; which was the reason that nothing considerable happen'd from the time the Hostilities were renew'd, till the Year 1395, that the two Crowns agreed upon a Truce for 28 Years, which was seal'd by the Marriage of *Richard* with *Isabel*, *Charles* VI's Daughter.

Another.

Richard's Marriage.

IT may easily be suppos'd that there are not very many important Pieces upon this Article, in the Tome before us: all that we find in it being only Orders to guard the Coasts, Passports for Ambassadors, and Treaties of Truce, which were often renew'd.

Lord of Coucy sends back the Order of the Garter. P. 172.

THE following is a Letter which the Lord *Coucy*, Son-in-law to *Edward* III. wrote to *Richard*, when he sent him back the Order of the Garter; whereby we may guess at their manner of Writing in those Days.

TRESHONNOURE ET TRESPOISSANT SEIGNEUR.

VOSTRE Noble & bon Grant Seignourie scet & congnoit assez l'Alliance, que de la Grace & Bonte de Trespoissant & bon Roy mon Treshonnour & Tresredoubte Seigneur & Pere, le Roy, derrainement Trespasse (que Dieux face Merci) a pleu que j'ai en aly & au encore avec vous: dont Treshonnoure Seigneure je vous Mercié tant comme je puis & scai.

OR est il avenu que la Guerre est entre le Roy de France, mon naturel & souverain Seigneur, d'une part, & vous d'autre.

DONT il me desplait plus que de chose qui puist estre en ce Monde, se Admender le peusse.

ET m'a Commande & Requis que je le serve & acquitte mon devoir, comme je y sui tenus, au quel comme vous savez bien, je ne doy desobeir, si le servirai a mon poir, comme je le doy faire.

ET pour ce, Treshonnoure & Trespoissant Seigneur, que on ne puist, en aucune maniere, Parler ne Dire chose qui fust contre moy ne mon Honneur, vous fais assavoir les Choses dessusdites, & vous renvoie tout ce que je pourie tenir de vous en Foy & Homage.

ET aussi, Treshonnoure Seigneur, mon Tresredoubte Seigneur & Pere dessusdit vuolt moy ordonner & mettre en la tresnoble Compaignier & Ordre du Jartier; si plaise vestre tresnoble & poissant Seigneurie de pourveoir, en lieu de moy, tel ou ainsi que il vous plaira, & moy tenir pour excuse en ce.

CAR, Treshonnoure Seigneur, se en autre maniere vous ne voliez aucune chose commander, je le feroie de tout mon pooir.

TRESHONNOURE ET TRESPOISSANT SEIGNEUR, je prie a Messire qui'l vous dont bonne Vie & longue.

Escript le 26 jour d'Aoust, 1377.

i. e. Most Honoured and most Potent Lord,

YOUR Majesty very well knows the Alliance which by the Grace and Goodness of the most potent and good King, my most honoured and most dread Lord and Father, the King lately deceas'd (on whose Soul may God have Mercy) was pleas'd that I should make with him, and also with you; for which, most honoured Lord, I thank you with all my heart.

IT happens now that there is a War betwixt the King of *France*, my natural and sovereign Lord, on the one part, and you on the other; which gives me more Uneasiness than any one thing in the World.

For I am both commanded and requir'd to serve him, and to discharge my Duty as I am bound to him, whom you well know I ought not to disobey, but to serve to the utmost of my power.

AND most honoured and most potent Lord, that nothing whatsoever may be said by way of Reflection against me or my Honour, I advertise you hereof, and renounce whatsoever Fidelity and Homage I owe to you.

AND, most honoured Lord, whereas my most dread Lord and Father, above-mention'd,

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tion'd, was pleas'd to aſſociate me with the moſt noble Companions of the Order of the Garter, may your moſt noble and potent Lordſhip be pleas'd to provide one that you ſhall think fit in my place, and to excuſe me.

FOR, moſt honoured Lord, you may command me in any thing elſe whatſoever, and I will do it with all my Might.

MOST honoured and moſt potent Lord, I pray God grant you a long and happy Life.

Written the 26th Day of *Auguſt* 1377.

Richard's *Letter to the Duke of* Lancaſter. *P.* 407.

THERE is a Letter from *Richard* II. to his Uncle the Duke of *Lancaſter*, impowering him, if he thinks fit, to propoſe to the King of *France*, in his Name, to put an end to their Diſpute, by ſingle Combat betwixt them two alone, or each ſeconded by his three Uncles, or elſe by a general Battle. The Letter is dated[a] *September* the 8th, 1383.

RICHARD was then 17 Years of Age, and *Charles* but 15; conſequently there was no likelihood that the Challenge would be accepted, or that the Duke of *Lancaſter*, whom the King left to his liberty to propoſe it or not, would engage him in ſuch a Duel.

Truces with France. *P.* 622.

THERE follow'd a Treaty of Truce concluded at *Lenlingham*, between *Ardres* and *Calais*, from *June* the 18th, 1389, to *October* 1392. And,

P. 820.

ANOTHER for 28 Years, from *September* to the 29th, 1398, to the ſame Day 1426.

II. *Affairs of* Bretagne.

Duke of Bretagne *baniſh'd, but recall'd.*

THE Duke of *Bretagne* had always eſpous'd the intereſt of his Father-in-law, King *Edward* III. which was enough to incenſe the King of *France* againſt him; who, by the Connivance of the Lords of *Bretagne*, turn'd him out of his Dominions, and compell'd him to take refuge in *Flanders*. The Duke of *Lancaſter* willing to try if he could reſtore him, went and laid ſiege to *St. Malo*, but was oblig'd to raiſe it. *Charles* V. being yet more enrag'd againſt him after this Enterpriſe, caus'd him to be ſummon'd before the Court of Peers; and for his non-appearance got an Arret paſs'd for reuniting *Bretagne* to the Crown of *France*. Then the *Bretons* perceiving that he was for making that Dutchy his own, recall'd their Duke, who to ſupport himſelf made a Treaty with the *Engliſh*, by which he gave them *Breſt*. In purſuance of this Treaty, the Earl of *Buckingham*, *Richard*'s Uncle, was ſent into *Bretagne* with an Army of 8000 Men, whom he put aſhore at *Calais*, in order to march by Land. While he was upon the Road, King *Charles* V. died, leaving his Succeſſor at no more than 12 Years of Age. This ſeeming a favourable Conjuncture for the Duke of *Bretagne*, he made a ſeparate Peace with *France*, and ſent home his Forces. The *Engliſh* nevertheleſs kept *Breſt* 'till 1397. that *Richard* reſtor'd it to the Duke for a ſmall Sum of Money.

Siege of St Malo.

Breſt given to the Engliſh.

Earl of Buckingham *lands in* France.

Death of Charles V.

Peace with France.

RICHARD II.

Breſt reſtor'd.

OF the numerous Acts which relate to *Bretagne*, the two of moſt importance are,

Treaty about it. P. 190.

1. A TREATY by which the Duke of *Bretagne* engages to give *Breſt* to the *Engliſh*, on condition that the ſaid Place be reſtor'd to him, when the War is made an end of, either by a Peace or by a long Truce; 'tis dated[b] *April* the 5th, 1378.

Betwixt Richard and the Duke of Bretagne. *P.* 236.

2. A TREATY of Alliance, offenſive and defenſive, betwixt the King of *England* and the Duke of *Bretagne*, by which the two Princes engage to make neither Peace nor Truce without each other's conſent; dated[c] *March* the 1ſt, 1380.

THIS Treaty was broke in a few Months after by the Duke.

HERE are many other Acts in this Seventh Tome of the *Fœdera*, relating to the Earl of *Buckingham*'s Expedition, and to the Town of *Breſt*.

III. *Affairs of* Scotland.

King of Scotland *takes* Roxburgh.

THE Truce which *Edward* III. had made with *Scotland* was to continue till the Year 1384. but it was ill obſerv'd by both Nations, who reproach'd each other for breaking it. This was a fair Pretext for *Robert Stuart*, King of *Scotland*, who as ſoon as King *Edward* III. was dead, ſurpris'd and took *Roxburgh*.

And Berwick.

IN 1378, he alſo ſeiz'd the Caſtle of *Berwick*, which was preſently retaken by the Earl of *Northumberland*.

Negotiations for a Truce with Scotland.

IN 1380, the Duke of *Lancaſter*, who had got the *Engliſh* Council to paſs a Reſolution for ſending Succours to the King of *Portugal* againſt *Caſtile*, thought it neceſſary, before thoſe Troops were ſent away, to confirm the Truce with *Scotland*. For this end he went himſelf to the Frontiers, but he met with vaſt Difficulties in the Negotiation of that Affair. The *Scots* aſſerted that the *Engliſh* were the firſt that broke the Truce; and if they had a mind to renew it, they muſt come to new Terms: but to this the *Engliſh* would not conſent, and only demanded a Confirmation of the Truce. 'Till this Difference could be made up, the Duke of *Lancaſter* obtain'd an Engagement, that inſtead of confirming the Truce, reciprocal Securities ſhould be given on both ſides, that no Hoſtilities ſhould be committed for three Years. It was very happy for *England* that this Affair was determin'd before they had the News in *Scotland* of the Inſurrection in *Kent*, of which by and by.

Truce concluded with France.

IN 1383, *Robert* made an Incurſion into the North parts of *England*, while the *French* ravag'd the Southern Coaſts. But not long after, *France* and *England* agreed upon a Truce, in which room was left for the King of *Scotland*, in caſe he had a mind to come into it. Mean time, he de-

And with Scotland.

lay'd

[a] At *Weſtminſter*. [b] Ibid. [c] At *Weſtminſter*.

RICHARD II.

lay'd ſo long to return an Anſwer, that the Duke of *Lancaſter* enter'd *Scotland*; and *Robert* finding himſelf no longer ſupported by the *French*, he deſir'd to be included in the Truce, which was granted.

IN 1385, while the King of *France* was preparing to conquer *England*, the King of *Scotland* made a ſecond Incurſion into the Northern Frontiers; and *France* miſcarrying in her Deſign, as has been already obſerv'd, *Richard* march'd into *Scotland*, and ravag'd the Neighbourhood of *Edinburgh*. If he had been wiſe enough to have improv'd his Advantages, he might have conquer'd that Kingdom; but being ſoon weary of the War, he retir'd, leaving his Work imperfect.

AFTER that time, the *Scots* were included in all the Truces which were made betwixt *France* and *England*.

THERE'S a great number of Acts in this Tome relating to *Scotland*, ſome of which may be of uſe to ſuch as write the Hiſtory of that part of *Great-Britain*, eſpecially on account of the Dates; but I have not met with any remarkable enough to be particularly inſiſted on in this Abridgment.

AMONG thoſe Acts there are ſome in *Engliſh*, as they then wrote and pronounc'd it in *Scotland**.

IV. *Affairs of* Caſtile.

IT was obſerv'd in our Account of the Sixth Tome of the *Fœdera*, that *Peter*, ſurnam'd the *Cruel*, King of *Caſtile*, had been reſtor'd to his Kingdom by the Prince of *Wales*, who afterwards left him in diſguſt. When he was gone, *Peter* was again attack'd by his Baſtard Brother *Henry*, who routed him, and kill'd him with his own Hands, in the Tent of *Du Gueſclin* the *French* General, where they happen'd to meet. After the Defeat and Death of *Peter*, *Henry* was recogniz'd King of *Caſtile*.

King of Caſtile *kill'd in Battel.*

PETER had left two Daughters *Conſtantia* and *Catherine*, who retir'd to *Bayonne*, where, notwithſtanding their Father's Ingratitude, the Prince of *Wales* was pleas'd to give them ſhelter. And when that Prince quitted *Guyenne* upon account of his Illneſs, he left his Brothers there, *viz.* the Duke of *Lancaſter* and the Earl of *Cambridge*, who ſoon after married both thoſe *Caſtilian* Princeſſes. The Duke of *Lancaſter*, who had the eldeſt to his ſhare, immediately aſſuming the Title of King of *Caſtile*, it occaſion'd the Baſtard *Henry*'s cloſe Union with *France*; and from that time there was always open War betwixt *England* and *Caſtile*.

Marriage of his Daughters.

DURING

* Tho' Mr. *Rapin*, who wrote his Abridgment abroad, and deſign'd it chiefly for the uſe of Foreigners, did not judge it neceſſary to inſert any Example of this kind, the Tranſlator has thought fit to exhibit one of theſe Acts in this place, as ſuppoſing there are Readers on both ſides the *Tweed*, to whom an Act that contains ſo many obſolete *Engliſh* Terms, and ſuch ſtrange Spelling, will be at leaſt entertaining, if not uſeful.

'Tis call'd *Indentura ſuper Prorogatione Treugarum Scotiæ*; and runs thus.

" *YIS ENDENTURE*,

" Made at the Water of *Eske*, beſide *Salom* the xv Day of *March*, the Zher of our Lord M.CCC.XX. and " IV. betwix noble Lards and meghty Seignuris, *Henry Percy* Earl of *Northumbre* of the Ta part, and *Archibald* of *Douglas*, Lord of *Galway* on the Toyir parte,

CONTEINS AND BERREZ UITNES,

" That Day of Radreſs ſal be halden betwix yam in proper Perſons, at the Place befor ſaide, the xix Day of " *Averil* next, for to do and take full Radreſſe, and Execution of all thinges done betwix yair Boundes apan the " *Weſtmarchie*, begynande the xiv Day of *Octobre* to *Candlemaſſe* Day laſt paſſyt.

" And yan it fell in Speech betwix the forſaid Lordes, that, in entent of common Profit of bathe Reaumes, " gif hit meght happen of langer Trewe, or els of Pees, gif God val vouche ſauf, and als for the Tyme is to " ſchort to mak full Redraſs beforſaid, the forſaid Lordes *ARE ACCORDIT*, in ſpecialte, as after followes; " that is for to ſay,

" The Earl of *Northumbre* for him, and for the Lord *Nevill*, and the Lord of the *Galleway* for the Earl of " *Douglas* and for hymſelf, yat ſpeciall Trewe and Aſſurance ſall betwix thaim and yair Boundes, betwix this and " the firſt Day of *July* next, for to com, Contenant and Havenand the force and effecte, in all Poynts, as the " nixt Trewe gangand before.

" *ALSO IT IS ACCORDIT*, that during the tyme beforſayde, nane of the Lords beforſayde, ne nane of " yair Boundes, ſall do skate to ya of the Boundes of the tothir Partie; but ya ſall ger it be redreſſet, als Lawe " of *Marchevill*, entrechaungeably.

" And gif it happens that any gretter, auer of the ta Reaume, or of the toyir, ſchapes for to ride white ofte " ilkham of the Lordes beforſayd, enterchangeably, ſall ſet let yaie in, at yair Powair: and in cas yay may " noght let it, yai ſall ger warne ye toyer part of xv Dayes, and yai ſall nought be at that Rydying, bot yay ſall " lely let yaim of yair Boundes at yair Powair, for owten fraude or gile.

" *AND ALSO IT IS ACCORDIT*, that this Condicion of ſpecial Treuwe and Aſſurance, ſall ſtande " and be kep hit fullely, by ſealls vell as for yair Bondes be Lande, as the Trewes beforſaid askys.

" *AND ALSO HIT IS ACCORDIT*, that gif yie ſpecialx Trewes likes to the Erle of the *Marche*, " to be compryſet whitein yaime that yai ſall ſtand furgth for him and his Boundes, and he ſall ſtand for hym " and his Boundes, under the ſamen Condicion, anentis yaim and yair Boundes.

" And gif yir Covenants beforſayd likis or miſlikes to the forſayd Erle of *Northumbre*, or to the Lord *Nevill*, " yay ſal certify be yair Lettres, or be on of yairs, opon *Blakmonday*, that next comis, before none, at the Chapell " of *Salom* be ye Water of *Eske*.

" And in the ſamen manere, gif hit likis or miſlikis to the Erle of *Douglas*, or to the Lord of *Galleway*, " yay, or ane of yaim, ſall certifie, be Lettre at the Place, Day, and Qure beforſayd. And in caſe gif yai " certifie, that this Specialtie ſtand, yat Day, yat chuld be halden ye xix Day of *Averill*, chald be chort to " the xv Day of *May* next to come, to be halden in all force and effecte as the xix Day of *Averill*, and the Day " on the *Eſt marche* ſall be delayied, in the ſamen maner, as it is endendit to be halden the xxix Day of May.

" *AND ALSO IT IS ACCORDIT*, that all Priſoners, taken on boye the ſidis, ſall be freely deliverid, " and all yair Borons freth it.

" *ALSO IT IS ACCORDIT*, gif ony ſtellis accyr on the ta part, or on the toyer, yat he chall be henget " or beſdhit.

" And gif any Company ſtellis any Gudes within the Trieux beforſayd, ane of that Company ſall be hengit or " benſdit; and the remenant ſall reſtore the Gudys ſtollen in the Double.

" *IN THE WITNES* of wiſche thinges, leley to be halden and fulfyllyt, the forſayd Erle of *Northumbre*, and " the Lord of *Galleway*, has ſet yair Signetz, enterchangeably, in abſens of yair ſelles, Day and the Yer beforſayd."

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RICHARD II.

Quarrel between the Kings of Portugal *and* Castile.

DURING the Reign of *Richard*, a Rupture which happen'd betwixt *Ferdinand* King of *Portugal*, and the King of *Castile*, oblig'd *Ferdinand* to apply to *England* for Assistance; and on that condition he offer'd his only Daughter *Beatrix* in Marriage with the eldest Son of the Earl of *Cambridge*, and to have him declared his Presumptive Heir. This Offer being accepted, the Earl of *Cambridge* was sent with an Army into *Portugal*: But *Ferdinand* having obtain'd all that he aim'd at by it, which was to make a more advantageous Peace with the King of *Castile*, he gave his Daughter to his Son the *Castilian* Prince, and sent the *English* back again.

King of Portugal *puts a Trick upon the* English.

Another Quarrel.

IN 1363, or thereabouts, a new Quarrel broke out betwixt *Castile* and *Portugal*: for *Ferdinand* dying without any Child besides *Beatrix*, the Wife of *John* King of *Castile*, who had now succeeded his Father *Henry*, *John* pretended that the Crown of *Portugal* was devolved to his Wife *Beatrix*; but the *Portuguese* plac'd *John* upon the Throne, who was Bastard Brother to their last King. This occasion'd a War, which did not prove so fortunate for the King of *Castile* as he hoped; yet being resolv'd not to recede from his Pretensions, he sued to *France* for Succours, while the new King of *Portugal* on the other hand made an Alliance with the King of *England*, and with the Duke of *Lancaster*, whom he own'd for King of *Castile*. *Richard*, who had no great Affection for the Duke his Uncle, was very glad of an Opportunity to be rid of him on so fair a Pretence, by giving him the Command of 20,000 Men, to go and assert his Rights to *Castile*. The Duke landed at *Corunna*, and in the very first Campaign took *Compostella*, and many other places. During the Winter, he made a Match betwixt *Catherine* his eldest Daughter by his first Wife *Blanche* of *Lancaster*, and the King of *Portugal*. Without dwelling upon the Particulars of this War, it shall suffice to say that it was concluded by a Treaty. The Duke marry'd *Constantia*, his Daughter by his second Wife *Constantia* of *Castile*, to *Henry* Son to the King of *Castile*, and resign'd his Pretensions to that Crown. The King on his part promised to pay the Duke the Sum of 600,000 Livres, and a yearly Pension of 40,000 Livres, during the Life of the Duke and his Duchess.

King of Portugal *marries the Duke of* Lancaster's *Daughter.*

The Duke's Resignation of his Pretensions to Castile.

THERE'S a great Number of Acts in this Tome relating to *Castile*; but I pass over the Majority, and shall only take notice of some which are of most importance.

King of Portugal's *Engagement to the Earl of* Cambridge's *Son.* P. 262.

1. THE Engagement enter'd into by *Ferdinand* King of *Portugal*, and his Queen *Eleanor*, for procuring the Supply which they desir'd of *England*. It appears by this Act that they positively engag'd to give their Daughter *Beatrix* to the eldest Son of the Earl of *Cambridge*, and to secure the Crown of *Portugal* to that young Prince after their Decease; 'tis dated *July* the 5th, 1380[a].

Agreement betwixt the Kings of France *and* Castile. P. 285.

2. THE renewing of the Alliance betwixt *France* and *John* King of *Castile*, wherein it is stipulated that in case the Duke of *Lancaster* be taken Prisoner by the *French*, he shall be deliver'd up to the King of *Castile*; dated *December* the 18th, 1383.

Negotiations with the King of Castile. P. 386.

3. A FULL Power granted by *Richard* to his Ambassadors to treat with *John* Son to *Henry* King of *Castile*; dated *April* the 1st, 1383[b]. From thence it appears, that the King of *Castile* was afraid of the Succours which *Portugal* was like to have from the *English*. And the very next Act shews, that he had made some Advances towards an Accommodation with the *English*.

Betwixt King Richard *and the Duke of* Lancaster. P. 495.

4. CONVENTIONS between *Richard* II. and the Duke *Lancaster* as King of *Castile*, by which the Duke engages to make no Peace with the King of *Castile*, till the latter obliges himself to pay *Richard* 200,000 Doublons of Gold, for the Damages done to the *English*, as he had already offer'd once before; dated *February* the 7th, 1386[c].

Bull against the Anti-Pope and the pretended King of Castile. P. 507.

5. AN Order for publishing a Bull of Pope *Urban* VI. in *England*, which granted Indulgences to those who should assist the Duke of *Lancaster*[d] in his Expedition against *John* the pretended King of *Castile*, and the Adherent of the Anti-Pope *Robert* of *Geneva* (*Clement* VII.)[e].

Alliance perpetual with Portugal. P. 515. P. 524.

6. TREATY of perpetual Alliance betwixt *England* and *Portugal*[f]; *May* the 9th, 1386.

7. CONVENTIONS agreed upon as to the Succours which *England* was to send to the King of *Portugal*, dated as above.

Negotiations with Spain. P. 587.

8. *RICHARD*'s full Power and Instructions to the Duke of *Lancaster*, to treat in his Name with the King of *Spain*; dated *June* the 1st, 1388[g]. ——The Duke of *Lancaster* had then made his Treaty with the King of *Castile*.

Protection to the King of Castile's *Hostages.* P. 603.

9. PROTECTION granted to the Hostages whom the King of *Castile* was to deliver up to the Duke of *Lancaster*, and who were to remain in *England* as Security for the Performance of their Treaty; dated *August* the 26th, 1388[h].

V. *Domestick Affairs.*

RICHARD II. being but eleven Years of Age when he came to the Throne, his Uncles the Duke of *Lancaster* and the Earl of

[a] At *Estremos*. [b] At *Westminster*. [c] Ditto.

[d] *Walsingham*, a *Benedictin* Monk belonging in these Days to the Abbey of *St. Albans*, says, the Duke had got as large Indulgences as were granted to the Bishop of *Norwich* in 1382, for his Croisado against the said Anti-Pope; but he observes that the frequency of granting such Pardons and Relaxations had now render'd them vile and contemptible, so that scarce any body regarded them, or would give 2 *d.* towards this last Croisado, tho' they were so extravagantly fond of the former: which is a Lesson, that a *Cheat, tho' ever so religious, is not to be play'd over twice in one Age.*

[e] Dated at *Westminster*, *April* the 11th, 1386.

[f] Dated at *Windsor*. [g] At *Westminster*. [h] Ditto.

Cambridge administer'd the Government from the 21st of *June* 1377, to *Michaelmas* following, when the Parliament assembled. During that Interval, the *French* committed great Ravages in *England*, and the *Scots* seiz'd *Roxburgh*. All these Misfortunes were imputed to the Negligence of the Duke of *Lancaster*, who was a Person not at all belov'd, because he had abus'd the Confidence repos'd in him by the King his Father, in the latter Years of his Reign. And for this reason the Parliament excluded him from any Share in the Administration, and appointed twelve Lords to be the King's Governors during his Minority.

Duke of Lancaster's Conduct censur'd.

Governors appointed during the King's Minority.

THE same Day that *Richard* was crown'd he created his Uncle *Thomas* of *Woodstock*, the only Son of King *Edward* who had not yet a Title, Earl of *Buckingham*.

Thomas of Woodstock created Earl of Buckingham.

IN 1380, the Parliament abolish'd the Authority of the King's twelve Governors, and committed the sole Care of his Education to the Earl of *Warwick*.

AND at the same time they establish'd fourteen Commissioners to inspect the King's Revenues, and to examine for what Uses they had been employ'd since his Accession to the Crown.

Commissioners of the King's Revenues appointed.

IN *November* that same Year the King call'd another Parliament, which granted him a Subsidy of twelve Pence a head upon every Person above fifteen years of Age, not excepting the Monks.

A Poll-Tax granted him.

IN 1381, the levying of this Poll-Tax caus'd a terrible Insurrection. One of the Collectors demanding Payment from a Tyler's Daughter at *Deptford* in *Kent*, the Father, who was commonly call'd *Wat Tyler*, asserted that his Daughter was under fifteen Years of Age; and the Collector offering Incivility to her, in order to be satisfied of the Truth, *Wat Tyler* knock'd him on the head with his Lathing Hammer; for which Murder, those that were present applauded him, and promis'd to stand by him. At the same time the Spirit of Rebellion not only infected that Town, but spread thro' both the Counties of *Kent* and *Essex*. The common People rendezvous'd from all Parts; and in a few days there were above 100,000 Men, who acknowledg'd *Wat Tyler* for their Chief. The Rebels, when they saw themselves so numerous, march'd directly to *London*, where the Populace open'd the Gates to them; and after committing terrible Outrages, [a] they made themselve Masters of the Tower. The Archbishop of *Canterbury* and the Treasurer, being retir'd thither for Safety, were sacrific'd to the Fury of this insolent Multitude, who instantly caus'd them to be beheaded; for the Rebels were so enrag'd against the Nobility, and Gentlemen of the Long-Robe, that they spar'd none that they could lay their hands on [b]. The Duke of *Lancaster* was also one of the principal Objects of their Fury, because the Ravages which the *French* had committed in *Kent*, were imputed solely to his Negligence [c].

Insurrection thereupon by Wat Tyler, &c.

AFTER they had exercis'd their Barbarity about the Tower, a Detachment of them, to the Number of 60,000, march'd into the City [d], and spread such Terror even to the King's Council, that as good a Charter was offer'd them for the Security of their Privileges, as they could have wish'd for, together with a general Amnesty for all that had taken Arms. The Offer was accepted, and the Detachment return'd home, after having obtain'd all that they desir'd. *Wat Tyler*, who lay near the Tower with about 40,000 Men, not seeming so well dispos'd to consent to those Terms; the King, who was advanc'd as far as *Smithfield*, sent to desire a Conference with him, which he was pleas'd to grant; and accordingly march'd thither at the head of his Forces [e], and talk'd with the King in the Square, both sitting on horse-back. The Demands he made were so extravagant, that the King knew not what Answer to make him [f]. Mean time the Rebel who had his drawn Sword in his Hand,

Wat Tyler's Insolence and Death.

[a] Their Leaders giving out that they did not come for the sake of Plunder, would not suffer their Men to carry off the least thing; so that when one of them was going to pocket a piece of Plate, they threw him into the Fire, wherein they consum'd all the Spoils of the Houses they had plunder'd. In this Disorder *London* look'd like a City taken by Storm; the Archbishop's Palace, *St. John's-House* by *Smithfield*, and the *Temple*, were consum'd, together with *Lancaster-House*, the Houses of the Judges, Lords, and chief Citizens, in order to fulfil the Oath which the Rebels had taken, to destroy every thing that carried but an Appearance of Grandeur or Distinction. The *Flemings*, who were said to be the Projectors, as well as Farmers of the Poll-Tax, were so hated by them, that they were haled out of the very Churches, to which they fled for Refuge, and murder'd on the spot.

[b] There was a general Complaint against the Nobility for their Oppression, and against the Lawyers for their Extortion; and the Monks being subject to the Capitation Tax, as well as others, 'tis affirm'd by the Writers of that time, that they were indefatigable in fomenting the Sedition. As the Rebels march'd to *London*, they set all the Prisoners at liberty; of which Number was *John Straw*, a Priest of *Maidstone*, who exasperated the People against their Superiors, by his levelling Sermons wherever he came, That as all were the Sons of *Adam*, there ought to be no Distinction or Superiority; and that all things ought to be equally shar'd in common.

[c] They had such an implacable Malice against *John* Duke of *Lancaster*, who they suspected aim'd at the Crown, that they burnt his Palace in the *Savoy*, the finest in *England*, to Ashes, and bound themselves by Oath never to own any King whose Name was *John*.

[d] This Detachment, *viz.* the Rebels of *Essex*, was headed by *John Straw*.

[e] He was so insolent, that he told the Knight whom the King sent to desire a Conference with him, That he wou'd come when he thought fit; and when he set out, he march'd with such lingring State, that the King sending the same Knight a second time to hasten him, the Commission had like to have cost him his Life: And when he arriv'd in *Smithfield*, the same Knight was like to be sacrific'd, because he deliver'd him his Message from the King without alighting from his Horse; which so provok'd the imperious *Tyler*, that he was going to run him through, if the King had not stepp'd forwards, and call'd out to his Knight to dismount.

[f] He demanded in substance, that all the old Laws should be abolish'd, and the Form of Government alter'd according to his own fanatical Schemes; and that all Warrens, Parks and Chaces should be made common, and free for the Poor as well as the Rich, to fish, fowl, hunt, and the like.

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Hand, flouriſh'd it in ſuch a manner, as ſeem'd to menace the King; which Inſolence ſo provok'd *Walworth* the Lord Mayor of *London*, that without conſidering to what Danger he might expoſe the King's Perſon, he ſtruck the haughty Rebel ſuch a ſtunning Blow on the Head with his Sword, that he tumbled off his Horſe, and fell down at his Feet. The Rebels were beginning to bend their Bows to revenge his Death, when the King, with a Preſence of Mind beyond any thing that could be expected from a Prince of but fifteen Years of Age, call'd aloud to them with Courage, and bid them *fear nothing, for HE would be their General.* At the ſame time he put himſelf at the head of them, and march'd with them to *St. George's Fields*, whither they were immediately follow'd by a thouſand Citizens well arm'd, under the command of *Robert Knolles*, an Officer of great Reputation; the ſight of which Body ſtruck them with ſuch Terror, that they threw down their Arms, beg'd the King's Mercy, and diſpers'd themſelves[a].

His Rebels diſperſe.

Inſurrection in Suffolk *and* Cambridge, *quaſh'd by the Biſhop of* Norwich.

AT the ſame time there were the like Tumults in the Counties of *Suffolk* and *Cambridge*[b], where the Rebels kill'd *Cavendiſh* the Chief Juſtice of *England*, and the Earl of *Suffolk*: but the Biſhop of *Norwich* marching againſt them, at the head of ſome Troops, routed them with a great Slaughter, and put an end to that Inſurrection: After which the King revok'd the Amneſty he had granted, and ſeverely puniſh'd the Criminals, of whom above 1500 were hang'd[c]. During theſe Inſurrections, the Duke of *Lancaſter* ſtay'd in *Scotland*, not daring to expoſe himſelf to the Fury of the *Engliſh* Populace, who, as was ſaid above, had a particular Spite againſt him.

Execution of the Rebels.

King's Marriage.

Not many Months before this, the King had ſent Ambaſſadors to *Nuremburg*, who there concluded his Marriage with *Anne* of *Luxemburg*, Siſter to the Emperor *Wenceſlaus*[d]. But the new Queen did not arrive in *England* till after the Rebellion was over, and till the chief Men concern'd in it had receiv'd their Doom.

IN 1382, *Richard* being then in the ſeventeenth Year of his Age, began to diſcover ſome Inclinations which were not at all agreeable to the People. Tho' he was not a Prince of the greateſt Abilities, he had a high Opinion of his own Merit; and valued himſelf for ſurpaſſing his Anceſtors in the Expences of his Houſhold. Moreover, he had made choice of certain Favourites, whoſe Avarice was boundleſs, and who inceſſantly prompted him to exerciſe a deſpotick Power over his Subjects. His chief Minions were *Robert de Vere* Earl of *Oxford*, *Michael de la Pole*, Son to a Merchant of *London*, the Archbiſhop of *York*, one *Brambre* an Alderman of *London*, and Judge *Treſilian*; the latter was a Man ſo abandon'd to Iniquity, that he made no ſcruple to betray the Intereſts of his Country, in order to procure the King an unlimited Authority. Theſe Favourites ſoon made themſelves odious by their Pride and Avarice: and as they were afraid of Oppoſition from the King's Uncles, they made it their buſineſs to miſrepreſent them to him, and often put him upon evil Courſes to deſtroy them.

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His Character.

His Favourites.

IN 1383, and 1384, they work'd up an Accuſation of the Duke of *Lancaſter*, for a Conſpiracy againſt the King; but they ſtrove in vain to ruin him.

Duke of Lancaſter charg'd with a Conſpiracy.

IN 1385, *Richard* went into *Scotland*, and at his Return confer'd the Title of Duke of *York* on the Earl of *Cambridge*, and that of Duke of *Gloceſter* on the Earl of *Buckingham*, his Uncles. He created the Earl of *Oxford* Marquis of *Dublin*, and ſoon after Duke of *Ireland*; and *Michael de la Pole* was made Earl of *Suffolk*, and Chancellor of *England*.

IN 1386, *Leon* King of *Armenia*, who had been expell'd his Dominions by the *Turks*, came to *England* in order to procure a Peace betwixt the King of *France* and *Richard*, in hopes that thoſe two Princes would unite their Arms together to reſtore him; but it was not poſſible for him to ſucceed in his Project.

King of Armenia mediates a Peace betwixt France *and* England.

THE ſame Year, the Duke of *Lancaſter* ſet out on his Expedition for *Caſtile*, with an

[a] Mr. *Rapin*, who obſerves in his Hiſtory of *England*, that there was not one of the Rebels kill'd all this while, beſides him who was their Leader, takes notice with Admiration of ſome extraordinary Circumſtances attending this Inſurrection. 'Tis no ſtrange thing, ſays he, to find People in Arms againſt their Governments, but they ſeldom chuſe ſuch a Man as *Wat Tyler* was to head them; tho' it is not impoſſible to find ſome ſuch Inſtances in other Hiſtories. 'Tis undoubtedly altogether as rare to find a ſingle Man, like the Mayor of *London*, to have the Hardineſs to kill a Leader attended by 30,000 of his Men. 'Tis ſtill more ſurpriſing, that King *Richard*'s Courage and Reſolution, ſo uncommon at his Age, ſhould produce ſo happy an Effect: And finally, that ſo numerous a Multitude, who came to glut themſelves with Blood and Slaughter, ſhould be diſpers'd all on a ſudden, by a Panic, at the ſight of a handful of arm'd Citizens. This is what one cannot conſider without Aſtoniſhment, and without aſcribing the Cauſe to Him who holds the Hearts of the People in his hand.

[b] The Rebels in theſe Counties, who were aſſembled to the number of 50,000, were rais'd by *John Wraw* and *John Ball*, two ſeditious Prieſts; and beſides the Murders they committed, they burnt all the old Charters in the Monaſtery of *St. Edmondsbury*, and the Univerſity of *Cambridge*. They cut off the Head of Sir *John Cavendiſh*, and ſet it on the Pillory at *St. Edmundsbury*. At *Norwich* alſo one *Litteſter*, an Alehouſe-Keeper, at the head of a pack of Rebels in that County, put all the Judges and Lawyers to death that he could come at, and made the Nobility and Gentry ſerve him on the Knee, or elſe cut off their Heads on the ſpot. But theſe Rebels being at laſt defeated by the Biſhop, as above, and the two Leaders *Wraw* and *Litteſter* taken, the former had his Head cut off immediately, and the other was ſent to *London*.

[c] Judge *Treſilian*, who was ſent into the Country to puniſh the Rebels, ſhew'd ſo little Mercy, that Mr. *Rapin*, in his Hiſtory, compares the Cruelties he exerciſ'd during his Commiſſion, to thoſe for which a Judge of the ſame Character was ſo infamous in the Reign of King *James* II.

[d] This was obſerv'd to be an Alliance of ſome Honour, but of little Profit to the Realm, ſhe being followed by a Multitude of infatiate *Bohemians*, who by the King's Facility drain'd Abundance of Wealth out of the Kingdom.

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an Army of 20,000 Men. *France*, reſolving to improve this Opportunity, made prodigious Preparations to conquer *England*, while *Richard*, on his part, aſſembled a powerful Army to defend his Kingdom, and call'd a Parliament in order to obtain a Subſidy. The Parliament laid hold of this Occaſion to demand that his Favourites might be remov'd, and oblig'd to give an account of the Adminiſtration of the Finances. The King refus'd it with Diſdain; and ſuch high Words paſs'd on the Subject, betwixt Him and the Duke of *Glouceſter* his Uncle, whom the Parliament deputed to him, as involv'd the Duke in the Hatred both of the King and his Favourites. At laſt the King was oblig'd to conſent to every thing the Parliament deſir'd, and baniſh'd the Duke of *Ireland* and the Earl of *Suffolk*; but he recall'd them as ſoon as the Parliament broke up.

The Sheriffs check his Views.

IN 1387, the Favourites having regain'd their former Aſcendant, incens'd the young King more and more againſt their Enemies, and particularly againſt the Duke of *Glouceſter*. Not long after, the Duke of *Ireland* having put away his Wife *Philippa*, who was the Daughter of the Lord *de Coucy* by a Daughter of *Edward* III. the Duke of *Glouceſter* ſhew'd that he was not a little affronted; and ſo menac'd the Favourites, that they were reſolv'd to prevent him. To this end, they thought no way would be ſo effectual as to determine the King to render himſelf abſolute, and then they hoped eaſily to get rid of their Enemies. *Richard* following this Advice, went to *Nottingham*, where he aſſembled all the Judges and Sheriffs of the Kingdom together, with ſome Inhabitants of *London:* And when they were come before him, he ask'd the Judges if he had not a Power to ſet aſide the Commiſſioners whom the Parliament had eſtabliſh'd to take care of the Government. The Judges told him, that he might not only annul that Commiſſion, but that he might alſo, by virtue of his Royal Prerogative, aboliſh all the Acts of Parliament; And this Advice they ſet their Hands to[a]. Then the King addreſſing himſelf to the Sheriffs, told them his Deſign to call a Parliament which ſhould be at his devotion; and at the ſame time enjoin'd them not to ſuffer any Deputy to be elected, unleſs he would engage beforehand to come into his Meaſures: He added, that he would raiſe an Army to enable him to puniſh ſuch of his Subjects as offer'd to oppoſe his Will and Pleaſure; and ask'd them what Number of Forces every County was able to furniſh. The Sheriffs made Anſwer, that he commanded them ſuch things as were not in their power to perform; that the Common People would never bear to be depriv'd of the Freedom of Elections; and that as to the Army he propos'd to raiſe, there was not the leaſt likelihood that any body would take Arms to oppreſs thoſe Lords, of whom the People in general had ſo good an Opinion. The Sheriffs Anſwer having convinc'd the King that it would be a difficult matter to bring his Projects to paſs, he deſiſted, and return'd to *London*.

He returns from Nottingham *to* London.

A Deſign of this nature, carried on ſo barefacedly, oblig'd the Duke of *Glouceſter* to make a League with his Nephew the Earl of *Derby*, the Duke of *Lancaſter*'s Son, with the Earls of *Arundel* and *Warwick*, and ſome others, who were in the ſame dangerous Situation with himſelf[b]. In a ſhort time, theſe Lords aſſembled an Army of 40,000 Men, with which they march'd directly to *London*. *Richard*, on his part, ſent the Duke of *Ireland* into *Wales*, to raiſe an Army there; and while this was doing, he endeavour'd to amuſe the Confederates with Propoſals of an Accommodation; and he engag'd his Word and Honour to them, that he would give them Satisfaction in the enſuing Parliament[c], flattering himſelf, that after ſuch a Promiſe they would make no ſcruple to lay down their Arms; but they did not care to do this before they ſaw the Performance. Mean time, hearing that the Duke of *Ireland* was advancing at the head of an Army, they detach'd the Earl of *Derby* to fight him. Victory declaring it ſelf for the Confederates, the Duke of *Ireland* fled, and made his Eſcape to *Holland*, from whence he went to *Louvain*, where he died[d]. Some Letters were found at this time, which diſcover'd that *Richard* had deſir'd Aſſiſtance of the King of *France*, and that he had engag'd

The Lords take Arms.

The King amuſes them.

The Duke of Ireland's *Defeat, Eſcape and Death.*

Richard's *Intrigues with* France *diſcover'd.*

[a] Mr. *Rapin*, in his *Hiſtory of* England, *Lib.* x. *p.* 301. ſays, That ſome of the Judges would fain have been excuſed from ſuch a Subſcription, but that they were frighten'd into it by the Menaces of the Favourites; and he adds, that it was given out that one of the Judges, immediately after he had ſign'd, made an open Declaration that never any Action more richly deſerv'd the Gallows than what he had juſt been doing.

[b] Our Author tells us in his *Hiſtory*, as above, that the Duke of *Glouceſter*, like a wiſe Man, firſt try'd gentle Remedies, and ſent the Biſhop of *London* to the King to aſſure him of his Fidelity, and that he was ready to make Oath of his Innocence as to the Facts wherewith he was charg'd; but that the Earl of *Suffolk*, then preſent, damp'd the King's favourable Inclinations to him, by telling him, that his Majeſty would never be ſafe upon his Throne as long as the Duke of *Glouceſter* was alive: which Saying ſo provok'd the Biſhop of *London*, that he could not help telling that Favourite, he wonder'd to hear ſuch Language from him, who, of all Men living, ſhould have been the laſt to accuſe the King's loyal Subjects, ſince he was already condemn'd by Parliament, and only held his Life by the King's Mercy. Our Author adds, that this free Speech of the Biſhop ſo offended the King, that he commanded him to get out of his ſight.

[c] Mr. *Rapin* tells us in the next Page of his *Hiſtory*, that the Lords firſt petition'd him on their Knees in *Weſtminſter-Hall* to puniſh his Miniſters; adding, that his Perſon would be always ſacred to them, and that they only took up Arms for the Welfare of the King and Kingdom, and for Juſtice to thoſe Traitors about his Majeſty's Perſon, of whom they named in particular the Duke of *Ireland*, the Earl of *Suffolk*, the Archbiſhop of *York*, Judge *Treſilian*, and an Alderman of *London*, nam'd *Brambre*, who was of the ſame Cabal. Then the King told them, that Juſtice ſhould be done to every body in the enſuing Parliament.

[d] Our Hiſtorian ſays, the Battel was fought in *Oxfordſhire*, and that the Duke of *Ireland* died in the Low-Countries about three Years after it.

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engag'd to deliver up *Calais* and *Cherbourg* to him.

IN the Month of *February* 1388, the Parliament aſſembled in a Temper not at all agreeable to the King: They baniſh'd his two principal Favourites, and the Archbiſhop of *York*, and cauſed *Treſilian* and *Brambre* to be hang'd for having ſign'd Advices contrary to the Laws of the Realm, and the Liberties of the Subject; and they concluded their Seſſion with a general Amneſty for all that were engag'd in the late Diſturbances[a].

His Favourites ſome hanged and others baniſhed.

A General Amneſty.

SOME Months after, the King being arrived at the Age of Twenty-one, took the Reins of Government into his own Hands, from which time *England* was very quiet for ſome Years; though his Subjects were uneaſy to perceive from time to time that the King claim'd to himſelf a Power above the Laws. As he was very fond of Pomp and Magnificence, his Expences far exceeded his Revenues, ſo that he was forced to make uſe of ſeveral illegal Methods to ſupply his Occaſions. He had a mind once to try the Affection of the City of *London*, by deſiring them to lend him a Thouſand Pounds Sterling: but tho' it was no great Sum, they bluntly denied him[b], which ſo mortify'd him, that not long after, there being a Tumult[c] in the City, occaſion'd by a Baker's Boy, he depriv'd the City of its Privileges, turn'd out the Mayor, eſtabliſh'd a Warden in his room, and remov'd the Courts of Judicature to *York*; and it afterwards coſt the City no leſs than 10,000 *l.* to recover its Charter.

He adminiſters the Government himſelf.

Takes away the Charter of London.

QUEEN *Anne* died in 1394, and the ſame Year *Richard* ſet out for *Ireland*, where there had been an Inſurrection; but he return'd on a ſudden next Year, at the Requeſt of the Clergy, who were alarm'd ar a Petition preſented to the Parliament by the *Wickliffites*, or *Lollards*, for a Reformation.

Death of the Queen.

Clergy alarm'd at the Wickliffites *Endeavours for a Reformation.*

AFTER the Duke of *Lancaſter* was return'd into *Caſtile*, the King granted him *Guyenne* in full Sovereignty; but in 1396, at the Requeſt of the *Gaſcons*, he revok'd the ſaid Grant[d].

Duke of Lancaſter's *Sovereignty of* Guyenne *revok'd.*

IN 1397, *Richard* plainly manifeſted the Deſign which he had form'd to uſurp a Deſpotic Power; for his Revenues not being ſufficient to anſwer his extravagant Expences, he was reſolv'd to eaſe himſelf of the Trouble of asking Supplies ſo often from his Parliament. To this end he borrow'd ſeveral Sums of almoſt all the Corporations, and the richeſt Commoners in his Kingdom. But as theſe Loans, which were far from being voluntary, occaſion'd great Murmurings among the People, he was afraid that the Duke of *Glouceſter*, and the Earls of *Arundel* and *Warwick*, who were very popular Men, would make uſe of this Opportunity to ſtir up a Rebellion; therefore he caus'd all three of them to be arreſted, after having firſt taken all the neceſſary Meaſures infallibly to procure their Ruin. The Duke was ſent to *Calais*, and the two Earls to the Tower, till the Parliament met[e].

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The King's Extravagance, and Shifts to ſupport it.

He arreſts the Duke of Glouceſter, and the Earls of Arundel *and* Warwick.

RICHARD had ſo well order'd all Matters before-hand, that he could not fail of having a Parliament at his devotion. He had chang'd all the Sheriffs, and other Magiſtrates of the Towns and Counties, that were not for his Turn, and put others in their places that he could depend on. All the Offices in the Kingdom, that were capable of influencing the People, were put into the hands of Perſons devoted to the King, or elſe of Wretches who only minded their own private Intereſt, and did not in the leaſt care what became of the Public. After he had taken theſe Precautions, he call'd a Parliament, and ſent expreſs Orders to the Towns and Counties, that no Member ſhould be choſe but ſuch as he had put down in a Liſt. And when 'tis conſider'd, that he was ſupported by all thoſe who were poſſeſs'd of the publick Offices, in ſuch places where the Elections were made, no wonder that he was able to bring his Deſign to bear.

THE Parliament being thus pack'd, aſſembled with a Diſpoſition to do every thing that the King could wiſh. They began with revoking the Pardon granted nine Years before to thoſe who had taken Arms againſt the King; and upon this Baſis they proſecuted

Proceedings of the King's pack'd Parliament againſt the Duke of Glouceſter, *&c.*

[a] He obſerves, that the Confederate Lords before this, juſt after their Victory in *Oxfordſhire*, march'd all their Army into *London*, and demanded a Conference with King *Richard*, then in the Tower, who, for fear of being ſtarved there, granted it. They therein reproach'd him with his Deſign to make himſelf abſolute, by having an Army and a Parliament at his Devotion, with his private Treaty with *France*, &c. which made the King weep heartily, and promiſe to meet them next Day at *Weſtminſter*, in order to regulate the Adminiſtration; but they were ſcarce got out of the Tower, when he changed his Reſolution: which Inconſtancy provoked them to tell him, that if he did not come according to his Promiſe, they would go to *Weſtminſter* themſelves, and chuſe a new King; which ſo frighten'd the young Prince, that he not only went thither, but agreed to the Baniſhment of his Favourites as above, and ſeveral other Lords and Ladies, their Friends.

[b] It is ſaid that an *Italian* Merchant, who offer'd to lend him that Sum, was mobb'd.

[c] Our Hiſtorians tell us that this was the occaſion of the Tumult: A Baker's Boy paſſing through *Fleet-ſtreet* with a Basket of Bread, a Servant belonging to the Biſhop of *London*, as *Caxton* ſays, (but as Sir *John Hayward* ſays in his Life of *Henry* IV. to the Biſhop of *Salisbury*, wherein he agrees with *Hollingſhed* and others) took out a Loaf, and abus'd the Boy who demanded it, in ſuch a manner, as rais'd a Mob that threaten'd to fire the Biſhop's Palace, into which he retir'd for ſhelter, 'till the Magiſtrates came and ſuppreſs'd them.

[d] The *Gaſcons* maintain'd their Country was ſo inſeparably united to the Crown of *England*, that it was not in the King's power to alienate it; and that a Separation from *England* would expoſe them to the Loſs of the only Protection that could hinder them from falling under the Dominion of *France*. *Rapin's* Hiſt.

[e] Such was the Duke of *Glouceſter's* Innocence as well as Popularity, that *Richard* was forc'd to make uſe of this kidnapping Stratagem. He went one Morning to the Duke's Country-Houſe at *Plaſhey* in *Eſſex*, and deſir'd him to dreſs immediately, and go with him to *London* upon an Affair of Conſequence, which he would tell him by the way. And when they came to a certain hollow Place, the Duke was immediately encompaſs'd by a Troop of Horſe, and carried thence on board a Ship in the *Thames* for *Calais*.

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cuted the Duke of *Glouceſter*, and the Earls of *Arundel* and *Warwick*, for the very Crime for which in 1388, they had a Pardon both from the King and Parliament: The two latter were condemn'd to die, and the Sentence was executed upon the Earl of *Arundel*; but they contented themſelves with baniſhing the Earl of *Warwick* to the Iſle of *Man*. As to the Duke of *Glouceſter*, the King took a ſhorter Method to be rid of him, by cauſing him to be ſtrangled in his Priſon at *Calais*. Mean time it was given out that he died of an Apoplexy, and that before he expir'd he own'd all his Crimes: And upon this pretended Confeſſion all his Eſtate was confiſcated[a].

Duke of Glouceſter murder'd.

Parliament adjourn'd to Shrewsbury.

Its Proceedings.

THE Affair of theſe three Lords being over, the Parliament was adjourn'd to *Shrewsbury*, where they proceeded in the ſame extraordinary manner as before. They declar'd that the Judges, whom the Parliament of 1388, caus'd to be hang'd, were Innocent; and that their Advice was conformable to the Laws. Upon this Principle they repeal'd all the Acts of the ſaid Parliament, and made others directly contrary. They decided that it was a Crime of High Treaſon to propoſe any Affair in Parliament before the Buſineſs recommended by the King was abſolutely finiſh'd. And to ſay all in a word, they did what they could to advance the Royal Prerogative above all the Laws. In order that the King might be at his entire liberty to do what he pleas'd, the Parliament veſted all their Authority in twelve Lords and ſix Commoners, pick'd out of thoſe that were moſt devoted to the King's Will and Pleaſure. This Inſtance ſhews, that 'tis not impoſſible but the very Parliament, which is deſign'd to maintain the Privileges of a Nation, may throw it into Slavery, when ſuch Aſſemblies are directed by popular Factions, or by the Cabals of an ambitious Prince; which either by running down the Royal Prerogative too low, or elſe ſcrewing it up too high, have often produc'd Diſorder, and deſtroy'd all Law, inſtead of procuring the Welfare of the Kingdom. Thus what was at one time juſt and advantageous to the Kingdom, appears at another time unjuſt and prejudicial. When ſuch an Evil happens, 'tis almoſt impoſſible to cure it, but by violent Remedies. And in my Opinion this, rather than any natural Inconſtancy, of which the *Engliſh* are accus'd, is the Cauſe of the Civil Wars which have been more frequent in *England* than any other Country in *Europe*; it being an Inconveniency which cannot be avoided in ſuch a Government as the *Engliſh*.

Remarks on the Engliſh Government and Nation.

THE Execution of the Earl of *Arundel*, the Condemnation of the Earl of *Warwick*, and the tragical Death of the Duke of *Glouceſter*, put the whole Kingdom into a Conſternation. On the other hand, the Deciſions of the Parliament, which ſubjected the Fortunes of the Subjects to the King's Mercy, and the Concurrence of the eighteen Commiſſioners with whatever the King deſir'd, made all Oppoſition vaniſh before him. The Lords were terrify'd by the Fate of thoſe who were ſo lately ſacrific'd to the King's Revenge; and the common People being curb'd by their own Magiſtrates, and oppreſs'd by their Repreſentatives in Parliament, were oblig'd to feign an Approbation of what they had not Power to hinder. But this ſort of Diſſimulation is often fatal to Kings of *Richard*'s Character, who are too apt to be deceiv'd by ſuch a forc'd Obedience. If this Prince had been wiſe enough to ſet Bounds to that exceſſive Power, which he had lately uſurp'd, 'tis probable that he would have preſerv'd it all his Life-time: But after he had humbled ſome by Fear, and gain'd others by Favours, *Richard* thought he had taken all poſſible Precautions to preſerve his Power unlimited. He had made his Couſin, the Earl of *Derby*, Duke of *Hereford*, and had given the Title of Duke of *Albemarle* to the eldeſt Son of the Duke of *York*. Many other Lords were honour'd with greater Titles than they had before; and the forfeited Eſtates of the condemn'd Nobility were given to thoſe who manifeſted the profoundeſt Submiſſion and Complaiſance to the King's Will. Yet all this was not Security enough for this Prince, becauſe he ſtrangely abus'd the Power which he had newly acquir'd. As I don't propoſe to write a full Hiſtory of his Life, but only to ſet down the chief Events of his Reign, I ſhall content my ſelf with mentioning two remarkable Inſtances, to ſhew the little Regard he had to his Subjects.

Sad State of the Kingdom.

THO' by ſeveral illegal Methods he had already ſqueez'd great Sums out of his People, yet ſo inſatiable was his Avarice, that, notwithſtanding the Amneſty, he confiſcated no leſs than ſeventeen Counties, for having furniſh'd Troops to the confederate Lords in 1388, by which Sentence the Eſtates of all the Inhabitants of thoſe Counties

Eſtates of 17 Counties forfeited to the King.

[a] If the Parliament in 1386, deſerv'd the Title of *Mercileſs*, our Hiſtorian is at a loſs to find out a Name bad enough for this Aſſembly, who by a manifeſt Prevarication made no ſcruple to ſacrifice the beſt Blood in the Kingdom, as well as the deareſt Liberties and Privileges of the People, to the Paſſion of the King and his Miniſters. *Thomas Arundel*, Archbiſhop of *Canterbury*, for only having been one of the Commiſſioners appointed by Parliament in 1386, to inſpect the Adminiſtration of the publick Affairs, was impeach'd of High-Treaſon, baniſh'd, and had his Eſtate confiſcated. The Lord *Cobham* was alſo baniſh'd for the ſame Crime. As to the Execution of the Earl of *Arundel*, *Froiſſard* tells us that the King himſelf choſe to be preſent at it. And *Walſingham* affirms, that the horrid Spectacle made ſuch an Impreſſion on the King's Memory, that he was often diſturbed in his Dreams with a Repreſentation of his Ghoſt, all bloody, reproaching him for his Injuſtice. Mr. *Rapin* obſerves, that the Earl of *Warwick* was treated with leſs Severity, becauſe he did not lay hold of the Act of Amneſty with the ſame Courage and Gallantry as the others, but meanly confeſs'd himſelf a Criminal. As for the Duke of *Glouceſter*, who was ſtrangled, or rather ſtifled to death, between two Feather-Beds, he was the *Son* of *one* King, and the *Uncle* of *another*; and ſo belov'd by the People, that with him, ſaith *Walſingham*, the general Hope and Comfort of the Commonalty of the Land expir'd.

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Counties were forfeited to the King's Uſe; ſo that the Richeſt, in order to redeem their Eſtates, were glad to give Bonds to the King, with Blanks for his Majeſty to fill up with what Sums he pleas'd. 'Tis natural to ſuppoſe, that ſo groſs an Inſtance of Tyranny render'd him odious to his Subjects; but another Injury which he committed was more fatal to him than this.

Quarrel betwixt the Dukes of Hereford *and* Norfolk.

THE Duke of *Hereford*, Son to the Duke of *Lancaſter*, having inform'd the King, that the Duke of *Norfolk* had ſpoke diſreſpectfully of his Perſon, in ſuch Language as tended to inflame the People againſt his Government, and the latter publickly denying the Fact, it was agreed that the Affair ſhould be decided by ſingle Combat, betwixt the Accuſer and the Accuſed [a]. The King had a mind to be preſent at the Duel, which was to be fought at *Coventry*: But juſt as they were going to begin, the King forbad them to proceed; and afterwards got an unjuſt Sentence to be paſs'd, by which they were both baniſh'd the Kingdom, the Duke of *Norfolk* for his whole Life, and the Duke of *Hereford* for ten Years. The former went to reſide at *Venice*, and the ſecond choſe *France*; but before his Departure, the King abated four Years of his Exile. He alſo granted him Letters Patent, authorizing him to appoint Attorneys to take poſſeſſion in his Name of ſuch Fiefs as might devolve to him during his abſence, with the Suſpenſion of Homage for the ſame 'till his Return. Nevertheleſs, his Father the Duke of *Lancaſter* dying not long after, the King ſeiz'd all his Eſtate, and order'd that the Baniſhment of his Son ſhould be perpetual, forbidding all manner of Perſons to ſpeak a word in his favour on pain of Death.

Both baniſh'd.

Death of the Duke of Lancaſter *and the Injuſtice done to his Son.*

Rebellion in Ireland.

SOME time after this, a Rebellion broke out in *Ireland*, which the King was reſolv'd to go in Perſon and ſuppreſs. He was ſo imprudent as to leave his Kingdom, and to carry all his Troops with him, tho' he cou'd not be ignorant that he left it full of Malecontents. During his abſence, the Lords who remain'd in *England*, call'd over the Duke of *Hereford*, who, upon the Death of his Father, had taken the Title of Duke of *Lancaſter*. This Prince relying on the Diſcontents of the People, repair'd without delay to *Bretagne*, where he caus'd three Ships to be fitted out; and putting to Sea with a Retinue of only fourſcore Perſons, he landed in *July* 1399, at *Ravenſpur* in *Yorkſhire*, where ſeveral of the Nobility join'd him. The Impatience of the People to ſhake off the Yoke they lay under, made them flock to his Colours in ſuch numbers, that in a few Days his Army amounted to above 60,000 Men. With this great Body he march'd directly to *London*, which open'd its Gates to him with Joy. He went afterwards and laid ſiege to *Briſtol*, to which City the King's Miniſters were retired; and after having made himſelf Maſter of it, he caus'd the Earl of *Wiltſhire*, and two Knights of the King's Privy-Council, to be beheaded.

He cuts off ſome of the King's Miniſters Heads.

Engliſh Malecontents call over the Duke of Hereford, *who takes his Father's Title.*

His grateful Reception in England.

ALL the while *Richard* had not the leaſt Tidings of this Revolution; the Wind being ſo contrary for above a Month together, that it was not poſſible for any Veſſel to go over to *Ireland*. But as ſoon as he heard of it, he return'd ſpeedily to *England*, where he found things deſperate, the far greateſt part of the Kingdom having declar'd for the Duke. In this fatal Situation of his Affairs he went to *Wales*, and ſtay'd there for ſome time, not knowing what to determine. At laſt, fearing to be betray'd by his own Army, he ſtole away to *Caernarvanſhire*, where he ſhut himſelf up in the Caſtle of *Conway*; which, tho' a ſtrong Place, was altogether unprovided, and therefore no Protection to him. The Duke of *Lancaſter*, when inform'd of his Return, made great Marches towards *Cheſter* to give him Battel, which he thought would be the only way to put an end to the Diſpute. But *Richard* finding himſelf in no condition to venture an Engagement, or to make any long Reſiſtance in the Caſtle, to which he had confin'd himſelf, he put himſelf voluntarily into the Duke's hands, and offer'd to give his Crown for his Life; which being accepted, the Duke himſelf conducted him to *London*, and committed him to the Tower. And not long after, the Parliament being aſſembled, drew up Articles of Impeachment againſt the King, whereupon the ſaid Prince was ſolemnly depos'd. The Articles of his Impeachment were 35 in number [b], which it would be too tedious to mention here; beſides that Mr. *Rymer*'s Collection takes no notice of them. But I can't help touching upon the 24th Article, which in my Opinion is a very ſingular one. By this Article *Richard* was accus'd of ſuch Equivocation and Diſhoneſty in the Treaties which he concluded with Foreign Princes, that there was not one left that would confide in him.

The King returns from Ireland *to* Wales, *and ſteals from his Army to* Conway-Caſtle.

He reſigns his Crown, is committed to the Tower, and depos'd.

His Succeſſor.

RICHARD being diveſted of the Crown, it was adjudg'd to *Henry* of *Lancaſter*, who was look'd upon as the Deliverer of his Country, tho' there was a nearer Heir, *viz. Edmund Mortimer* Earl of *March*, Grandſon of *Philippa* Daughter of *Lionel* Duke of *Clarence*, the ſecond of the

[a] Mr. *Rapin* obſerves in his Hiſtory the Miſtake of *Polydore Virgil* and others, in aſſerting that the Duke of *Norfolk* tax'd the Duke of *Hereford* with reviling the King: For this he refers to the Acts of Parliament of the 21ſt of *Richard* II.

[b] Authors differ as to the number of theſe Articles; ſome make them but 33: the Writer of this Life and Reign, which a Perſon of Quality publiſh'd in 1681, from the Accounts of *Knighton* and *Walſingham*, recites them at large 33 in number, from a Record printed in the Volume call'd *Hiſtoriæ Anglicanæ Scriptores Decem*, which was firſt publiſh'd from authentic Manuſcripts, by thoſe two learned Antiquaries, Sir *Roger Twiſden* Bart. and *John Selden* Eſq; The Subſtance of the Articles is given in the *Compleat Hiſtory of* England, Vol. I. as well as in the third Volume of Mr. *Rapin*'s.

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the Sons of *Edward* III. whereas *Henry* was deſcended from *John* Duke of *Lancaſter*, who was the ſaid *Edward*'s third Son. Now tho' *Edmund* was only deſcended from a Daughter of *Lionel*, yet his Right was ſo indiſputable, that his Father, *Roger* Earl of *March*, was declar'd preſumptive Heir to *Richard* by an Act of Parliament. So that while they were puniſhing *Richard* for contravening the Laws of the Realm, the Parliament aſſum'd a Power to deprive a Prince of his legal Right, againſt whom there was no manner of Objection; and to diſpoſe of the Crown in favour of another, who had not a Right to it. This is not a place to examine whether the Parliament, at a time when there was no Precedent for it, at leaſt ſince the Conqueſt, had any better Right than the King to ſuperſede the Laws: All that I ſhall obſerve, is, that the Injuſtice done upon this occaſion to the Earl of *March*, was the only Source of thoſe Civil Wars, with which the Kingdom was afterwards afflicted.

The principal Acts relating to Domeſtick Affairs in the Seventh Volume of the Fœdera, *and the beginning of the Eighth are theſe,*

Edw. III's Death. P. 151.

1. A MEMORANDUM of the Day of *Edward* III's Death, which happen'd on *Sunday*, *June* 21, 1377, in his Palace at *Sheen*, now call'd *Richmond*.

Richard's Coronation. P. 157.

2. THE Order obſerv'd in the Coronation of *Richard* II. *July* 16, 1377[a].

THO' this is the firſt Coronation, at which Hiſtory makes mention of a Champion going into *Weſtminſter-Hall*, upon theſe Solemnities, to defy all Oppoſers of the King's Titles; yet it is to be obſerv'd, that there's nothing like it in this Order, which is in other reſpects very circumſtantial[b].

King's Marriage Treaty with a Daughter of Milan. P. 213.

3. A FULL Power to treat of the King's Marriage with a Daughter of *Barnabas*, Duke of *Milan*: Dated *March* 18, 1379[c]. But the Treaty did not proceed.

Commiſſioners of Inquiry into the Management of the Revenues. P. 250.

4. A COMMISSION, appointing fourteen Commiſſioners to examine into the Appropriation of the King's Revenues, in purſuance of a Reſolution of Parliament. The Commiſſion is dated *May* 2, 1380[d].

Another of the King's Marriage Treaties. P. 257.

5. A FULL Power to treat of the King's Marriage with *Catherine* of *Bavaria*, Daughter to the Emperor *Lewis* deceas'd: 'Tis dated *June* 12, 1380[e]; but it ſucceeded no better than his Treaty with the *Milaneſe* Lady.

6. THE King's Treaty of Marriage with *Anne* of *Luxemburg*, Siſter to the Emperor *Wenceſlaus*[f], dated *May* 2, 1381[g]. 'Tis remarkable that in the Marriage Articles, there's not the leaſt mention of what Dowry the future Queen was to bring with her; and that on the contrary, *Richard* lent 20,000 Florins to the Emperor his Brother-in-law.

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His Marriage with the Emperor's Siſter. P. 290.

7. AN Order for adjourning the Courts of Judicature, upon account of *Wat Tyler*'s Inſurrection: Dated *June* 15, 1381[h]. This Date ſhews that the Rebellion began much about that time.

Order about the Courts of Juſtice. P. 311.

8. A PROCLAMATION to inform the People, that the Rebels did not act by the Conſent or Orders of the King, as they boaſted: 'Tis dated *June* 23, 1381[i]. The Rebels probably miſtook the King's Meaning, when he told them upon the Death of *Wat Tyler*, that he wou'd be their General.

Proclamation againſt the Rebels. P. 315.

9. A REVOCATION of the Charter and the Amneſty granted to the Rebels during their Rebellion, becauſe thoſe Acts were diſpatch'd without mature Deliberation: Dated *July* 2, 1381[k].— This Date ſhews that the Inſurrection did not laſt above a Fortnight.

Recall of the Charter and Amneſty granted to the Rebels. P. 317.

10. A PROCLAMATION to juſtify the Duke of *Lancaſter* from the falſe and malicious Aſperſions of the Rebels[l]. Dated *July* 3, 1381[m].

Proclamation to vindicate the Duke of Lancaſter. P. 318.

11. THE Commiſſion granted to the Duke of *Lancaſter* to go into the Country to try the Rebels: Dated *Auguſt* 18, 1381[n].

His Commiſſion to try the Rebels. P. 323.

12. THE Amneſty granted to the Rebels at the Intreaty of the future Queen: Dated *December* 13, 1381[o].

Amneſty for the Rebels. P. 337.

13. THE Grant of a yearly Penſion of 1000 *l.* Sterling to *Leon* King of *Armenia*: Dated *February* 3, 1386[p].

King of Armenia's *Penſion.* P. 494.

14. WHEN, towards the cloſe of the Year 1387, the Army of the Confederate Lords was advanc'd near *London*[q], the King promis'd to ſatisfy them in the next Parliament; and for that end he iſſued his Writs for electing the Members, in which he had inſerted this Clauſe, *Eligi faciatis duos Milites gladiis cinctos magis idoneos & diſcretos* (*& in debatis modernis magis indifferentes*) directing the Sheriffs to chuſe two Knights for each County, who were diſcreet Men duly qualified, *but ſuch as were Neuter in the modern Diſputes*. He afterwards revok'd the latter part of the Clauſe, becauſe it was contrary to the antient Uſage.

Richard's *Order for leaving out an unuſual Clauſe in his Writs for electing Members.* P. 566.

Pro-

[a] This diſcovers a Miſtake in the *Compleat Hiſtory of England*, which places the Coronation on the 16th of *June*, five Days before the Death of *Edward* III.

[b] The true Origin of this Cuſtom which is kept up to this Day, is not known; but Mr. *Rapin* in his Hiſtory, ſeems very ſure that 'tis more antient than the Coronation of *Richard* II. becauſe Sir *John Dimmock*, who perform'd the Office of Champion at that Time, was admitted into it by virtue of a Prerogative annex'd to ſome Land which he had in *Lincolnſhire*. [c] At *Weſtminſter*. [d] Ibid. [e] At *Weſtminſter*.

[f] This Princeſs arriving in *England* ſoon after *Wat Tyler*'s Inſurrection was ſuppreſs'd, was received in a very pompous Manner, agreeable to the King's Humour, who had a ſingular Taſte for that kind of Pageantry. The Mayor and Aldermen, and chief Citizens of *London* met her at *Black-Heath*, and all the Nobility of the Realm attended at her Coronation, ſparing no Coſt to heighten the Glory and State of the Day.

[g] At *Weſtminſter*. [h] At *London*. [i] At *Waltham*. [k] At *Chelmsford*.

[l] The Duke being retir'd to *Scotland*, his Enemies gave out that he intended to come to *London*, at the Head of a *Scottiſh* Army, to ſeize the Crown. [m] At *Chelmsford*. [n] At *Sheen*. [o] At *Weſtminſter*.

[p] At *Windſor-Caſtle*. [q] *Knighton* ſays they were 40,000 ſtrong.

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Probably the Lords did not mean that the Deputies ſhould be Perſons indifferent; or perhaps they were afraid leſt this Clauſe ſhould give the Sheriffs a liberty of Chicanery in the Affair of Elections. The King's Order for leaving the words above mention'd out of his Writ, is dated *January* 1, 1388 [a].

Orders for apprehending Judge Treſilian, Brambre, *the Duke of* Ireland, *and the Earl of* Suffolk. *P.* 566, 567.

15. AN Order to arreſt Judge *Treſilian* and Sir *Nicholas Brambre*, to anſwer to an Accuſation laid againſt them, by the Duke of *Gloceſter* and other Lords; dated *January* 4, 1388 [b].

16. A PROCLAMATION of the ſame date, for arreſting the Duke of *Ireland*, and the Earl of *Suffolk*.

Oath for the Security of the Duke of Gloceſter, *&c.* *P.* 572.

17. THE Oath required of all the Subjects, for the Security of the Duke of *Gloceſter*, the Earls of *Arundel* and *Warwick*, and the Earl Marſhal, during the Seſſion of Parliament; dated *March* 20, 1388 [c].

Proclamation of the King's ruling by himſelf. *P.* 618.

18. THE Proclamation to inform the People that the King had taken the Reins of the Government into his own hands [d]: Dated *May* 8, 1389 [e].

Grant of the Dutchy of Guyenne *to Duke of* Lancaſter. *P.* 659.

19. THE Grant of the Dutchy of *Guyenne* to the Duke of *Lancaſter*, for his Life only, to hold it of the King as King of *France*, on condition of Homage, and with a Suſpenſion of the Privilege formerly granted to the ſaid Dutchy, that it ſhould not be alienated from the Crown of *England* [f]. The Grant is dated *March* 2, 1390 [g].

20. THE King's Letters Patent, certifying that he had granted the Dutchy of *Guyenne* to the Duke of *Lancaſter*, voluntarily, and by the Advice of the three Eſtates aſſembled in Parliament. They are dated *July* 7, 1392 [h]. *P.* 727.

21. AN Order to the Courts of Juſtice at *Weſtminſter*, to remove to *York* [i]. RICHARD II.

Courts removed from Weſtminſter *to* York. *P.* 713.

22. THE Eſtabliſhment of a Warden of *London* [k], in the room of the depos'd Mayor: Dated *June* 25, 1392 [l].

Mayor of London *depos'd.* *P.* 727.

23. A RECEIPT for ten Thouſand Pounds Sterling, paid to the King by the City of *London*, to regain his good Will: dated *February* 28, 1393 [m].

City pays the King 10,000*l.* *P.* 739.

24. AN Order to reſtore *Cherbourg* to the King of *Navarre*: dated *Oct.* 24, 1393 [n].

Cherbourg *reſtor'd.* *P.* 756.

25. AN Order for the Interment of Queen *Anne* [o]: dated *June* 10, 1394 [p].

Queen's Interment. *P.* 776.

26. AN Order iſſued in the King's Name concerning the Dutchy of *Guyenne*; dated [q] *June* 21, 1394. By which it appears that *Richard* had revoked his Grant of that Dutchy [r].

Grant of Guyenne *recall'd.* *P.* 777.

27. CONVENTIONS for the King's Marriage with *Iſabella* of *France*, Daughter of *Charles* VI [s]. Theſe were ſome of the Articles.

King's Marriage-Treaty with Iſabella *of* France. *P.* 811, *to* 820.

" HER Dowry was 800,000 Livres, of " which 300,000 were to be paid on the " day of Marriage, and a hundred Thou- " ſand *per Annum* afterwards, 'till the whole " was paid.

" THAT when the Queen (who was then " but ſeven Years of Age) ſhou'd attain to " the Age of twelve, ſhe ſhou'd renounce " all her Succeſſion, both by her Father " and Mother's ſide, except the Dutchy of " *Bavaria*, if it ſhou'd happen to devolve " to her, by the death of her Mother *Iſabel* " of *Bavaria*.

" THAT the Children, Male and Fe- " male, which ſhould be born of that Mar- " riage, ſhould lay no Claim to the Crown " of

[a] At *Weſtminſter*. [b] Ibid. [c] At *Weſtminſter*.

[d] The King took his Coronation Oath again, as if he had begun a freſh Reign; and all the Lords again ſwore Homage and Fealty to him. [e] At *Weſtminſter*.

[f] Mr. *Rapin* obſerves in his Hiſtory, that *Richard* wiſh'd the Duke of *Lancaſter* out of *England*, and therefore gave him the Inveſtiture of this Dutchy, with the ſame Prerogatives that were granted to *Edward* the *Black Prince*; which, ſays our Author, was the richeſt Preſent that a King of *England* cou'd make to a Subject.

[g] At *Weſtminſter*. [h] At *Nottingham-Caſtle*. [i] Dated at *Stamford*, *March* 13, 1392.

[k] This Warden was Sir *Edward Dalyngrugge*, who being thought too favourable to the Citizens, was quickly remov'd, and Sir *Baldwin Radington*, a Perſon of a rougher Temper, put in his Place, who by his prudent Conduct pleas'd both the King and City. It appears by the Account we have of this Reign in the *Compleat Hiſtory of* England, Vol. I. and in that call'd the *Life and Reign of King* Richard II. compil'd by the Perſon of Quality formerly mention'd, and from the Accounts of *Knighton* and *Walſingham*, that the Biſhop of *Salisbury* having an old grudge againſt the Citizens, who where generally reckon'd Favourites of *Wickliff's* Doctrine, took the Opportunity of the Riot we mention'd in Page 190, to ſtimulate and heighten the King's Diſpleaſure againſt the City to ſuch a degree that he threaten'd to raze it to the Ground; but at the Mediation of ſome of the Nobility, he ſent for the Mayor, Sheriffs, Aldermen, and 24 others of the ableſt Citizens to his Court, then held at *Nottingham*; where impeaching one another in hopes to curry favour with the King, the Mayor was committed to *Windſor-Caſtle*, and the reſt to other Jails. Mean time the Queen, the Duke of *Glouceſter*, the Biſhop of *London*, and other Perſons of Diſtinction, interceeding with the King heartily for the City, he was ſo pacify'd, that he ſet out for *London*, being met from the City by 400 Men on horſeback, clad all in one Livery, an innumerable Multitude on foot, a ſolemn Proceſſion of the Clergy, and 500 Boys in Surplices, the Balconies being hung with Tapeſtry and Pictures, the Conduits flowing with Wine, *&c.* Beſides, they preſented the King with a Crown of Gold of great Value, and another of the ſame Metal to the Queen, together with a Picture of the Trinity worth 800 *l.* and ſeveral other great Gifts; by which Means they obtain'd all their old Privileges: but after all this they were forc'd to pay 10,000*l.* or elſe they muſt have ventur'd the Effects of the King's freſh Diſpleaſure. The Biſhop of *London*, who had ſuch a great hand in the Reconciliation, was not only highly honour'd by the Citizens all his Life, but after his Death, the Mayor, Aldermen, and Companies, made nine Proceſſions a Year to *Weſtminſter*, where he lay bury'd, to pray for his Soul. Mr. *Rapin* obſerves that *Richard* liv'd to repent his ſevere Treatment of this City, by which he entirely loſt the Citizens Hearts, who afterwards convinc'd him how dangerous it is for a King of *England* to have that Metropolis for his Enemy.

[l] At *Nottingham-Caſtle*. [m] At *Weſtminſter*. [n] Ibid.

[o] The King took her Death ſo much to heart, that he curſed *Sheen* near *Richmond* where ſhe died, wou'd never come there, and order'd the Palace to be demoliſh'd. 'Tis ſaid ſhe was a Favourer of *Wickliff's* Doctrine, and was a Princeſs of very great Virtue and Piety. She was magnificently bury'd at *Weſtminſter*, *Auguſt* 3.

[p] At *Weſtminſter*. [q] Ibid.

[r] Tho' the Duke had at a great Expence juſt purchas'd the Hearts of the *Gaſcons*, yet he paid a punctual Obedience to his Recall, and was receiv'd, if not with Love, yet at leaſt with a ſhew of Honour by the King; and after a ſhort ſtay at Court, obtain'd his Leave to retire to his Houſe at *Lincoln*, where he marry'd the Lady *Catherine Swinford*, who was his Miſtreſs even in his Wife's time, and had by her two Sons and a Daughter.

[s] Dated at *Paris*, *October* 29, 1396.

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« of *France*, tho' any of them ſhou'd prove « to be the neareſt Heir.

« At the ſame time, *Richard* expreſſly « reſerv'd to himſelf, whatever Rights he « might otherwiſe have to that Crown, « without intending to renounce the ſame « by theſe Articles [a].

VI. *The Acts in the Eighth Tome of the* Fœdera, *relating to Domeſtick Affairs, during this Reign, are theſe:*

Proclamation about the Impriſonment of the Duke of Gloceſter, &c. P. 6.

1. A PROCLAMATION to pacify the People, who were alarm'd by the Impriſonment of the Earls of *Arundel* and *Warwick*, and the Duke of *Gloceſter*: 'Tis dated *July* 15, 1397 [b]. *Richard* proteſted in his Proclamation, that theſe Lords were not apprehended for taking up Arms in 1388, but for new Miſdemeanors: yet it was barely upon the former Accuſation that they were condemn'd. And this Action was afterwards made one of the principal Articles of the King's Impeachment in 1399.

King borrows Money. P. 9.

2. OBLIGATIONS for Money borrow'd by the King, of Corporations and private Men: dated *Auguſt* 10, 1397 [c]. Theſe Loans amounted in the whole to 19,735 Marks, and to 5,685 Pounds Sterling.

Clergy call'd upon for a Subſidy. P. 12.

3. AN Order to aſſemble the Clergy, for granting a Subſidy to the King: dated *Auguſt* 14, 1397 [d].

One of Duke of Gloceſter's Murderers. P. 13.

4. AN Order to one *Rikhil*, an *Iriſhman*, to go from the King, and talk with the Duke of *Glouceſter*, then a Priſoner at *Calais*: 'Tis dated *Auguſt* 17, 1397 [e]. In all appearance this *Rikhil* was one of the Duke's Murderers [f].

Order to the Governour of Calais about the ſaid Duke. P. 15.

5. THO' *Richard* was very ſure of the Death of the Duke his Uncle, yet he ſent an Order to the Governour of *Calais* to ſend the ſaid Prince over to *England*, to anſwer to his Accuſation before the Parliament: The King's Letter is dated *September* the 21ſt, 1397 [g].

Prayers appointed for his Soul. P. 19.

6. AN Order to the Archbiſhop of *York* to put up Prayers to God for the Soul of the Duke of *Glouceſter*; dated *October* the 6th, 1397 [h]. In this Order the King acquainted the Archbiſhop that the Duke had confeſs'd all his Crimes before his Death, and that his Confeſſion had been laid before the Parliament: But 'tis very like that ſuch a Parliament as that was, took the matter upon Truſt, without giving themſelves much trouble of Inquiry whether the Confeſſion was genuine.

Pardon of his Adherents. P. 26.

7. A PARDON for all the Adherents of the Duke of *Glouceſter*, and the Earls of *Arundel* and *Warwick*; dated *November* the 29th, 1397 [i].

8. A REVOCATION of the Pardon granted to the Earl of *Arundel*; 'tis dated *February* the 6th [k], 1398.

RICHARD II.

P. 34. Orders for guarding the Dukes of Hereford *and* Norfolk.

9. ORDERS to the Governor of *Windſor* to have a ſtrict Guard over the Dukes of *Hereford* and *Norfolk*, who were to be committed to his Cuſtody [l].

P. 35. 36. Attorneys granted them. P. 49, 51.

10. LETTERS Patent empowering the Duke of *Hereford* to eſtabliſh Attorneys during his Abſence: they are dated *October* the 8th, 1398 [m].

11. THE like Permiſſion granted to the Duke of *Norfolk* [n].

Parliament at Shrewsbury. *P. 71.*

12. AN Order to publiſh the Statutes of the Parliament of *Shrewsbury*; dated *March* the 25th, 1399 [o].

Richard's *laſt Will. P. 75.*

13. KING *Richard*'s laſt Will and Teſtament [p].

IN this Will he gave very particular Orders about his Funeral, and bequeath'd ſeveral Legacies, but nominated no Heir nor Succeſſor.

THE Revolution already mention'd, happening while *Richard* was in *Ireland*, there remain but a few Acts, which, tho' he was in the power of the Duke of *Lancaſter*, are nevertheleſs in his Name: as,

Orders againſt tumultuous Aſſemblies. P. 84, 85.

1. AN Order to apprehend all Perſons aſſembled to diſturb the Peace of the Kingdom; dated *Auguſt* the 20th, 1399 [q].

2. ANOTHER upon the ſame Account; dated *Auguſt* the 24th, 1399 [r].

THESE two Orders, which were iſſued upon the Road, as they were conducting *Richard* to *London*, ſeem to have been levell'd againſt his own Party.

VII. *Affairs of the Church.*

THE Reader may judge of the State of Church-Affairs in this Reign, by the Accounts given of them in the former Reigns, becauſe the ſame Differences ſtill ſubſiſted between the two Courts of *Rome* and *England*. All the conſequence of the Schiſm, with reſpect to *England*, was, that *Urban* VI. to whom *England* adher'd, obſerv'd a little more Decorum than his Predeceſſors; but in the main acted in the ſame manner as they did.

THO' *Edward* III. had accommodated his Difference with *Gregory* XI. this Agreement, as was obſerv'd heretofore, only conſiſted, on the part of the Pope, in certain general Terms, which were capable of various Explanations, according to the neceſſity of the Times. And it appears from ſeveral Paſſages in the Seventh Tome of the *Fœdera*, that the King underſtood that Agreement in one ſenſe, and the Pope in another; and conſequently the ſame Pretenſions ſubſiſted on both ſides.

DURING

[a] *Walſingham* tells us that the Voyage which King *Richard* made to *France* upon account of this Amour, coſt him above 300,000 Marks, beſides the Preſents which he made to the *French* King and his Nobles, to the value of above 10,000. [b] At *Windſor*. [c] At *Weſtminſter*. [d] Ibid. [e] At *Woodſtock*.

[f] Perhaps this is the ſame Perſon with Judge *Rikel*, mention'd in the *Compleat Hiſtory of England*, who after the Duke's Death read a Confeſſion of ſeveral Treaſons acknowledg'd by the Duke under his own hand, and for which he had Sentence paſs'd on him, though dead, as in Caſes of High-Treaſon. [g] At *Weſtminſter*.

[h] At *Weſtminſter*. [i] Ibid. [k] At *Shrewsbury*.

[l] They are dated *February* the 26th, 1398, at *Oxford*; and *April* the 23d, 1398, at *Windſor*.

[m] At *Weſtminſter*. [n] Dated at *Weſtminſter*, *October* the 15th, 1398. [o] At *Weſtminſter*.

[p] Dated *April* the 16th, 1399. [q] At *Cheſter*. [r] At *Litchfield*.

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Usurpations of the Court of Rome.

DURING the Reign of *Richard* II. the Parliament made ſeveral Statutes againſt the *Proviſions* of *Rome*, againſt Reſervations, the Bulls of Reverſion term'd *Expectativæ*, and againſt Foreigners who held Benefices in this Kingdom. But the Pope went on ſtill in his old Career; and after a little diſpute, which ſometimes ſubjected him to Reproaches that were pretty harſh, he always came off with Victory. He put his Creatures into Biſhopricks, ſometimes by reſerving to himſelf the Collation to ſuch as ſhou'd happen to be vacant by the Tranſlation of a Biſhop to another See, ſometimes by the Death of a Biſhop at his Court, and at other times on pretences of a different nature; and when thoſe fail'd him, he nevertheleſs aſſum'd a Right of filling up ſuch Benefices, on pretence that his zeal wou'd not ſuffer him to let Churches be long deſtitute of a Paſtor.

'TIS certain, that if the King had taken due care to have the Acts of Parliament put in execution, he wou'd have been ſupported by all his People, and the Court of *Rome* muſt, at laſt, have quitted their hold. But as it often happen'd that the King was for electing Perſons who were not acceptable to the Chapters, at ſuch times, for fear that the Electors wou'd thwart him, he apply'd to the Pope, who ſeldom fail'd to favour him, in order to eſtabliſh his own Right at the ſame time. In this ſeventh Tome of the *Fœdera* we find ſeveral Licences granted by the King to ſollicit Proviſions and Reverſions to Benefices at the Court of *Rome*, others to enter into the poſſeſſion of Benefices conferr'd by the Pope, contrary to the Laws of the Realm; ſome to Foreigners to take poſſeſſion of Benefices in *England*, and others to *Engliſhmen* to farm the Benefices of Foreigners; and all this contrary to expreſs Acts of Parliament. Theſe things conſider'd, the King aggravated the Conſequences of ſuch Abuſes but with an ill Grace, becauſe he himſelf paved the way for them.

Sect of Lollards.

THERE are in this Tome ſeveral Acts relating to the Sect of *Wickliffites*, commonly call'd *Lollards*[a], which ſpread very much in this Reign; but properly ſpeaking, they are only Orders tending to cruſh it.

Pope Urban's *Croiſado againſt* Clement III.

A CROISADO which *Urban* VI. publiſh'd againſt *Clement* III. his Competitor, and of which the Biſhop of *Norwich* was declared General, gave occaſion likewiſe to ſome Acts which are of little Importance.

Friers Mendicant expos'd.

DURING this Reign the Mendicant Friers were ſeverely attack'd by divers Perſons who endeavour'd to turn their affected Poverty into Ridicule. Among others, a certain Archbiſhop of *Armagh* preach'd againſt them in *London*, and did them a world of prejudice both by his Books, and Sermons. They complain'd to the King of the Malice of their Enemies, and obtain'd ſeveral Orders from him in their favour.

SOME of the Acts relating to theſe matters, follow.

Foreign Friers expell'd. P. 180.

1. AN Order to turn all Foreign Friers out of the Kingdom, purſuant to an Act of Parliament. 'Tis dated *Dec.* 20, 1377[b].

The Anti-Pope's Friends turn'd out of their Benefices. P. 222.

2. ANOTHER for ſeizing all Benefices belonging to the Cardinals who obey'd the Anti-Pope *Clement*, dated *July* 6, 1379[c].

Pope's Authority recogniz'd in Guyenne. *P. 231. P. 252.*

3. SEVERAL Orders for recognizing the Authority of Pope *Urban* VI. in the Dutchy of *Guyenne*[d].

Licences for farming Cardinals Benefices. P. 265, 266.

4. A LICENCE to farm the Benefices of a Cardinal who was related to the Pope, notwithſtanding the Act of Parliament. Dated *July* 8, 1380[e].

5. ANOTHER Licence of the ſame nature[f].

Richard's Complaint to Pope Urban, *and his Anſwer. P. 300.*

6. URBAN making an ill uſe of his pretended Right to confer all the Benefices of *England*, the King wrote a Remonſtrance to him that he broke the Agreement which had been made with *Gregory* XI. We have here the Pope's Anſwer eluding that Charge; by ſaying, that for the preſent he has not that Agreement in his hands, but that 'till he can get it, he conſents that there be no Innovation. Nevertheleſs he maintain'd himſelf in the Prerogative of conferring Benefices[g].

Order againſt the Wickliffites *at Oxford. P. 363.*

7. AN Order to the Univerſity of *Oxford*, to expel all the Followers of *Wickliff*, and to ſeize all the Copies of his Book, intitul'd, *Trialogus*. Dated[h] *July* 13, 1382.

General of the Croiſado. P. 372.

8. A PERMISSION to the Biſhop of *Norwich* to accept the Office of General of the *Croiſado*, publiſh'd by *Urban* VI. Dated *Dec.* 6, 1382[i].

Bull for the See of Landaff. *P. 376.*

9. A BULL of Proviſion for the Biſhoprick of *Landaff*, founded upon the Tranſlation of the Biſhop, and upon the Reſervation which the Pope had made to himſelf in ſuch Caſes[k]. There are many others of the ſame nature.

Garriſon for Graveling. *P. 399.*

10. AN Order to put a Garriſon into *Graveling*, which was taken by the Biſhop of *Norwich*, General of the *Croiſado*. Dated *June* 27, 1383[l].

Protection for the Mendicant Friers. P. 447.

11. A PROTECTION for the four Orders of Mendicant Friers. Dated *Nov.* 4. 1384[m]. There are ſome others of the ſame purport.

Tax taken off from the Clergy. P. 644.

12. AN Order to the Archbiſhop of *Canterbury* to put a ſtop to the Levy of a Tax laid by the Pope upon the Clergy of *England*, contrary to an Act of Parliament. Dated *Oct.* 10, 1389[n].

Licence to ſue to Rome *for Benefices. P. 644.*

13. THE King's Licence to ſue to the Court of *Rome* for Benefices, notwithſtanding

[a] *Trithemius* ſays, they were ſo call'd from *Walter Lollard* a *German*, who flouriſh'd about the Year 1315. Or as others think from *Lolium*, ſignifying Darnel or Tares, the ſuppos'd Nick-name given them by their Enemies the Friers, who were not wanting to brand them as Tares ſown by the Evil one in the Field of God's Church.

[b] At *Weſtminſter*. [c] Ibid. [d] Dated at *Weſtminſter*, *December* 6, 1379. and *May* 4, 1380.

[e] At *Weſtminſter*. [f] Dated at *Weſtminſter* the 28th, of *Auguſt* following.

[g] The Pope's evaſive Anſwer is dated at *Rome* the 6th of the Ides of *November*, 1381.

[h] At *Weſtminſter*. [i] Ibid. [k] Dated at *Rome* the 18th of the Kalends of *February*, 1383.

[l] At *Weſtminſter*. [m] Ibid. [n] At *Weſtminſter*.

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standing the Statute to the contrary[a]. Of this kind there are many others.

Complaint against the Court of Rome. P. 672.

14. A Letter from the King and the Nobility to the Pope, relating to the horrid Abuses of the Court of *Rome*, in the Collation to Benefices. Dated *May* 26, 1390[b].

The following is a Passage in that Letter, which shews the Substance of the Complaint; and how much the *English* were provok'd at the Treatment they met with from the Court of *Rome*.

Immo quod a seculis inauditum est, Humanæ Artis industria tantum didicit Avaritiâ Famulari, ut si fortè unicam Ecclesiam Cathedralem vacare sex aut quinque Translationes sedum Episcopalium continuo celebrantur, non ut de Virtute sit transitus in Virtutem, sed potius, ut saliat uberius qui salit altius, & Imago Cæsaris in Domum Domini multiplicite, sed tamen abominabiliter transferatur.

Cæterum, in tantum processit Provisionis & Reservationis Abusio, quod Dignitates Ecclesiasticæ Regni nostri, & pinguiora Beneficia, curata & non curata, Alienigenis conferuntur, interdum fortassis nobis feraliter Inimicis, & aliis nunquam residentibus, nec residere valentibus in eisdem, qui Linguam non intelligunt, nec cognoscunt oves suas, nec a suis ovibus cognoscuntur.

i. e. "Insomuch that it has not been "known for Ages past, that the Industry "of human Art was ever so subservient to "Avarice as now, when upon a Vacancy, "perhaps of but one See, there are five or "six Translations from one Bishoprick to "another, not as a Transit from one Virtue "to a higher, but rather from one See to a "richer; whereby the Image of *Cæsar* is "transferr'd, and abominably multiply'd "in the House of the Lord.

"Moreover, the Abuse of Provisions "and Reservations is grown to such a head, "that the Ecclesiastical Dignities of our "Kingdom, and the fatter Benefices, whe-"ther with or without Cure of Souls, are "conferr'd upon Foreigners, sometimes on "such as are, perhaps, our deadly Enemies; "and upon others never residing, nor ca-"pable to reside therein, as not under-"standing our Language: by which means "they know not their Sheep, nor do the "Flocks know their Shepherds."

Richard II.

This Letter is full of such Complaints, and such too as are couch'd in very strong Terms, which nevertheless were of no effect.

King's Subjects at Rome *call'd home. P. 698.*

15. An Order to all the King's Subjects, who were at the Pope's Court solliciting Benefices, to return to *England* by such a time; dated *May* the 3d, 1391[c].

Expulsion of the Lollards *from* Oxford. *P. 805.*

16. An Order to expel the *Lollards* from the University of *Oxford*; dated *July* the 18th, 1395[d].

17. Another of the same Date to the University to examine *Wickliff*'s Book, intitled *Trialogus*.

University order'd to enquire into the Schism between the Popes. P. 62.

18. Another to the same University to inquire into the Affair of the Schism between the Popes, as a Foundation for an Answer to the Letters on that Subject from the King of *France*. We find it in the Eighth Tome of the *Fœdera*, dated *November* the 2d, 1398[e].

A Note upon the general usefulness of the Fœdera.

Before I pass to the next Tome of the *Fœdera*, I think fit to acquaint the Reader, that tho' I have consider'd this Collection in no other Light than as it relates to History, which was apparently the chief View of those who had the care of publishing it, yet it is useful in divers other respects: For example, as to Treaties of Peace or Truce, of which there's a vast number in this valuable Collection, publick Ministers may derive Benefit from it, not only with respect to the Form of such Treaties, but also with regard to the Choice of proper Terms, to the Precautions taken to explain them justly, and to several other things of this nature. On the other hand, if any curious Person has a mind to make Inquiries into the Progress of the *French* Tongue, he may herein meet with Helps for such a Scrutiny, from a Multitude of Acts written in that Language, ever since the Reign of *Henry* I. In fine, there's so great a Variety of Acts of all kinds in the Collection before us, that it cannot be doubted but every ingenious Man will be the better for it one way or other, according to the different Views with which Persons may be prompted to consult it.

[a] Dated at *Westminster*, *September* the 28th, 1389. [b] At *Westminster*.
[c] At *Westminster*. [d] At *Leeds*. [e] At *Westminster*.

The Reign of *HENRY* IV.

Henry IV.

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The Eighth Tome contains a vast number of Acts relating to the Reign of Henry IV. *of which, tho' there are but few that are curious, and deserve a particular Account, yet they may be of some Use, with respect to the Dates of Times and Places for the Illustration of the History of* England *.

After *Henry* IV. had taken such an extraordinary Leap to the Throne, he always took care to avoid as much as possible any War with his Neighbours. The great number of Malecontents in his Kingdom, and the frequent Conspiracies that were form'd against his Person and Government, gave him Employment enough at home. Moreover, he had reason to fear that Foreign Wars would encourage the Designs of his domestick Enemies. Therefore the principal Events of this Reign are domestick, and may be divided into two Articles.

The

* Mr. *Rymer* gave this general Account of it in his Dedication to Queen *Anne*; which it must be observ'd was written in the Year 1709, a time when every body remembers, that the Pretender to our Crown was so publickly supported, as he has been since abandon'd, by a Neighbour Nation, now our good Friend and Ally against him and all his Abettors: Therefore no candid Reader will be offended at the Parallel herein drawn by the *British* Historiographer, however harsh it may sound at this day.

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THE first relates to the Conspiracies of the *English* against the King; the second to the Rebellion of the *Welch*. Tho' the Quarrels which this Prince had with his Neighbours were not very considerable, yet it may be necessary to give some account of his Disputes with *Scotland*, *France*, and *Bretagne*; and to this we shall add a sixth Article of Affairs relating to the Church or Religion, in order to preserve the Thread of the History.

Domestick Affairs.

Henry IV's *Accession the Source of many Civil Wars.*

As the Advancement of *Henry* IV. to the Throne was the Source and Foundation of those Civil Wars with which *England* was for a long time disturb'd, 'tis of importance to pause a little upon this Subject, for two principal Reasons. In the first place, it would not be easy for the Reader to understand what will be said hereafter in our Accounts of those Wars, if he has not a distinct and clear Idea of this Matter beforehand. And in the second place, such an Explanation may be of use to shew the Reasons of that Prince's Conduct, which is the Subject of the Acts contain'd in this Eighth Tome.

IT has been already observ'd, that *Richard* II. deliver'd himself up to *Henry* Duke of *Hereford* and *Lancaster*, and that he carried him to *London*, and committed him to the Tower. This done, the victorious Duke was not a little perplex'd what Course to take to attain to the Crown. He had several Councils upon this head with his Friends, who unanimously agreed that *Richard* must be depos'd. This was the first necessary Step. And that Prince was so very ill belov'd by his People, that no body doubted it might be done with ease.

His Right to the Crown question'd.

But notwithstanding *Richard* was depos'd, the Crown did not rightfully devolve to the Duke of *Lancaster*, because he had a nearer Heir, *viz. Edmund Mortimer* Earl of *March*, whose Father had been declar'd presumptive Successor to *Richard* by an Act of Parliament. This *Edmund* was descended from *Lionel* Duke of *Clarence*, second Son to *Edward* III. whereas *Henry* was descended from *John* of *Gaunt* Duke of *Lancaster*, *Lionel*'s younger Brother. 'Tis true, that *Edmund* was only descended from *Lionel* by the Mother's side, *viz. Philippa*, who was *Lionel*'s Daughter, and he was also by one degree more remote than *Henry*: yet notwithstanding this, his Right was indisputable. The *English* had not only no such Law as the Salic Law, but even in the Reign of *Edward* III. they had produc'd all the Proofs possible, to demonstrate that the said Law did not extend to the Male-Descendants of Females. Consequently, to alledge in favour of the Duke of *Lancaster*, that he was the nearest Heir-Male descended from the Males, was to destroy the very Foundation upon which *Edward* III. had made War with *France*, and in some measure to give up the Pretensions which his Posterity might form to that Kingdom. Therefore it was absolutely necessary to find out some other Expedient for placing *Henry* upon the Throne.

HENRY IV.

AMONG those who assisted in his secret Councils, was *Edward* Duke of *York*, fourth Son to *Edmund* III. and Uncle both to *Richard* and *Henry*. This Duke *Edmund*, who in the confusion of *Richard*'s Affairs had espous'd the Interest of the Duke of *Lancaster*, gave advice which was unanimously approv'd, but he did not foresee how prejudicial it would be to his Posterity. He said, that it was absolutely necessary in the first place, to oblige *Richard* to resign the Crown, as unworthy to wear it; but that this Resignation ought not to be made in favour of the Duke of *Lancaster*, for fear it should carry too great an Appearance of Extortion: That upon such a general Resignation the Parliament should proceed to depose *Richard*; and that then the said Assembly being thus vested with supreme Authority, should chuse the Duke of *Lancaster*, without making any mention of the Earl of *March*.

THE

"This, the Eighth Volume which you give the World, contains, within a small compass of time, a wonderful "Variety and Vicissitude of Affairs.

"The beginning gives some Glimpses of a Change to ensue in *England*; and towards the end it discovers the "likely Prospect of a Revolution in *France*.

"That People, whose Humour it has always been to be troublesome to their Neighbours, now that *Henry* the "Fourth, your Majesty's most noble Progenitor, is upon the Throne, make their usual Efforts to annoy and give "disturbance in all parts of his Dominions.

"And to perform some Feats of an extraordinary Figure, they hit upon a new Device, of *forging Kings*, and "making *counterfeit Princes*.

"In *North-Britain* is idoliz'd that *Phantom* of a King, *Thomas* of *Trumpyngton*.

"And *Owen Glendourdy*, that Impostor of a Prince, is set up to *play the Mimick* in *Wales*.

"And so it was that this *Pretender* had the Honour to enter into a League offensive and defensive with the then *French* "King; a League transacted with all the Solemnity and Equipage of their reciprocal Ambassadors and Credentials.

"And undoubtedly the *French* were not wanting on occasion to support this their new Confederate, their trusty "Ally, *Owen Glendourdy*.

"But so far from Success were these Machinations of the Enemy, that, not long after, we see the most eminent "amongst them sue to this very King *Henry* the Fourth for his Protection.

"Of which number are the Duke of *Berry*, the Duke of *Orleans*, and the Duke of *Bourbon*; they own this *Henry* "the Fourth for their Lord and Sovereign, do him Homage, and become his Vassals.

"And now it is, most redoubted Sovereign, now it is that the *English* Troops pell-mell enter *France*, and "but one Battel remains betwixt them and *Paris*.

"For now indeed were the Dispositions made, and Operations concerted, which afterwards are accomplish'd, "and have effect under *Henry* the Fifth, in the Eighth Year of his Reign.

"Besides the Traverses of War, which are very extraordinary, Treaties of Marriage, may it please your Majesty, "make the most shining part of this Volume.

"*Philippa* of *Lancaster* is marry'd to *Erycus* King of *Denmark*, *Sweden*, and *Norway*, and Duke of *Pomerania*: "And this is done more than ten Years before this King *Erycus* is discover'd, or brought to appear in History.

"Here also is negotiated, by the Emperor *Robert*, that *Palatine* Match betwixt his Son *Lewis* and *Blanche* our "King's Daughter, with a noble Train of GERMAN PRINCES attending the Ceremony.

"From which Marriage are descended the *Palatine Family*, to this Day so much the Support and Ornament of "the *German* Nation."

FOEDERA Tom VIII.

THE Undertakers of such an Experiment as this, ought to have been very sure of the Members of Parliament, because the thing in view was to determine them to an Action contrary to the Laws and Customs of the Realm, in an Affair of the greatest Importance. But this was no very difficult Task, as Affairs then stood. The Parliament was assembled in the Name of *Richard*, though this Prince was at that very time in the hands of the Duke of *Lancaster*. 'Tis natural to suppose, that the Majority of the Members were not the most hearty Friends to this unfortunate Prince. Moreover, the *English* in general were mightily satisfy'd with the Revolution that had happen'd, and consequently could not but be in a fit Temper to own the important Service, which the Duke of *Lancaster* had so lately done them. This was actually a great Point gain'd in *Henry*'s favour; but this was not the only advantage: For he had almost all the great Men in his Interest. He had but a small number of the Lords against him, who were *Richard*'s Favourites, but having lost their Influence in the Torrent of that Prince's Misfortunes, were by no means a match for the others. Moreover, *Henry* had 60,000 Men in Arms at his beck, who had join'd him at his Landing, and accompanied him ever since. Therefore there was not the least reason to imagine there would be any considerable number in the House of Commons, so closely attach'd to the Laws and Customs of the Realm, as to presume to dispute *Henry*'s Pretensions, how ill grounded soever they were. We find every day that too many Members of that Body are wholly determined by Events, and fond to list themselves with the Favourites of Fortune. In a word, the Earl of *March* had not interest enough to form a Party strong enough to cope with the Duke, or to urge the Benefit of the Act of Parliament, which was made in favour of his Father.

Richard's Resignation and Deposition.

ACCORDING to the Resolution taken in the secret Conferences above-mentioned, *Richard* II. by a Writing under his own Hand, confessed himself unworthy of the Crown; and upon that Confession, the Parliament deposed him. After this, the Throne being vacant, the Duke of *Lancaster* stood up in the Assembly, and demanded the Crown. What he said to support his Pretensions was so obscure, that it was hard to guess at his meaning: But this Obscurity was altogether affected. It was absolutely necessary that the People should believe he had actually a Right to the Crown; but it was by no means necessary to explain what that Right was, too distinctly. As to the Parliament, 'tis well known they were content to have a Mist cast before their Eyes. Therefore *Henry* alledged, in the first place, that he was Heir to the eldest Branch of the House of *Lancaster*, which descended from a Son of *Henry* III. By this means he proposed to give weight to a certain Report, which was industriously spread among the ignorant People, that the said Branch had been unjustly deprived of the Crown. It was said, that of two Sons whom *Henry* III. left behind him, *viz. Edward* I. and *Edmund* Earl of *Lancaster*, surnamed *Crouchback*; the latter was the eldest, but that by reason of his Deformity, *Edward* his Brother was preferred before him. This was a Supposition so notoriously false, that 'tis surprizing that *Henry* would give any room to imagine he founded his Title upon it. In the second place, he said, that he grounded his Demand *upon the Right he had received from God, by the Assistance of his Kindred and Friends, to recover the Kingdom, which was on the very Brink of Ruin*; Expressions, which 'tis no easy matter to come at the meaning of. The truth is, that this Prince was very much embarassed. He was willing to ascend the Throne with the Approbation of the Parliament; and yet he would not have it look as if the Parliament had adjudged the Crown to him as an Act of Favour or Reward, for fear, lest the Grant should at one time or other be called in question. Therefore his Aim was to leave it in a manner undecided by what means he came to the Crown. The Parliament, who was before-hand disposed to do every thing that this Prince would have them, made as if they heard and approved his Reasons, and declared him King, without inquiring into his Title.

Henry's *Proclamation.*

ON the very Day that *Henry* was crowned, he put forth a Proclamation, which was worded in Terms less ambiguous than those he made use of at his Demand of the Crown. He said, that he came to the Throne, 1. By Right of Conquest: 2. Because *Richard* II. had resign'd the Crown to him: And, 3. Because he was the next Male Heir *. But all the three Allegations were equally invalid and false. For, first, it was not true that he had conquered *England*; for as he came over with no more than fourscore Men, it was the *English* themselves who had supported and enabled him to put his Designs in execution. Secondly, *Richard* did not resign the Crown to him, as has been already observ'd. Besides, how could a Prince, who had declar'd himself unworthy and unable to wear the Crown, be acknowledg'd to have a Right to dispose of it? And in the third Reason which he gave, there was a double Entendre, which could not but blind those who were before-hand resolv'd not to see, *viz.* In the word *Heir*, which he confounded with the Term, *neareſt a-kin*. In the present case Regard ought to have been had to the Branch, and not to the Degree of Consanguinity. *Edmund Mortimer* came from the second Branch

* This occasion'd that Pun of *Mortimer*'s, *Hæres Malus*; upon which Dr. *Kennet* observes, that *Edmund* had his Jest, and *Henry* his Crown.

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Branch of *Edward* III. whereas *Henry* was a Deſcendant of the third Branch. So that tho' *Henry* was actually nearer related to *Richard* than the Earl of *March*, it did not follow that he was his next Heir. He could not in juſtice have claim'd preference to the Earl, unleſs there had been a Law in *England* like the *Salic* Law, to exclude Females and their Deſcendants from the Crown. But even tho' the Succeſſion were to have been regulated according to the Degree of Conſanguinity, *Henry* could not have claim'd Precedency before the Duke of *York* his Uncle, who was ſtill living. Therefore the Pleas which this Prince made uſe of, had no good Foundation, while he neglected the only one that he might have produced with any colour, which was his Election by Parliament. If he had ſtuck to this Plea, probably he would have had none of the ſe Conſpiracies which were form'd againſt him, during almoſt the whole courſe of his Reign. But ſince he refuſed to acknowledge, that he ow'd his Advancement to the Throne, to the People of *England*, no wonder that ſo many reckoned him no better than an Uſurper.

Act of Parl. excluding the Female Line from the Succeſſion.

THESE Conſpiracies ſo convinc'd him, that the People were not ſatisfy'd of his Right to the Crown, that he endeavour'd to make them eaſy by a new Method. In 1404, he obtained of the Parliament, by what means I know not, an Act for excluding the Females, and their Deſcendants, from the Succeſſion to the Crown. His Aim was to give the People to underſtand, that he had aſcended to the Throne agreeably to the Laws and Cuſtoms of the Realm, which this Statute ſeem'd to acknowledge and confirm. But this Act continued in force no longer than the end of this Year; for the Parliament was ſo ſenſible of the Injuſtice and ill Conſequences of it, that they repeal'd it, and made another for re-inſtating the Females in their Birth-right. Nevertheleſs, they did not repeal the Act which was made in the firſt Year of this Reign, for ſettling the Succeſſion in the Houſe of *Lancaſter*. This made it apparent, that the Parliament was ſenſible of the Injuſtice which had been done to the Earl of *March*, and at the ſame time, that the Crown had been adjudg'd to *Henry*, by an Act of ſupreme Authority, as a Reward for the Service he had done to the Kingdom. This was the real caſe, as to *Henry* the Fourth's Advancement to the Throne of *England*. The Reader may, if he pleaſe, examine it by the Rules of Law, and ſee the utmoſt Extent to which the Authority of Parliament may be carried in ſome Caſes; for I don't propoſe to determine the Queſtion myſelf. I ſhall only add, that afterwards the Duke of *York*'s Poſterity was concern'd in Intereſt to ſubvert the Foundation upon which that Duke built his Opinion and Advice, I mean a Parliamentary Power that is boundleſs and lawleſs. *Richard* Earl of *Cambridge*, his ſecond Son, having afterwards married a Siſter of the Earl of *March*, left a Son of the ſame Name, who was Duke of *York*; and becoming Heir of the Family of *March*, diſputed with *Henry* the Fourth's Grandſon for the Crown. And from hence ſprung thoſe Civil Wars betwixt the two Families of *Lancaſter* and *York*, of which we ſhall have occaſion to take notice hereafter.

HENRY IV.

I hope no Reader will be offended that I have dwelt ſo long upon this Subject, which was the Foundation of a great many important Events, tho' the Acts in this eighth Tome of the *Fœdera* have but little relation to them.

LET us now take a view of the moſt conſiderable Tranſactions of *England*, with reſpect to domeſtick Affairs, from the time that *Henry* the Fourth was placed upon the Throne, to his Death.

THE Earl of *March* perceiving which way Affairs were going, retired to his Eſtate at *Wigmore*, on the Frontiers of *Wales*, for fear leſt the new King ſhould be jealous of him, if he ſtaid at Court.

ONE Act of Injuſtice is commonly followed with a Train of others. The Parliament not content with the Favour done to *Henry*, extended it alſo to his Deſcendants, by ſettling the Succeſſion to the Throne in his Family. This done, they condemn'd *Richard* to perpetual Impriſonment, without hearing him in his own Defence, and without examining Witneſſes. *Thomas Merks*, Biſhop of *Carliſle*, did all he could to ward off this Sentence by a long and labour'd Speech, which he made upon the Subject; but it was of no effect. And ſo deaf was the Parliament to all his Arguments, that they made an Order, that if there happened any Commotion in favour of the depoſed King, he ſhould be the firſt Man that ſhould die for it. This was, properly ſpeaking, no leſs than a Sentence of Death itſelf upon him, becauſe his Life depended on a Condition, the Obſervation of which was not at all in his power.

Richard impriſon'd for his Life.

THE ſame thing happened to *Richard* II. as to *Edward* II. his Great Grandfather; while he was upon the Throne the *Engliſh* hated him, and when he was in no condition to hurt them, their Hatred changed into Pity. The People had earneſtly long'd to be delivered from his Tyranny, and they thought every means try'd for this end good and lawful. But when their Paſſions were a little cool'd, and they perceived, that under colour of revenging the Breach of the Laws, they were trampled under foot, they entertain'd quite other Sentiments; for indeed, what could they think when they ſaw *Richard* depos'd and ſentenc'd to perpetual Impriſonment, or rather Death itſelf, without the Formalities that are moſt indiſpenſably neceſſary in the Proceedings againſt the meaneſt Subjects? One of the principal Crimes laid to his charge, was his having put his Uncle the Duke of

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of *Glouceſter* to death, without trying him according to Law. And yet this Prince himſelf is puniſh'd without Examination, and upon no other Evidence than common Fame. In a word, could the People believe that there was a ſincere Deſign to maintain the Laws of the Land when no manner of Regard was had to Law, in ſuch a capital Point too as the Succeſſion of the Crown? Theſe Conſiderations made ſuch an Impreſſion upon a great number of *Engliſhmen*, that from that time it was viſible in many Inſtances, that they were ſorry that *Richard* was ever oppreſs'd. From hence proceeded all thoſe Conſpiracies againſt *Henry*, of which we ſhall by and by give an Account. On the other hand, all thoſe Plots made the King ſo careful to preſerve himſelf upon the Throne, that he, as it were, abandon'd all other Cares for that. But by his uſing Severity rather than Clemency to keep the Crown on his Head, he render'd himſelf ſo odious to his Subjects, that his Reign was one continued Series of domeſtic Troubles, which adding continual Fewel to his Suſpicions and Jealouſy, made him always uneaſy. The Clergy were the only Body in the Nation that always ſtood by him for Reaſons that ſhall be mention'd hereafter. Otherwiſe perhaps this Prince would have had the ſame Fate as his Predeceſſor.

Henry's Character.

Conſpiracy againſt him.

IN the beginning of the Year 1400, that is to ſay about three Months after *Henry* was plac'd upon the Throne, there was a terrible Conſpiracy againſt him. His firſt Couſin the Duke of *Albemarle*, eldeſt Son to the Duke of *York*, his Brother-in-law the Duke of *Exeter*, the Duke of *Surrey*, the Earls of *Huntington*, *Salisbury* and *Glouceſter*, the Biſhop of *Carliſle*, the Abbot of *Weſtminſter*, and ſeveral other Lords laid a Plot to kill him at *Oxford*, at a Tournament to which they had invited him. Their Conſpiracy having miſcarry'd by an unforeſeen Accident, and by the Imprudence of the Duke of *Albemarle*, who was under a Neceſſity to diſcover it to the King; the Conſpirators reſolv'd to take Arms, and pull off the Mask. As they knew how the People ſtood affected, they dreſs'd *Magdalen*, one of *Richard*'s domeſtic Servants, and who very much reſembled his Maſter, in Royal Robes, and gave it out that *Richard* had made his eſcape from Priſon. No ſooner was this Picture of *Richard* exhibited to the publick view, but the People flock'd to their Colours with ſuch haſte, that in a few Days they amounted to 40,000 Men. They narrowly miſs'd ſurprizing the King at *Windſor* *. After this Miſcarriage they were afraid to go and attack the King, who waited for them upon *Hounſlow-Heath* with 20,000 Men: and to avoid meeting him, they reſolv'd to retire towards *Wales*, which was very well diſpos'd in *Richard*'s Favour; and they encamp'd at the Gates of *Cirenceſter*. Four of them who were the Ringleaders, *viz.* the Dukes of *Surrey* and *Exeter*, and the Earls of *Salisbury* and *Glouceſter*, had the Imprudence to go and lodge in two Inns of that Town, without the Security of a Guard, which they thought needleſs, ſo long as their Army was incamp'd in the Suburbs. The Mayor of the Town, taking advantage of their Supineneſs, ſurpriz'd them in the Night-time, took two of them and immediately cut off their Heads: The two others, who made a ſhift to get off, went to rejoin the Army, but found all their Troops diſpers'd by a Pannic, which was owing to the Noiſe they heard in the Town; ſo that theſe two Lords were alſo taken, and had the ſame Fate as their Companions. The Biſhop of *Carliſle* was likewiſe apprehended, and condemn'd to die; but the King gave him his Life out of reſpect to his Character. Thus was this Conſpiracy ſuppreſs'd more by good Fortune, than by the King's Cunning.

HENRY IV.

THIS being a plain Intimation to *Henry* that he was not ſafe as long as *Richard* was living, he caus'd him to be put to death in *Pontefract* Caſtle, where he was a Priſoner. His Corpſe was carry'd barefac'd to *Langley-Abbey* in *Buckinghamſhire*, and there interr'd without any Pomp †.

Richard's Murder and Interment.

RICH-

* THE King ſtole away in the Night to *London*, and a few Hours after the Rebels came to *Windſor*. Sir *John Hayward*'s Hiſtory of *Henry* the Fourth.

† *His Character from Sir* Robert Howard. "THIS honourable Author who drew the Parallel we inſert-
" ed in the Reign of *Edward* III, betwixt that Prince and *Edward* I, has given us the following betwixt *Edward* II, and *Richard* II.

" *RICHARD* II, ſays he, ſucceeded his Grandfather in the Throne, but his Great Grandfather *Ed-*
" *ward* II, in the ſame fatal and unſteady Meaſures, and loſt more than the other had gain'd; for tho' he loſt
" his Life like *Edward* II, yet he loſt more than he; for with him the Succeſſion ended, and fell into ano-
" ther Line.

" THEY were both Princes of reſembling Tempers, not affected with extraordinary Cruelty in their own
" Natures: Of competent Senſe and Courage, but ill Uſers of both. In *Proſperity* they ſeem'd to ſhew
" more Courage than they had, and in *Adverſity* leſs; by which it naturally appear'd they were more influ-
" enced by others than themſelves, who flatter'd them in a good Condition, and forſook them in a bad.
" They were both apt to be fond of Favourites, and the Nobility as apt to hate them. But the Publick was
" a Sufferer by their private Piques; and the uſual immoderate uſe of Power in thoſe Favourites, caus'd ſuch

FOEDERA Tom. V. *RICHARD*'s Death did not prevent freſh Conſpiracies. There was one almoſt every Year during the whole Courſe of his Reign, and always upon a Suppoſition HENRY IV.

" a diſtance in the Hearts of King and People, that the attempting the Cure of the Diſeaſes that ſprung " from the Infection of ambitious Miniſters, procur'd Calamities in the Redreſs; as Phyſicians preſcribe one " Diſeaſe as a Remedy for another, and to cure a Lethargy, the Patient muſt be driven into a Fever. King " *Edward* gave this Offence by his unlimited Favours to *Gaveſton* and the *Spenſers*; King *Richard* to the " Duke of *Ireland* and Earl of *Suffolk*. And their violent driving all things into Extremes, was the Fall of " thoſe two unhappy Princes, who, when they had Power, ſhew'd no Moderation; and when they wanted " it, betray'd as much Dejection. Both theſe Princes in the Change of Fortune deny'd and granted too " much; and moſt commonly deny'd what they had granted, and granted what they had deny'd before; by " which they diſoblig'd in denying, and their Favours ſeem'd no Obligation when beſtow'd. The firſt was " look'd upon as a Deſign to injure their Subjects, and the laſt as a Fear of them.

" THEIR Reigns may juſtly be ſaid to be the Reigns of Favourites, who enervated all their Virtues, and " diſpos'd them to Looſeneſs and Careleſneſs, deafned and confounded them with Flatteries, and prompted " them to obſerve no Law but their Will, while they were the Diſpoſers of all things: At which many " great Men and others retir'd diſcontented, and left the Favourite Miniſters at large to purſue their Ambiti- " on, and with new Inventions to waſte and pillage the King's Revenues. This Deſcription ſuits with the " beginning of this unfortunate King *Richard* the Second, who by contrary Methods to what his Father and " Grandfather us'd, met as contrary Fortunes: The Comelineſs and Beauty of his Perſon (exceeding all his " Predeceſſors) only ſeem'd to entitle him to a generous Father, and as beautiful a Mother. But that promi- " ſing Perſon, which might have become great Actions, was turn'd to Looſeneſs and Pleaſures: And Flatte- " rers broke in to encourage that diſſolute Careleſneſs, which they found would be ſuitable to his Nature, " and their ambitious Deſigns. From the time that he aſſum'd the Government into his own Hands, he " grew liable to his own Errors, appearing wholly regardleſs of all his great Relations and Nobility, and " wholly poſſeſs'd by his Favourites: And being as violent in his Affections, as others could be in their Diſ- " pleaſures, he ſeldom regarded what others thought, 'till Neceſſity inforc'd the Conſideration; which ſhew'd " that even great Affections, when wrong plac'd, are unfortunate Virtues. As *Edward* II reſtor'd *Gave- ſton* from Baniſhment and his Subjects Hatred, to his Arms and Love; ſo this unfortunate King receiv'd " the Earl of *Suffolk* and the Duke of *Ireland*, the one from the Proſecution of his Parliament, and the other " from the Diſpleaſure of the People, to increas'd Affection and Truſt; after which they rais'd him by " Flattery above his Power, and ſharpen'd him by falſe Arguments to revenge their own Cauſe rather than " his. In moſt of his unhappy Actions he appear'd againſt himſelf and his own Reaſon; being turn'd " from his own Nature and Reaſon by his deſperate Miniſters, that wanted Senſe and Bowels; which " Unſteadineſs daily kindled Miſtruſts, the fruitful Nouriſhers of civil Miſchief. His Gifts, in the mean " time, to his Miniſters, were ſo large that they brought him into more Wants than ever the Wars " of his brave Anceſtors could reduce him to, and us'd more unjuſt Inventions to ſupply his private " Uſe, than they needed publick Aſſiſtances to ſupport the Intereſt and Honour of their Crown. In " his Troubles he was inſtructed by the want of Power to lament the attempting too much, and felt " ſeverely the want of that Truſt and Confidence which he had deſtroy'd. He had forc'd all his " People to be in the Nature of Traitors, and compell'd them to purchaſe as it were the Name of Sub- " jects; while there were none that ſeem'd ſo to him, but thoſe that needed Pardon the moſt, ſuch as had " counſell'd him to the Ruin that was fallen upon him. For he had been ſo long accuſtom'd to follow the " Advice of others, that he knew not the way to uſe his own, and had too long purſued the mean and eaſy " ways of Indirectneſs, ſo that he diſcharg'd his Army, as believing it impoſſible to recover Power after he " had us'd it ſo ill. He ſaw himſelf forſaken by thoſe he ſhould have forſook before; the very Men who had " ſo much flatter'd him with their exceſſive Love and Loyalty: And like thoſe mean Inſects which live with " a little Warmth, but ſhrink at any Change of Weather, They who had contributed to all his Errors in his " Proſperity, tranſplanted their Zeal into the new Sunſhine, as ſoon as his Succeſſor demanded the Crown. " When he reſign'd it, he appear'd moſt like a King: All that he did then was certainly from himſelf. He " was ſo calm in that Extremity, that he ſhew'd Virtue enough to make it evident, that he might have been " an excellent Prince, had not his Miniſters reign'd more than he. He acknowledg'd the Errors which his " Youth made ill Counſellors capable to imprint in him, and ſeem'd only troubled that he had not time al- " low'd to repair thoſe Injuries he had done the Nation. He perceiv'd his own Virtues, when the Vices of " others could no longer hide them; and he that once could have been ſo eaſily perſuaded, that he was ſhot " at thro' his wounded Miniſters, now ſaw that it was from them he had receiv'd his Wounds.

" SIR *Robert*, who relates the Particulars of his Murder by Sir *Pierce Exton*, and eight other Aſſaſſins, " ſays, that he ſlew four of them, and fought bravely with the reſt, 'till *Exton* got upon a Chair behind him, " and with a Pole-Ax ſtruck him down. From hence he remarks, that in the two greateſt Exigencies of " this Prince's Life he appear'd differing from himſelf, one in the Reſignation of his Crown, the other in the " Loſs of his Life; the firſt he did with a ſteady Calmneſs, almoſt above the Temper of a Man; the laſt " with a Courage equal to the braveſt. In ſmaller Concerns he ſeem'd unſteady and amaz'd, in theſe great " ones firm and unconcern'd. But in theſe Extremities he was not clogg'd with thoſe Favourites and Miniſters, " who influenc'd him with their Weakneſs, and ſhook his Mind with their Indirectneſs, making not only their " Cauſe to be his, but his Nature theirs. This ſeem'd juſtify'd by his Behaviour in theſe laſt and greateſt Extre- " mities; when acting wholly for himſelf, he intitled himſelf at laſt to his Grandfather's and Father's Courage " and Virtue, and ſhew'd himſelf dying, what his Minions never gave him leave to appear when living.

" To give a clearer View of the Parallel betwixt *Edward* II and *Richard* II, our Author ſums it up thus:

" THEY never appear'd Men 'till they were to be ſo no more. They never attempted true Glory, and " before they were Kings, gave little Teſtimony of their fitneſs to be ſo. They never appear'd able to judge, " but wholly ſubmitted to the intereſted Opinion of others. They were inconſtant in all Conditions; in " Proſperity bold and violent; in Danger fearful and temperate; their Promiſes were no Security, and Diſ- " ſimulation was their Policy. They were ſubmiſſive when oppos'd, and fierce when ſubmitted to. They " always abuſed the Tenderneſs of others, and ſeldom ſhew'd any of their own; never forgiving where " they had opportunity to puniſh. They neither had Power or Deſign to conquer Enemies, but us'd both to " overcome their Friends. Others were Maſters of them, and not they of themſelves; and thoſe that reſiſted " prov'd more fortunate than thoſe that ſubmitted. In Danger they depended on others to attempt for them, " and in Proſperity they gave no Rules of Virtue, but ſuffer'd the Vices of others to be their Examples. They " knew little how to get Power, and leſs how to uſe it. Chance ſometimes brought, and their giddy Favou- " rites loſt. They never ſeem'd inclin'd to make good Laws, and were always contriving to violate thoſe " that were made. They ſhew'd little skill how to gain, and as little how to preſerve, being adviſ'd to the " miſtaken Policy of neglecting Love, and to the Folly of abuſing Truſt. They had great Supplies, but " made no Purchaſes with them of Honour or Intereſt. What others beſtow'd for the publick Good, they " gave away to their private Favourites, and wanted more to ſupply their Avarice and Ambition, than *Ed-*

" *ward*

FOEDERA Tom. V.

Supposition that *Richard* was alive, and had made his escape from Prison. Tho' nothing could be falser than such Reports, yet the Authors of them were persuaded that the spreading of them would be the right way to stir up the People: An evident Proof that the *English* in general were not pleas'd with the Treatment shewn to that Prince, nor with *Henry*'s Advancement, tho' the Authority of the Parliament interven'd.

Continual plots against Henry, founded on a Report that Richard was still alive.

IN 1402 there was a Report all over the Kingdom, that *Richard* was alive in *Scotland*, just ready to enter *England* for the Recovery of the Crown; and in the Night-time several virulent Libels were pasted up in the High Streets of *London*, to back it. Sir *Roger Clarendon*, the natural Son of the famous Prince of *Wales*, was hang'd up, together with eight Monks, and a Doctor of Divinity, for justifying the Report. For *Henry* was so persuaded that he should get nothing by Clemency, that he never pardon'd those who conspir'd against him, or were convicted of spreading the false News that *Richard* was alive.

YET out of this Number must be excepted the Earl of *Northumberland*, of the Family of the *Piercy*'s, whom he pardon'd. This Earl's Rebellion being the Subject of a considerable Part of the History of this Reign, we will just give a few of the Particulars.

History of the Earl of Northumberland.

HENRY Piercy Earl of *Northumberland* was Governour of the *Northern* Counties, towards the close of *Richard* the Second's Reign. Not long before that Prince set out on his last Journey for *Ireland*, he sent an express Order to this Earl, to come and meet him, by reason of some suspicions he had entertain'd against him. Whether this Lord had already been practising with the Duke of *Lancaster*, who was then at *Paris*, or whatever else was the Reason, he desired to be excus'd from obeying the King, on pretence that his Presence was necessary in the Countries of which he had the Government. Upon this refusal *Richard* declar'd him a Traitor, by a Proclamation, and confiscated all his Estate. *Piercy* being provoked at this Treatment, was the first that went to join *Henry*, when he landed at *Ravenspur*; and it is very probable that he was of the number, and perhaps the chief of those who had invited him to come into *England*. However that was, by his readiness to declare for him, he drew all the rest of the Kingdom into the same Resolution. He was also one of those who took the most Pains to place the Crown upon his Head; which important Services did not go without their Reward: For as soon as *Henry* was proclaim'd, he confirm'd him in the Government of the *Northern* Counties, and made him High Constable of *England*. [The Patent for this Purpose is dated *September* 30, 1399, at *Westminster*.] Not many Days after, he made him a Present of the *Isle* of *Man*: And the Earl of *Northumberland* on his Part, was so attach'd to the King's Interest and Person, that he look'd upon him as the most loyal

Made High Constable of England. p. 89.

" *ward* I, and *Edward* III, did to enlarge the Nation's Glory. The private Conquests the Favourites made " over the former, were more chargeable than the Victories that were obtain'd by the latter, over Nations. " They return'd nothing to their Subjects for what they gave, neither by the Bravery of Arms to crush the " Greatness of their Enemies, nor by vertue of good Laws, to increase the Prosperity of the People. They " seem'd not fitted themselves to attempt the first, and too much influenc'd by Favourites to incline to the " last. They fear'd the greatness of their Subjects more than their Enemies, and shew'd they would ra- " ther have conquer'd at home than abroad, as if they would choose to make their own People Slaves, ra- " ther than others. They apprehended the Effect of good Laws, and were most pleas'd with those that " debauch'd the Trust of Justice; and the Judges were esteem'd most Loyal, that were most readily wicked. " Those were the greatest Favourites that the People most hated, and the greatest Enemies to Men were re- " puted the best Friends to Them. As they divided their Interest from their Subjects, their Complaint of " Grievances rather procur'd Punishment than Redress. They thought the People's Good was inconsistent " with their Power, and that to be sensible of Oppressions was rebellious. In fine, as they were alike in " their Tempers, they were equally unsuccessful: And in the midst of the greatest Smiles of Fortune, both " alike forsaken by her. But *Richard* II, in the last wretched Scene of his Life, had the Opportunity of " shewing some Testimonies that he sprung from the *Black Prince*; and had not liv'd more unhappily than " he died bravely: The first he ow'd to his Favourites, the last to himself.

" MR. *Rapin* observes, that the chief thing in which these two Princes differ'd, was this; *Richard* was " more harsh and inflexible, and usurp'd more absolute Power than *Edward*, which made him only the more " hated in Life, and the less lamented at Death. And upon the Catastrophe of these two Princes, he makes " this very just Reflection, That in such a Government as that of *England*, every Attempt which the So- " vereign makes to grasp at absolute Power, is a Step which brings him so much the nearer to the Precipice of " his Ruin.

" WE hope that every Free-born *Englishman* will excuse us for taking so much of the Character of these " two Princes from Sir *Robert Howard*, when he considers that it was the manifest Design of that Author, " to give a Prospect of the Hazard and Madness of a Prince's following the *Misguiding Meteor* (as Bishop " *Nicholson* calls it) *of Arbitrary Power:* And by comparing the Misadventures of those two unhappy Kings " with the Triumphs of their prosperous Predecessors, to shew what *Glory and Safety wise and virtuous* " *Princes have obtain'd; and what Ruin the Cruelty and Folly of others have brought upon themselves and Sub-* " *jects.*

" THE learned Prelate just now mention'd, observes that this *Richard* gave *France* the Precedence in his " Royal Style and Title, his Great Seal bearing *Rex Franciæ & Angliæ.* And so did *Henry* the Fourth, to " whose Reign we now return, after having premis'd this short Character of him by *Bacon*, *That he was an* " *unhappy confident Man, who durst undertake more than he would, did more than he ought, and was success-* " *ful in what he did; yet never attain'd his End, to be sure of his Crown and Quiet of Mind.*"

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of his Subjects, and the moſt zealous for his Service.

His Victories over the Scots.

IN 1402 the Earl gain'd two ſignal Victories over the *Scots*, the firſt at *Nesbyt*, the ſecond at *Humbledon* or *Halidown*. In this latter, which was the moſt conſiderable, the Earl of *Douglas*, General of the *Scotiſh* Army, was taken Priſoner, together with the Earl of *Fife*, King *Robert*'s Nephew, and ſeveral other Officers of Diſtinction. This Victory was the Source of a Quarrel which happen'd betwixt the King and the Earl of *Northumberland*. The King had a mind to have thoſe Priſoners at his own diſpoſal, but the Earl pretended that it would be an Injury to him, to deprive him of the Ranſoms which he might expect for them. Nevertheleſs he was oblig'd to yield to the King's abſolute Orders. It was unhappy for him that he reſented the King's want of Complaiſance as an Affront to him, which he was reſolv'd to revenge. To this purpoſe he made a ſtrict League with *Owen Glendour*, who had caus'd the *Welſh* to rebel, and with the Earl of *March*, who was at that time *Glendour*'s Priſoner. Their Deſign was to dethrone *Henry*, and to ſet the Crown upon the Head of the Earl of *March*; after which the new King was to leave *Wales* to *Glendour*, and the Counties by *North* of *Trent*, to the Earl of *Northumberland*. Having concerted their Meaſures, the Earl rais'd an Army in his Government, and by reaſon of an Indiſpoſition which came upon him, he gave the command of it to his Son *Henry Piercy*, ſurnamed *Hotſpur*, and to his Brother the Earl of *Worceſter*, who went to join the *Welſh* near *Shrewsbury*. The King march'd to give them Battel, and gain'd a Victory. Young *Piercy* being kill'd and bury'd, after the Battel the King caus'd his Corpſe to be taken out of the Grave, and cut into four Quarters, which were ſet up upon Poſts. The Earl of *Worceſter* who was taken Priſoner, was ſentenc'd to loſe his Head. Nevertheleſs the King pardon'd the Earl of *Northumberland*, who went and caſt himſelf at his Feet; but notwithſtanding this Clemency, the Earl could never entertain that good Opinion of his Prince which he had once, as we ſhall ſee by and by, after mentioning the other Conſpiracies which were form'd againſt the King.

Quarrel betwixt the King and the Earl of Northumberland.

The Earl's League with Owen Glendour, *and the Earl of* March.

Henry's *Victory over the Rebels.*

Henry Hotſpur *taken out of the Grave and quarter'd.*

His Father the Earl of Northumberland *pardon'd.*

IN 1404, it was reported again that *Richard* II was alive, and in *Scotland*. One *Serlow*, who had been his Domeſtic, was the Author of this Rumour, together with one *Thomas Ward*, who pretended to be King *Richard*. *Serlow* was taken and hang'd, with many others who had ſupported it by falſe Relations.

IN 1405, the Earl of *March*'s Children, who were kept at *Windſor* by order of the King, were carry'd off; and tho' they were retaken, the Perſons who took them away could never be diſcover'd. The Duke of *Albemarle*, who, by the Death of his Father, was become Duke of *York*, was taken up on ſuſpicion, and kept above three Months in Priſon.

HENRY IV.

Earl of March's *Children carry'd away, and retaken.*

THE ſame Year a great Conſpiracy broke out againſt the King. *Richard Scroop* Archbiſhop of *York*, the Earl of *Northumberland*, *Thomas Mowbray* Earl Marſhal, the Lords *Bardolph*, *Haſtings*, *Falconbridge*, and many other Lords, having reſolved to make a puſh for dethroning the King, aſſembled a numerous Army at *York*, where they publiſh'd a Manifeſto, in which they did not ſpare to give the Terms of Uſurper, Traitor, and Arch-traitor. But happy was it for him that the Earl of *Weſtmoreland*, who was then marching with ſome Forces towards *Scotland*, being near *York* when the Rebellion broke out, deliver'd him from the Danger, by this cunning Stratagem. He pretended to be fond of the Rebels Schemes; and having found Means to draw the Archbiſhop of *York* and the Earl Marſhal to a Conference, he made them his Priſoners. The apprehending of theſe two Ring-Leaders ruin'd the Conſpiracy, and the King cauſed them to be beheaded, as well as the Lords *Haſtings* and *Falconbridge*, who had the Misfortune to be taken afterwards. The Earls of *Northumberland* and *Bardolph* retir'd into *Scotland*; and next Year the King made a ſecret Agreement with ſome *Scotch* Lords, who promiſed him to deliver them up; but they having timely Notice of it, fled to *Wales*.

Great Conſpiracies againſt the King.

IN 1407, Papers were fix'd up in *London* and other Towns, denoting that *Richard* II was ſtill alive, and about to return into the Kingdom at the Head of a powerful Army, and exhorting the People to join him in order to drive out the Uſurper. Several Perſons were puniſh'd for having ſpread or ſupported this falſe Rumour. The Counteſs of *Oxford*, Mother to the late Duke of *Ireland*, who was *Richard* II's Favourite, had her Pardon, but her Secretary was hang'd for it.

Another Report about Richard II.

THE ſame Year the King had like to have been taken by the *French* Privateers, as he was making a Tour by Sea to one of his Palaces in the County of *Norfolk*, when no queſtion he was betray'd by ſome of his Domeſticks. At another time an Iron Inſtrument with three Forks was found under the Mattraſs of his Bed, which if he had lain down, would have probably kill'd him. Thus was this Prince

More Plots againſt Henry.

FOEDERA TOM. VIII.

Prince continually made uneasy among those who serv'd him.

Earl of Northumberland's League with Owen Glendour.

IN 1408, the Earl of *Northumberland* and the Lord *Bardolph*, having made a League with *Owen Glendour*, publish'd a very injurious Manifesto against the King. At the same time they return'd thro' *Scotland* into the neighbouring Countries, where they rais'd an Army, with an intent to go and join the *Welsh*. The King was extremely surpriz'd at this new Rebellion, and had made no manner of Preparation against it. But while he took Measures to go and oppose the Rebels, and was actually marching towards the *North*, *Thomas Rokeby* who was High Sheriff of *York*, did the Work for him; for this Officer having already rais'd some Men for the King against his Arrival, the Earl of *Northumberland* thought it a matter of great Importance to disperse this Body, which might increase and give him trouble. *Rokeby*, tho' very inferior in number, could not prevail with himself to retreat, and he received the Earl with so much Intrepidity, that after a very obstinate Engagement, he won the Victory. The Earl of *Northumberland* was kill'd, and the Lord *Bardolph* being very much wounded and taken Prisoner, the Sheriff caus'd him to be beheaded. Thus did the King at last get rid of the Earl of *Northumberland*, who after having done him great Services, liv'd to be his most dangerous Enemy. And if the Earl had liv'd longer, he would, no doubt, have gone near to have depriv'd him of that Crown, which he had contributed more than any body whatsoever, to place upon his Head.

Rokeby the High Sheriff of York defeats him.

The Earl of Northumberland kill'd in Battel.

I HAVE put all these Conspiracies together, because they relate to one and the same Article: I mean the Uneasiness of the *English* at the deposing of *Richard*, and the advancing of *Henry* to the Throne. The latter's escape from all those Dangers, was purely owing to extraordinary Accidents. Those Conspiracies were of such a nature, that one would have thought they were enough to give him more Perplexity than they really did; but they render'd him so suspicious, that the least thing in the World made him jealous. Proceed we now to some other Matters, which come under the Head of his Domestic Affairs.

Marriage of King Henry's Daughters.

IN 1401, *Henry* agreed to the Marriage of *Blanche* his eldest Daughter, with *Lewis* of *Bavaria*, Count Palatine of the *Rhine*, Grandson to the Emperor *Robert*.

IN 1402, he marry'd *Philippa* his second Daughter, to *Eric* King of *Denmark*, who was as yet under the Guardianship of his *Mother*, Queen *Margaret*.

AT the same time the King set a Treaty of Marriage on foot between his eldest Son, the Prince of *Wales*, and *Eric*'s Sister; but this Proposal did not succeed.

His own Marriage.

AND lastly, in that very Year he concluded his own Marriage with *Joan* of *Navarre*, Widow of the Duke of *Bretagne*.

IN 1404, the House of Commons presented an Address to the King, to desire him to seize the Temporal Revenues of the Clergy, who was very rich; but the King refus'd it. This Parliament was call'd *Indoctum*, or Unlearned.

IN 1406, the Commons having refused to grant the King a Supply, he kept the Parliament sitting 'till they comply'd with his Request. It was in this very Session that the Act above-mention'd was pass'd against the Succession of Females and their Descendants. It is very probable that the King obtain'd it by the same Means as he did the Supply, or by some other way, which he was forc'd to make use of.

IN *December* that very Year the Act was repeal'd.

IN 1410, the Earl of *Northumberland* being dead, and *France* beginning to be disturb'd by intestine Divisions, *Henry* had nothing more to render him uneasy; and by some Steps which he took, began to make a Discovery that he had not that Aversion to Arbitrary Power, which he pretended before he got into the Throne. He made use of several illegal Methods to have such Members chose to sit in Parliament as were his devoted Tools. These Practices were carry'd on so far, that the Parliament which met this Year, was oblig'd to make a very severe Act to remedy this Abuse, of which they had felt such terrible Consequences in the preceding Reign.

Henry's Endeavours to pack a Parliament.

IN this very Session the House of Commons return'd to the Charge, being very hot for seizing the Clergy's Revenues; but the King made them a very sharp Answer. Considering how the Laity stood affected at that Juncture, he did not care to embroil himself with the Clergy, much less to attack them in a Part so sensible. He likewise return'd a very severe Answer to another Address, which the same House presented to him in favour of the *Wickliffites* or *Lollards*. The King's haughty Carriage exasperated the Commons, who, in their turn, bluntly refus'd him a Supply which he demanded: But he would not part with the Parliament 'till they granted it.

THUS ended the Affairs betwixt this King and his Subjects. He liv'd a little above two Years longer, being always jealous of his Authority to a degree of Excess, and suspicious even of his own

Henry's Death.

Son. During his laſt Sickneſs he would always have the Crown and Sceptre by his Bed-ſide, for fear leſt any body ſhould carry them away. He died the 20th of *March*, 1413, after having languiſh'd a few Months.

I SHOULD have been glad to paſs over the Events of this Reign, becauſe of the few important Acts that are in this Eighth Tome. But I thought it by no means proper to loſe the Thread of the Hiſtory, which may be neceſſary hereafter. The moſt remarkable Acts of this Tome, with reſpect to domeſtick Affairs, are as follow, *viz.*

[*Acts relating to Domeſtick Affairs.*]

Creation of an Earl-Marſhal. 89.

1. A PATENT conferring the Poſt of Earl-Marſhal of *England* on *Ralph Nevil* Earl of *Weſtmoreland*; dated *September* the 30th, 1399 [a].

2. ANOTHER of the ſame Date, conſtituting the Earl of *Northumberland* High-Conſtable of *England*.

Of High-Steward. 90.

3. ANOTHER for the Poſt of High-Steward, granted to *Thomas* Earl of *Lancaſter*, the King's ſecond Son; dated *October* the 8th, 1399 [b].

His Deputy. Ibid.

4. ANOTHER conſtituting *Thomas Piercy* Earl of *Worceſter* to be the High-Steward's Deputy, during the Minority of *Thomas* of *Lancaſter*, dated as above.

Duke of Cornwal. 91.

5. ANOTHER for creating *Henry*, the King's eldeſt Son, Duke of *Cornwal* [c]. That for the Principality of *Wales* is not to be met with in this Collection.

Grant of the Iſle of Man, &c. 95.

6. A GRANT of the Iſle of *Man* to the Earl of *Northumberland*, with the Privilege of carrying that call'd the *Lancaſter* Sword, on the King's left Hand at Coronations. This was the very Sword that *Henry* wore when he landed at *Ravenſpur*. It is dated *November* the 19th, 1399 [d].

Raggemans burnt. 109.

7. AN Order to burn the *Raggemans*, or Promiſes exacted in blank Paper by King *Richard*, from ſeveral Counties and Towns of *England* [e].

Earls of Kent and Huntingdon arreſted. 120.

8. AN Order to arreſt the Earls of *Kent* and *Huntingdon*; dated [f] *January* 5th, 1400.

Biſhop of Carliſle, &c. committed to the Tower. 121.

9. ANOTHER for keeping the Earl of *Huntingdon*, the Biſhop of *Carliſle*, and *Roger Walden* cloſe Priſoners in the Tower; dated [g] *January* the 10th, 1400. This *Roger Walden* had been nominated to the Archbiſhoprick of *Canterbury*, in the Place of *Thomas Arundel*, who was baniſh'd in the Reign of *Richard* II, and he afterwards officiated in that quality; but by an Act of Parliament *Arundel* was reſtor'd to the See after the Revolution. Perhaps *Walden* was concern'd in the Conſpiracy with the Lords: Be this as it will, he was afterwards Biſhop of *London*.

Biſhops proſecuted. 123.

10. AN Order to proceed to the Trial of the Biſhops impeach'd of High Treaſon, notwithſtanding a certain Act of Parliament [h].

Grant to Cirenceſter. 130.

11. A GRANT made to the Inhabitants of *Cirenceſter*, for the Service they did the King againſt the Lords in Rebellion [i]. Some of the *Engliſh* Hiſtorians will have it to be at *Chicheſter*, where the four Lords were attack'd by the Mayor, and others ſay it was at *Cirenceſter*. This Act plainly determines the thing in favour of the latter.

Marriage Treaties of the King's eldeſt Daughter. 170, 176, 179, 200, 205, &c.

12. SEVERAL Pieces in form of Conventions and Contracts, relating to the Count Palatine's Marriage with *Blanche* the King's eldeſt Daughter [k].

Biſhop of Carliſle's Pardon.

13. A PARDON for the Biſhop of *Carliſle* [l].

Spreaders of falſe Reports apprehended. 255.

14. AN Order to apprehend and impriſon ſuch as reported that *Richard* II was alive in *Scotland* [m].

Marriage Treaties with Eric and his Siſter. 257, 259, 265.

15. SEVERAL Pieces relating to the Marriage of *Philippa* the King's Daughter, with *Eric* King of *Denmark*, and of the Prince of *Wales* with *Eric*'s Siſter [n].

Reports about Richard II. 261.

16. A PROCLAMATION againſt the Spreaders of falſe Reports, touching King *Richard* the Second [o].

17. A PROHIBITION to proſecute thoſe who ſaid innocently that King *Richard* is alive [p]. But this Order did not come out 'till ſeveral Perſons had been executed.

Scotch Priſoners at the Battel of Humbledon. 278.

18. A PROHIBITION to the Earl of *Northumberland*, to diſpoſe of the *Scotch* Priſoners taken at the Battel of * *Humbledon* [q].

19. Two Orders relating to the new Queen's Paſſage over from *Bretagne* to *England*; dated *November* the 8th and 10th, 1402 [r].

Earl of Northumberland's Grant. 289.

20 A GRANT of certain Lands to the Earl of *Northumberland*, for his Services done to the King againſt the *Scots*; dated *March* the 2d, 1403 [s].

War againſt the Piercys. 313.

21. AN Order to accompany the King in his War againſt the *Piercys*; dated *July* the 16th, 1403 [t].

Rebels pardon'd. 320.

[a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] Dated at *Weſtminſter*, *October* the 15th, 1399. [d] At *Weſtminſter*. [e] Dated *November* the 30th, 1399, at *Weſtminſter*. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] Dated *January* the 28th, 1400, at *Weſtminſter*. [i] Dated *February* the 28th, 1400, at *Weſtminſter*. [k] Dated *January* the 9th, 1401, at *Cologne*; *February* the 13th, at *Weſtminſter*; *March* the 7th, at *London*; the 7th of *June* at *Dordrecht*, and the 2d of *July* at *Mentz*. [l] Dated *November* the 28th, 1400, at *Weſtminſter*. [m] It is dated *May* the 9th, 1402, at *Weſtminſter*. [n] Dated at *Tutbury* and *Berkhamſtede* Caſtles, in the Dioceſe of *Lincoln*, *May* the 26th, 1402, and at *Weſtminſter*, *June* the 28th. [o] Dated *June* the 5th, 1402, at *Weſtminſter*. [p] Dated *July* the 13th, 1402, at *Weſtminſter*.

* IN the *Fœdera* this Place is call'd *Hemeldon*, near *Woller* in *Northumberland*.

[q] Dated *September* the 22d, 1402, at *Weſtminſter*. [r] At *Weſtminſter*. [s] At *Weſtminſter*. [t] At *Burton* upon *Trent*.

22. AN

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22. A POWER to the Prince of *Wales*, to grant a Pardon to the Rebels defeated [u] near *Shrewsbury*; dated *July* the 25th, 1403 [x].

Earl of Worcester's Head. Ibid.

23. AN Order to ſet up the Earl of *Worceſter's* Head upon *London-Bridge* [y].

Earl of Northumberland renounced. 322.

24. THE Oath requir'd of the Inhabitants of *Northumberland*, that they will not obey the Earl of that Name any longer: The Act demanding it is dated *Auguſt* the 15th, 1403 [z].

High-Conſtable of England. 330.

25. THE Patent for conferring the Poſt of High-Conſtable of *England* upon *John* of *Lancaſter*, the King's ſecond Son; dated *September* the 10th, 1403 [a]. This is he that was afterwards the famous Duke of *Bedford*.

Amneſty. 353.

26. AN Amneſty for the Spreaders of falſe News about *Richard* II, dated *March* the 20th, 1404 [b].

Berwick Caſtle. 364.

27. THE Earl of *Northumberland's* Engagement to deliver up the Caſtle of *Berwick* to the King; dated *July* the 9th, 1404 [c].

Counteſs of Oxford pardon'd. 379.

28. A PARDON for the Counteſs of *Oxford*, who had countenanc'd the falſe Reports about *Richard* II; dated *December* the 5th, 1404 [d].

Duke of York's Petition. 387.

29. A PETITION to the Council from the Duke of *York*, who had been in Priſon above ſeventeen Weeks; dated in *March*, 1405.

Dutcheſs's. 388.

30. ANOTHER from the Dutcheſs of *York*, deſiring an Allowance for the Duke her Husband.

Rebels pardon'd. 394.

31. A POWER to compound with the Rebels for their Pardon; dated at *Pontefract* Caſtle, *April* the 25th, 1405.

York diſfranchis'd. 398.

32. AN Order to take away the Priviledges of the City of *York*; dated *June* the 3d, 1405 [e].

Iſle of Man ſeiz'd. ibid.

33. AN Order to ſeize the Iſle of *Man*, belonging to the Earl of *Northumberland*; dated as above.

Archbiſhop of York's Adherents. 400.

34. A POWER to compound with the Adherents of the Archbiſhop of *York* for their Pardon; dated *June* the 11th, 1405 [f].

Summons to the Earl of Northumberland, &c. 405, 442.

35. A SUMMONS to the Earl of *Northumberland*, and to *Thomas Bardolph*; dated *July* the 18th, 1405 [g].

36. A PROCLAMATION againſt them; dated *June* the 19th, 1406 [h].

Philippa's Voyage to Denmark. 446.

37. AN Order relating to Queen *Philippa's* Voyage to *Denmark*; dated *July* the 22d, 1406 [i].

Succeſſion Act. 462.

38. AN Act of Parliament ſettling the Succeſſion of the Crown, and repealing one made the ſame Year, for excluding Females and their Deſcendants; dated *December* the 22d, 1406 [k]. This Act is ſign'd by the King, the Lords, and by the Speaker of the Commons, in the Name of the Lower Houſe.

Preparation for the King's Voyage. 700.

39. AN Order to prepare Shipping for a Voyage which the King was to make beyond Sea; dated *September* the 3d, 1411 [l]. This was in order to take poſſeſſion of ſome Places in *Guyenne*, which thoſe of *Orleans* were to deliver up to him. See the Article of *France*.

General Amneſty. 711.

40. A GENERAL Amneſty for all Malefactors, except thoſe that ow'd Money to the King; dated *December* the 22d, 1411 [m].

Duke of Clarence's Patents. 757, 758.

41. A PATENT for creating *Thomas* the King's ſecond Son, Duke of *Clarence*; dated *July* the 9th, 1412 [n].

42. ANOTHER appointing him Lieutenant General in *Guyenne*; dated [o] *July* the 11th, 1412.

Affairs of Wales.

EVER ſince the beginning of the Reign of *Edward* I, *Wales* had been united to *England*; but it was a Union which the *Welſh* accounted perfect Slavery. They had been forc'd to receive Laws and Cuſtoms, which tho' better than thoſe of their Anceſtors, were nevertheleſs the Laws of a Conquering Nation, with which they had a long time diſputed for their Liberty. And this was enough to render ſuch Regulations to them inſupportable. The Reign of *Henry* IV, beginning as one may ſay with a Conſpiracy which ſhew'd that the *Engliſh* were not over and above pleas'd with the Revolution that had lately happen'd in their Country, the *Welſh* thought it a fair Opportunity to ſhake off the Yoke.

Owen Glendour's Hiſtory.

Owen Glendour, or rather *Glendourdy*, as he is always cali'd in the *Fœdera*, was the Man who gave the firſt Hint of it to the *Welſh* his Countrymen. He was a Gentleman who hated the *Engliſh* for ſome private Reaſons; and ſo full of Ambition, that he only wanted an extraordinary Turn of Affairs to eſtabliſh his Fortune. He diſcover'd his Deſign in the Year 1400, while *Henry* was engag'd in a War againſt *Scotland*. The *Welſh* having ſuch a Commander to head them, took Arms on a ſudden. And it was not very long before this ambitious General obtain'd ſo great a ſhare in the Affection and Confidence of his Countrymen, that they own'd him for their Sovereign; from which Time he aſſum'd the Title of Prince of *Wales*.

Takes the Title of Prince of Wales.

THE King being in *Scotland* when this Rebellion broke out, the Earl of *March*, who was then at his Seat at *Wigmore*, aſ-

[u] On the 22d of *July*. [x] At *Stafford*. [y] Dated as above, at *Litchfield*. [z] At *Pomfret*. [a] At *Worceſter*. [b] At *Weſtminſter*. [c] At *Pomfret*. [d] At *Weſtminſter*. [e] At the Caſtle above-mention'd. [f] At *Rippon*. [g] At *Durham*. [h] At *Weſtminſter*. [i] At *Weſtminſter*. [k] At *Weſtminſter*. [l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Retherbith*. [o] At *Weſtminſter*.

ſembled ſome of the neighbouring Nobility to oppoſe *Glendourdy*. The latter, in order to gain a Reputation among the *Welſh*, did not only guard againſt the Attacks of the *Engliſh*, but went even to their Frontiers to inſult them. The Earl of *March*, going to repel him, was routed and taken Priſoner. The King believ'd, or at leaſt pretended to believe, that he put himſelf voluntarily into *Glendourdy*'s Hands; and upon this Pretence he would never take one Step towards his Ranſom: For ſo pleas'd was he to ſee this Rival out of a Capacity to do him any harm, that he would not ſtir to deliver him out of Captivity. And therefore *Glendourdy* kept his Priſoner 'till he had an Opportunity to make ſome uſe of him againſt the King, or to get a good Ranſom from him.

Defeats the Earl of March.

HENRY took ſo little notice of the Rebellion of the *Welſh* at firſt, that *Glendourdy* made ſome Progreſs, and often inſulted the *Engliſh* without Oppoſition, 'till 1401, when the King enter'd *Wales* at the Head of an Army: But as the *Welſh* retir'd to the Mountains, he could not poſſibly come up with them; and all that he could do was to ravage their Country.

Welſh *fly to their Mountains before King* Henry.

IN 1402, *Henry* made a ſecond Expedition into that Country, which was as fruitleſs as the other, becauſe it prov'd an extraordinary wet Summer.

IN 1405, *Henry* committed the Management of the War in *Wales* to his eldeſt Son Prince *Henry*, who defeated the Rebels twice in the ſpace of a Month.

His Son defeats them.

IN this very Year broke out the Rebellion of the Archbiſhop of *York*, which was ſuppreſs'd ſooner than could be expected, by the Arreſt and Puniſhment of the ſaid Prelate. It is not improbable that he and the other Chiefs of the Malecontents, acted in concert with *France* and *Glendourdy*: For that very Summer the Marſhal *de Montmorency* arriv'd in *Wales* with an Army of 12,000 Men; and if the Rebels had not been diſpers'd at that time, the King would undoubtedly have been very much embarraſs'd. The *French* and the *Welſh* being join'd together, took *Caermarthen*, *Worceſter*, and ſome other Places, where they got great Booty. The King, who was then in the Northern Counties, march'd immediately towards *Wales*: But at his Approach the *French* reimbark'd, and left *Glendourdy* to ſhift for himſelf; and happy was it for the *Welſh* that the Seaſon was ſo far advanc'd that *Henry* could not do much Execution in their Country.

Archbiſhop of York's *Rebellion.*

French *Forces join the* Welſh, *but put to Sea again upon the King's Approach.*

AFTER this Expedition the King let the *Welſh* alone, for fear leſt Deſpair ſhould put them upon ſending for freſh Succours from *France*; for as the only Expectation of the *Welſh*, and the other Malecontents, was from thence, he had made a firm Reſolution to avoid an open Rupture with that Crown. He choſe to abandon *Wales* for that Time, rather than to give the *Welſh* a Colour for bringing in Foreign Troops, which might have occaſion'd a general Inſurrection in *England*. That was the true Reaſon which made him bear with the Inſults of the *Welſh*, the *French*, and the *Scots*. Conſequently, *Glendourdy* remain'd Maſter of *Wales*, while the King made no great Efforts to reduce him to Obedience.

His Reaſons for not revenging the Inſults of the Welſh, *&c.*

IN 1408, *Glendourdy* made another League with the Earl of *Northumberland*: But the Death of this Lord broke all his Meaſures; and ever after that time, his Affairs grew worſe and worſe. Being deprived of the Aſſiſtance of ſuch a Friend, and of Succours from *France*, whoſe Affairs began to be embroil'd, his Credit diminiſh'd every Day among his Subjects, who ſaw that he was no longer able to protect them; And he abſconded a long time for fear that they would deliver him up to the King. This gave occaſion to ſome Hiſtorians to ſay that he died in 1409; but it appears by the Ninth Tome of the *Fœdera*, that he was alive in the Year 1417. After this, the *Welſh* voluntarily ſubmitted to the King.

Glendour *makes a League with the Earl of* Northumberland.

The Welſh *ſubmit to King* Henry.

The Acts relating to the Affairs of Wales.

1. A PROCLAMATION dated *September* the 19th, 1400, at *Northampton*, commanding the Vaſſals of that and the neighbouring Counties to be ready to follow the King into *Wales*. This was juſt after the King's Return from *Scotland*.

Militia order'd to go with the King to Wales. 159.

2. A GRANT of the Lands of *Owen Glendourdy* to *John* Earl of *Somerſet*, the King's Brother [p].

Grant of Glendour's *Eſtate to the Earl of* Somerſet. 163.

3. A PROTECTION for the *Welſh* who ſhould continue in their Allegiance; dated *November* the 30th, 1400 [q].

Protection for the Welſh. 167.

4. AN Order to prepare for oppoſing the Enemy (*French*) who are to ſend Succours to the *Welſh*; dated *January* the 11th, 1401 [r].

Order to oppoſe the French. 172.

5. A PARDON to the *Welſh* Rebels who ſhall return to their Allegiance, excepting *Owen Glendourdy*, *Rees ap Tudor*, and *William ap Tudor*; dated *March* the 10th, 1401 [s].

Pardon of the Welſh *Rebels.* 181.

6. AN Ordinance of Parliament, relating to *Wales*; dated the 18th *ditto* [t].

Order about Wales. 184.

7. A PROCLAMATION againſt *Owen Glendourdy* [u].

Proclamation againſt Glendour. 225.

[p] Dated *November* the 8th, 1400, at *Weſtminſter*. [q] At *Weſtminſter*. [r] At *Weſtminſter*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] Dated *September* the 18th, 1401, at *Weſtminſter*.

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8. A PATENT for appointing Prince *Henry*, the King's Son, his Lieutenant in *Wales*; dated *March* the 7th, 1403 [x].

9. A POWER to admit the *Welſh* Rebels to the King's Pardon; dated [y] *September* the 14th, 1403.

Glendour's Treaty with France. 356, 365, 382.

10. *GLENDOURDY*'s full Power to his Ambaſſadors to treat of a perpetual, or temporal Alliance with *France*; dated [z] *May* the 10th, 1404.

11. THE Treaty of Alliance betwixt the King of *France* and *Owen Glendourdy*; dated *July* the 14th, 1404 [a].

12. *GLENDOURDY*'s Ratification of it; dated *January* the 12th, 1405 [b].

Prince's Letter to the King on his Victory in Wales. 390. *General Amneſty.* 711.

13. PRINCE *Henry*'s Letter to the King his Father, acquainting him of the Victory he had gain'd over the *Welſh* [c].

14. A GENERAL Amneſty, out of which *Glendourdy* is excepted; dated *December* the 22d, 1411 [d].

Affairs with Scotland.

DURING the Reign of *Richard* II, *Scotland* was included in all the Truces which *England* made with *France*: And in the Reign of *Henry* the Fourth, there were almoſt as many Ruptures with the one as with the other.

Scots break the Truce.

IN *October* 1399, not long after *Henry*'s Coronation, *Robert* King of *Scotland* broke the Truce, and took the Caſtle of *Werck*. He thought that the Revolution which had lately happen'd in *England*, could not fail of exciting great Troubles; and he was deſirous to improve the Opportunity. For this very reaſon, *Henry* diſſembled his Reſentment of this Inſult, and commenc'd a Negotiation upon it. *Robert* ſeeing that there was no Riſing yet in *England*, and that *France* made no manner of Preparation to ſupport the Intereſts of the depoſed King, was very glad that *Henry* had open'd a Door for him to make a ſafe Retreat.

Earl of March abandons Scotland for the Protection of Henry.

THE Year following, *viz.* 1400, *George Dunbar* Earl of *March*, a *Scotchman*, being diſguſted at his Sovereign, deſir'd the King of *England*'s Protection, by means of the Earl of *Northumberland*. *Henry* granted it to him; and not long after, this Nobleman went to *London*, and did Homage to the King, who gave him certain Lands in conſideration of the Eſtate which he had left in *Scotland*. *Robert* demanded the Refugee, but *Henry* refus'd to deliver him up; whereupon *Robert* declar'd War againſt him.

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War with that Nation upon his Account.

HENRY choſe rather to begin the War in his Enemy's Country than to expect it in his own; and therefore he haſten'd his March towards *Scotland*. As he approach'd the Frontiers, he ſent a Summons to *Robert* to come and do him Homage for the Kingdom of *Scotland*. *Robert* making a Jeſt of theſe obſolete Pretenſions, *Henry* enter'd *Scotland*, and laid ſiege to the Caſtle of *Edinburgh*, but was forc'd to raiſe it, becauſe the Seaſon was too far advanc'd *. But he was ſcarce retir'd, in order to ſpend the Winter at *London*, when the *Scots* made an Incurſion into *England*, under the Command of Sir *Thomas Haliburton* and Sir *Patrick Hepburn*; but as they were returning home, they were met by the Earl of *Northumberland*, who beat them, and took away all their Booty. This Victory procur'd a Truce of ſix Weeks, which was afterwards prolong'd to a conſiderable Time.

Earl of Northumberland *beats the* Scots.

IN 1402, the *Scots* made another Incurſion into *England*, and were again defeated at *Nesbyt* by the Earl of *Northumberland*, who that ſame Year gain'd the ſignal Victory at *Humbledon* over the Earl of *Douglas*, who was enter'd into *England* with a numerous Army. The *Scots* General loſt an Eye there, and was taken Priſoner, together with the Earl of *Fife*, King *Robert*'s Nephew, and many other Lords, and Officers of Diſtinction.

Truce with the Scots.

IN 1404 a Truce was concluded betwixt the two Nations, from the 15th of *July* to *Eaſter* following.

Broke by another Incurſion.

BUT in 1406 the *Scots* made another Incurſion into *England*, which *Buchanan* ſays was follow'd with a Truce of eight Years; but we don't meet with it in the Acts of this Tome.

Robert Stuart, *and the Duke of* Albany.

ROBERT Stuart, King of *Scotland*, being a Prince of a very mean Genius, left the Government to the Care of his Brother *Robert* Duke of *Albany*. The latter having taſted the Pleaſure of commanding, form'd a Deſign to ſeize the Crown after his Brother's Death, who had two Sons, *viz. David* and *James*, whom he was therefore under a neceſſity of removing out of the way. As to the former, he accompliſh'd it thoroughly. *Robert* ſuſpected who did it; but not having Courage enough to puniſh him for it,

[x] At *Weſtminſter*. [y] At *Hereford*. [z] At *Dolguel*. [a] At *Paris*. [b] At *Lampadarn* Caſtle. [c] On the 11th of *March* 1405, dated from *Hereford*. [d] At *Weſtminſter*.

* SIR *John Hayward* ſays, that King *Henry* enter'd *Scotland* with a powerful Army, with which he burnt many Towns and Villages, demoliſh'd ſeveral Caſtles, and a great part of the Towns of *Edinburgh* and *Leith*, ſparing nothing but Churches and religious Houſes; ſo that whereever his Forces came, they left Bodies torn in pieces, mangled and putrify'd Limbs, the Air infected with Stench, the Ground ſtain'd with Corruption and Blood, the Country waſted, the Graſs and Corn trod down and ſpoil'd. And they that fled before his Army, fill'd all Places with Fear and Terror, magnifying the *Engliſh* Forces above Truth, in order to leſſen their Shame in running away.

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he only took Care to ſecure Prince *James*, the only Son he had left, from falling into his Snare. And for this end, he reſolv'd to ſend him to *France*. The young Prince ſailing along the *Engliſh* Coaſt, was ſo Sea-ſick that he was reſolv'd to land; but he had no ſooner ſet his Foot on the Shore, when he was arreſted and carry'd to the King, who committed him to the Tower. The King his Father broke his Heart, and the Duke of *Albany* undertook the Regency of the Kingdom 'till the return of *James*, to whom the Crown belong'd; but ever after that time, the Duke of *Albany* was exceeding cautious of diſobliging the King of *England*, for fear leſt he ſhould ſet his Priſoner at liberty.

Prince James *of* Scotland *taken and committed to the Tower.*

IN 1410, *Robert de Humfreville*, Admiral of an *Engliſh* Fleet, enter'd the Frith of *Edinburgh*, and committed Ravages upon both Shores. From hence one would preſume, that there was no Truce concluded in 1406, for eight Years, as *Buchanan* has aſſerted.

Truce with the Scots.

IN 1412, a Truce was made with the *Scots* for six Years.

Acts relating to Scotland.

p. 143. 1. A POWER to confirm the Truce with *Scotland*; dated *December* the 10th, 1399 [c].

Paſſport for the Earl of March. 131. 2. A PASSPORT for *George Dunbar* Earl of *March* in *Scotland*; dated *March* the 8th, 1400 [f].

133. 3. A COMMISSION to treat with him [g].

Truce with France. 144. 4. AN Order to notify the Ratification of the Truce between *England* and *France* to the King of *Scotland*; dated *May* the 24th, 1400 [h].

Vaſſals go with the King to Scotland. 146. 5. AN Order to the Vaſſals, to hold themſelves in a Readineſs to accompany the King into *Scotland*; dated *June* the 9th, 1400 [i].

Paſſports for the Earl of March. *And for the* Scots *Ambaſſadors.* 149. 6. A PASSPORT for the Earl of *March* in *Scotland*; dated the 21ſt *ditto* [k].

7. ANOTHER for the Ambaſſadors of *Scotland*, dated the next Day [l].

Treaty with Scotland. 150. 8. A COMMISSION to treat with *Scotland*; dated *June* the 26th, 1400 [m].

Earl of March's *Homage to* Henry. 153. 9. AN Engagement of the Earl of *March* aforeſaid, to renounce his Obedience to the King of *Scotland*, and to do Homage to the King of *England*, on the payment of a Penſion of 500 Marks, and the Grant of the Caſtle of *Sommerton* in *Lincolnſhire*, and of the Manor of *Clippeſton* in the Foreſt of *Sherwood*; dated [n] *July* the 25th, 1400.

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10. *HENRY*'s Letter to King *Robert*, ſummoning him to come and do Homage to him for *Scotland*; dated as above, *Auguſt* the 6th, 1400. In this Letter *Henry* renews the Pretenſions of *Edward* I to *Scotland*, and deduces them down from *Brutus* the firſt fabulous King of *Albion* Iſland.

Henry's Summons to Robert. 155.

11. ANOTHER Letter of the ſame Tenor to the great Men of *Scotland*; dated the Day following.

His Letter to the great Men of Scotland. 156, 157.

12. A PEREMPTORY Summons to the King of *Scotland*; dated at *Leith*, *Auguſt* the 21ſt, 1400.

13. A PROHIBITION to releaſe the Priſoners taken in *Scotland*; dated *October* the 30th, 1400 [o].

Order about the Scotch *Priſoners.* 162.

14. A TRUCE with *Scotland* for ſix Weeks; dated [p] *November* the 28th, 1400.

Truce with Scotland. 166, 190.

15. A PROLONGATION of the Truce to the 21ſt of *December*, 1401 [q].

16. ANOTHER Order to the Vaſſals (in *Lincolnſhire*) to be ready to attend the King to *Scotland*; dated *Auguſt* the 4th, 1402 [r].

Order to Vaſſals. 272.

17. THE Eſtabliſhment of Commiſſioners to decide the Differences concerning the *Scots* Priſoners taken at *Humbledon*; dated *March* the 9th, 1403 [s].

Scots *Priſoners at* Humbledon. 292.

18. A FULL Power to treat with the King of *Scotland*; dated *Auguſt* the 6th, 1403 [t].

Treaty with Scotland. 321.

19. FULL Powers of the Kings of *England* and *Scotland* to treat for the Ranſom of the Earl of *Fife*, Son to the Duke of *Albany*, and of *Archibald Douglas* [u].

Ranſom of Scotch *Priſoners.* 359, 363.

20. TRUCE betwixt *England* and *Scotland*, from *July* the 20th, 1404, to the Feaſt of *Eaſter*, 1405 [x].

Truce with Scotland. 363.

21. INSTRUCTIONS to the Commiſſioners who are to treat with *Scotland*; dated [y] *March* the 4th, 1405.

Inſtructions for a Treaty. 384.

22. AN Order to arm againſt an Invaſion deſign'd by the *Scots*; dated [z] *September* the 8th, 1405.

Scots *deſign an Invaſion.* 414.

23. AN Order to keep *James*, Son to the King of *Scotland*, in the Tower; dated *June* the 10th, 1407.

Prince of Scotland *in the Tower.* 484.

24. ANOTHER Order to arm againſt an Invaſion threatened by the *Scots*; dated [a] *July* the 5th, 1410.

Invaſion threatned by the Scots. 639.

25. A TRUCE with *Scotland* 'till *Eaſter*, 1418. It is dated [b] *May* the 7th, 1412.

Affairs with France.

THE Court of *France* had good reaſon to wiſh that *Richard* the Second's Reign

[c] At *Weſtminſter*. [f] At the Manor of *Eltham*. [g] Dated the 12th *ditto*, at *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Weſtminſter*. [k] At *Pontefract* Caſtle. [l] At *York*. [m] At *York*. [n] At *Newcaſtle* upon *Tine*. [o] At *Weſtminſter*. [p] At *Weſtminſter*. [q] Dated *April* the 26th, 1401, at *Weſtminſter*. [r] At the Manor of *Ravenſdale*. [s] At *Weſtminſter*. [t] At *Pontefract*. [u] Dated *May* the 23d, 1404, at *Leith*, and *July* the 6th, 1404, at *Pontefract*. [x] It is dated as above. [y] At *Weſtminſter*. [z] At *Faxfiete*. [a] At *Weſtminſter*. [b] At *Weſtminſter*.

had

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had been longer. She was pleas'd to ſee a Prince upon the Throne of *England* ſo little qualified to give her any Diſturbance; for *Richard* being incapable of making one generous Effort to recover what was loſt at the latter end of the Reign of *Edward* III, his Grandfather, did not only make a Truce of 28 Years with *France*, but alſo ally'd himſelf to King *Charles* VI, by marrying his Daughter *Iſabella*. This Marriage had not yet been conſummated, becauſe the Queen was too young; but *France* hop'd that it would be the Means of changing the Truce into a Peace; and that thereby ſhe ſhould keep the Provinces which *Edward* had conquer'd. The Revolution which happen'd in *England* by the depoſing of *Richard* II, and the advancing of *Henry* to the Throne, chang'd this Hope into Fear. King *Charles*, who was always ailing, had many Fits of real Frenzy, which diſabled him from taking Care of his Government. The Duke of *Orleans*, his Brother, and the Dukes of *Berry* and *Burgundy*, his Uncles, who govern'd in his Name, did not agree well together; and as things then ſtood, there was but too great Reaſon to fear that the new King of *England* would bring the old Quarrel upon the Stage.

French Court ſends Ambaſſadors to ſift King Henry.

THESE Conſiderations induced the Court of *France* to deſire a Paſſport for the Ambaſſadors whom they had a mind to ſend to *England*. The Pretence of this Embaſſy was in all appearance to act in favour of the depos'd King; but the true Motive of it was to ſift the Diſpoſition of the new King, who ere it was long fully reſolv'd their Doubt upon this Head: For immediately after he had ſettled his domeſtick Affairs in his firſt Parliament, he ſent the Biſhop of *Durham* and the Earl of *Worceſter* Ambaſſadors to *France*, who had Orders to confirm the Truce of 28 Years; and if *France* deſir'd it, to declare the King's Inclination to conclude a perpetual Alliance between the two Crowns, and to propoſe the Marriage of his eldeſt Son, the Prince of *Wales*, with one of *Charles* the Sixth's Daughters. This was enough to convince the Court of *France*, that ſhe had no reaſon to be afraid; and that on the contrary, *Henry* ſtood in fear of her. The Truce however was confirm'd, but the Propoſal of the Marriage was evaded under pretence of the King's Illneſs.

Truce with France confirm'd.

AFTER this, ſo many Plots broke out in *England* againſt *Henry*, as made the Court of *France* take new Meaſures. They reſolv'd to foment Troubles in this Kingdom, by continually making *Henry* uneaſy, notwithſtanding the Truce ſo lately confirm'd. Conſequently, *England* was never in Peace, nor in open War with *France*, during the whole Courſe of this Reign. *Charles*'s Council intended to leave this Point undertermin'd, that if the Affairs of *England* ſhould turn to the Advantage of the new King, they might be Gainers by the Truce, or that they might improve the Opportunity of ſuch Diſturbances as the *Engliſh* Malecontents were like to raiſe in *England*. At the ſame time they were willing to give the Malecontents of this Kingdom ſome Hopes of a powerful Diverſion, in caſe they ſhould reſolve to make a vigorous Effort. *Henry*'s Politicks occaſion'd this Conduct of *France*. As it was only from this Quarter that the Malecontents of his Kingdom could expect any Succours, he had taken a firm Reſolution never to make an open Rupture with that Crown. He was determin'd, coſt what it would, to deprive the *Welſh* and other Malecontents of this Protection; and he labour'd continually during the far greateſt part of his Reign, for the Succeſs of the Project which he had form'd for a perpetual Alliance with *France*. For the ſake of this, he ſuffer'd ſeveral Inſults from that Nation, without ſhewing much Reſentment; being always ready to accept the moſt frivolous Excuſes. He never refus'd entring into a Negotiation for preſerving the Truce, which *France* continually violated with Impunity, and without the leaſt Pretext. Such were the Diſpoſitions of the two Courts, 'till the inteſtine Diviſions of *France* gave them reaſon to take other Meaſures.

Henry's Policy in not breaking with France.

Faction in Guyenne.

IN 1399, the Truce of 28 Years was confirm'd, as has been already ſaid. That ſame Year, *Henry* had like to have loſt all that he had left in *Guyenne*, by a Rebellion which was hatching amongſt the *Gaſcons*, inſtigated by the Duke of *Bourbon*, who had been ſent into that Province expreſly for that Purpoſe.

Richard's Queen Dowager ſent for home to France.

IN 1401, *Charles* demanded that his Daughter *Iſabella*, who was *Richard* the Second's Dowager, might be ſent back to *France*. This was the Baſis of a Negotiation which *Henry* ſpun out to a great length, becauſe he had a Deſign to marry her to his Son the Prince of *Wales*. But this Project failing, *Iſabella* was accordingly ſent home to the King her Father.

Her Dowry demanded.

IN 1402, *Charles* demanded the Reſtitution of the Money which *Richard* II had receiv'd in part of *Iſabel*'s Dowry: But to ſilence this Demand, *Henry*, in his Turn, call'd for the Arrears that were ſtill due for the Ranſom of King *John* *.

* THE Sum due amounted to a Million and half of Crowns.

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French Descent on the Isle of Wight.

IN 1403, *Valeran* the Count *de St. Pol*, of the Family of *Luxemburgh*, made a Descent upon the Isle of *Wight*. As he had married a Sister of *Richard* II by the Mother's side, he pretended to an Authority of revenging the Death of the King his Brother-in-law. *France* furnish'd Troops and Ships for this Expedition, and yet pretended that by so doing she had not violated the Truce *.

Duke of Orleans challenges Henry.

THAT same Year the Duke of *Orleans*, Brother to *Charles* VI, sent a Challenge to the King of *England*, to fight him at single Combat, or rather with a hundred Men on each side. *Henry* demanded of the Court of *France*, whether the King had any hand in this Proceeding, protesting if he had, he look'd upon it as a Violation of the Truce; but he could get no other Answer from him, than that it was *Charles*'s Intention to observe the Truce †.

DURING the Rebellion of the *Piercys*, the Duke of *Orleans* had intended to make a Descent upon *England*, while the Duke of *Burgundy* was to besiege *Calais*; but the King's Victory at *Shrewsbury* made this Project fall to the Ground, tho' the frequent Confirmations of the Truce were no manner of Hindrance to the many Designs of this Nature, which *France* form'd during the whole Course of this Reign.

The French not bound by repeated Truces.

They besiege Merk Castle, near Calais.

IN 1405, the Count *de St. Pol* besieg'd the Castle of *Merk*, in order to facilitate the Siege of *Calais*, near which it stood: But the Governour of *Calais* posted to its Relief, and drove off the *French*, who were already got into the Castle-yard.

Also Bourg and Blaye.

ABOUT the same time the Duke of *Orleans* besieg'd *Bourg* and *Blaye* in *Guyenne*, both at once, but was not able to take them. *Henry* put up all these Affronts, and hardly durst complain of those frequent Violations of a Truce, which was every Year confirm'd to no manner of Purpose.

French land Men in Wales.

THIS same Year the Marshal *de Montmorency* landed 12,000 Men in *Wales*; the Design of which Expedition was manifestly to favour the Revolt of the Archbishop of *York*, and the other Conspirators, which, happily for the King, was suppress'd when the *French* arriv'd.

The Infidelity of France.

THE League which *France* made with *Glendourdy*, is another Demonstration that she made no account of the Truce; only when she could not bring her Designs to bear, then she protested that she had no Intention to break it. Yet for all this, *Mezeray*, and other *French* Historians, confidently affirm, that *Henry* broke the Truce every Year for the purpose: But they don't produce the least particular Fact to prove so general an Assertion. Besides, it is certain that it was as much against *Henry*'s Interest to break the Truce, as it was far from his Design.

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And of her Historians.

Quarrel betwixt the Dukes of Burgundy and Orleans.

NOT long after this, *France* was so shock'd by intestine Divisions, that she was no longer in a Condition to give any Disturbance to *Henry*. *John* Duke of *Burgundy*, who succeeded his Father *Philip* in 1403, was upon very ill Terms with the Duke of *Orleans*; and their Hatred of one another was carry'd to such a height, that the Effects thereof could hardly fail of being fatal. At length, in 1407, the Duke of *Burgundy* caus'd the Duke of *Orleans* to be assassinated; and had so much Interest as to get his Pardon for it: After which he made himself Master of the King's Person, and govern'd the Kingdom alone.

The latter assassinated.

Truce renew'd.

IN 1408, The Truce between the two Crowns was renew'd, for *Picardy* and *Guyenne*, to the 1st of *May*, 1410. When this Truce was on the point of expiring, the Duke of *Burgundy* made great Preparations at *St. Omer* for the Siege of *Calais*. They say that the Governour of *Calais* sent an Incendiary to *St. Omer*, who putting fire to the Ammunition prepar'd for that Siege, the Duke's Design vanish'd into Smoke.

Miscarriage of a Design upon Calais.

Duke of Burgundy's Pardon revok'd.

THE Duke's Affairs calling him into the *Netherlands*, his Enemies took the Opportunity of his Absence to have his Pardon revok'd, and to get him declar'd an Enemy to the State. During this, he gain'd a Victory over the *Liegeois*, and then immediately went for *Paris* with 10,000 Horse; but when he came, he found the King carry'd away to *Tours*. There was an Accommodation not long after between this Duke and the young Duke of *Orleans*; but the former always remain'd Master of the King's Person, and by consequence of the Government.

A Match with France propos'd, but slighted.

HENRY seeing the Duke of *Burgundy* so well establish'd, resum'd his first Thoughts of making an Alliance with *France*, and imagin'd that the Marriage of his Son the Prince of *Wales* to one of the Daughters of the Duke of *Burgundy*, would be a good Step towards it. He caus'd the Match to be propos'd; but the Duke, who had other Views at that time,

* THEY arriv'd in *December*, saying, that they were come to keep *Christmas* there, and demanded a Tax; but Mr. *Rapin* says, that after they had plunder'd a few Villages, the Inhabitants of the Island, without Assistance, forc'd them to retire with Confusion to their Ships.

† MR. *Rapin* observes, that upon *Henry*'s refusing to accept his Challenge because he was a Subject, the Duke sent him a Letter, branding him with the Titles of Traitor, Usurper, and Regicide: To which *Henry* return'd as bitter an Answer, wherein, after having given him the Lye, he accus'd him of having had recourse to Witchcraft, for afflicting his Brother with that Ilness under which he labour'd.

was

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was not in haſte to anſwer the Propoſal; and not long after the Affairs of *France* took a new Turn.

Troubles in France betwixt the Princes of Burgundy and Orleans.

THE Dukes of *Orleans*, *Berry* and *Bretagne*, the Counts *d' Alençon*, *Armagnac*, *Clermont*, and many others, having made a League againſt the Duke of *Burgundy*, rais'd Troops, and advanc'd near *Paris*. The Duke ſent an Army againſt them, which was not inferior to theirs; but juſt as they were going to engage, a Treaty was made betwixt them, by which it was agreed, that the Leaders of both Parties ſhould not come within the Verge of the Court. The Duke of *Burgundy* executed this Agreement, and retir'd to *Flanders*: But the Princes of the Houſe of *Orleans* were not ſo honeſt; for having rais'd freſh Troops, they advanc'd towards *Paris*, with a deſign to make themſelves Maſters of that Metropolis, and alſo of the King's Perſon. Then it was that the Duke of *Burgundy* had recourſe to the King of *England*, who ſent him powerful Succours, with which he march'd to the Deliverance of *Paris*, and enter'd that City the 30th of *October*, 1411. It was at this time that the Names of *Burgundians* and *Armagnacs* were given to the Factions, from the Duke of *Burgundy* and the Count *d' Armagnac*, who were the chief of them.

Both Factions apply to Henry for Aſſiſtance.

'TILL now *Henry* had been always afraid of *France*; but the Troubles of that Kingdom having diſſipated all his Apprehenſions, he reſolv'd to improve them to his own Advantage; and the *French* themſelves ſoon furniſh'd him with an Opportunity. The *Orleanois*, or *Armagnacs*, being too weak to make a ſtand againſt the Duke of *Burgundy*, deſir'd Aſſiſtance of *Henry*; and made him ſuch large Offers, that they drew him off from the Intereſt of their Enemy. The Duke of *Burgundy* hearing they had Deputies at *London*, ſent Ambaſſadors thither alſo, to renew the Treaty of a Marriage between one of his Daughters and the Prince of *Wales*. *Henry* pretended to lend a favourable Ear to this Propoſal, but it was only to get the better Terms from the Princes of *Orleans*, whoſe Deputies haſten'd to conclude a Bargain with him, for fear of being prevented by the *Burgundians*. They promis'd to put *Henry* in poſſeſſion of *Guyenne*, and all its Dependencies, in the ſame manner as his Anceſtors enjoy'd it. And *Henry* engaging on his Part to give them a powerful Aſſiſtance againſt the Duke of *Burgundy*, the Treaty was concluded the 18th of *May*, 1412.

Henry's Treaty with the Orleans Party.

ACCORDING to the Conventions, the King prepar'd the promis'd Succours, and gave the Command thereof to his ſecond Son *Thomas*, whom he made at the ſame time Duke of *Clarence*. While theſe Succours were getting ready in *England*, the *Orleans* Chiefs ſhut themſelves up in *Bourges*, whither the Duke of *Burgundy* went to beſiege them, and carry'd the King along with him. But the very Expectation of theſe Succours from *England*, put both the Beſiegers and Beſieged alike upon the Fret. The former were afraid they would arrive before they had taken the Place, and the latter left they ſhould come too late; which Uneaſineſs determining both Sides equally to an Accommodation, they made a Treaty, which was actually ſign'd by both Parties when the *Engliſh* arriv'd. The Duke of *Clarence* was then very much perplex'd, for fear the two Parties ſhould unite againſt him. But he put a good Face upon it; and after the Duke of *Orleans* had given his Brother the Count *d' Angouleſme* to him, as a Hoſtage for ſecuring the Payment of his Troops, he went thro' *France* to *Bourdeaux*. Now this put a Period to *Henry*'s Affairs with *France*; for in *March* 1413, which was the Year following, he departed this Life.

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Creation of his Son Duke of Clarence.

Accommodation of the Factions in France.

Acts relating to France.

1. A PASSPORT for the Ambaſſadors from *France*; dated [c] *October* the 31ſt, 1399. French *Ambaſſadors.* 98.

2. A FULL Power to the Biſhop of *London* and the Earl of *Worceſter*, for negotiating a Marriage between the Prince of *Wales* and one of the Daughters of *France*; dated [d] *November* the 29th, 1399. *Powers to the* Engliſh *Ambaſſadors.* 108, 109.

3. ANOTHER of the ſame Date for confirming the Truce of 28 Years, or for making a Peace with *France*.

4. A LETTER from *Charles* VI to *Henry*, promiſing to maintain the 28 Years Truce; dated *January* the 29th, 1400 [e]. French *King's Letter to* Henry. 124.

5. *HENRY*'s full Power to his Ambaſſadors in *France*, to treat with that Kingdom of a Peace, of a perpetual Alliance, and of the reciprocal Marriages of the Princes and Princeſſes of the two Royal Families [f]. *Powers for our Ambaſſadors in* France. 128, 129.

6. A COMMISSION to receive the King of *France*'s Oath for the Obſervation of the Truce; dated [g] *March* the 10th, 1400. *Commiſſion for the* French *King's Oath.* 132.

7. KING *Henry*'s Engagement to obſerve the Truce; dated *May* the 18th, 1400 [h]. Henry's *Engagement.* 142.

[c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Paris*. [f] Dated at *Weſtminſter*, *February* the 19th, 1400. [g] At *Weſtminſter*. [h] At *Weſtminſter*.

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8. A PROHIBITION to moleſt the Allies of *France*, the *Scots* excepted; dated *June* the 18th, 1400 [i].

French Allies not to be moleſted. 147.

9. AN Order to arm againſt the *French*, who are preparing to carry Succours to the *Welſh*; dated [k] *January* the 11th, 1401.

Order to prevent the French from ſuccouring the Welſh. 172.

10. A PARDON to the Inhabitants of *Bayonne*, who were diſpos'd to revolt; dated [l] *March* the 14th, 1401.

Confirmation of the Truce. 186.

11. A POWER to confirm the twenty eight Years Truce; dated *April* the 1ſt, 1401 [m].

Iſabella's Return. 196.

12. A TREATY for the Return of *Iſabella*, *Richard* the Second's Queen Dowager; dated *May* the 27th, 1401 [n].

Her Acquittance. 217.

13. *ISABELLA*'s Acquittance for what was reſtor'd to her when ſhe ſet out from *England*; dated at *Boulogne*, *Auguſt* the 1ſt, 1401.

Truce with France. 219.

14. CONVENTIONS relating to the Truce between *England* and *France*; dated *Auguſt* the 3d, 1401 [o].

Arrears of King John's Ranſom demanded. 230.

15. A COMMISSION to the King's Ambaſſadors, to demand the Payment of the Arrears due for King *John*'s Ranſom; dated *November* the 1ſt, 1401 [p].

267.

16. ANOTHER to adjuſt the King's Debts, with what remain'd due from *France* for the Ranſom of King *John*; dated *July* 1, 1402 [q].

Truce with France. 274.

17. CONVENTIONS relating to the twenty-eight Years Truce, and the Confirmation thereof; dated *Auguſt* 14th, 1402 [r].

279.

18. AN Order to publiſh the Truce at *Calais*; dated *October* the 18th, 1402 [s].

Arrears of King John's Ranſom demanded. 302.

19. A COMMISSION to demand the Arrears of the Ranſom of King *John*; dated *April* the 28th, 1403 [t].

Truce with France. 305.

20. CONVENTIONS relating to the twenty-eight Years Truce; dated [u] *June* the 27th, 1403.

Duke of Orleans challenges Henry. 310.

21. A MEMORANDUM of the Negotiations of the Ambaſſadors of *England* with thoſe of *France*, relating to the Challenge carry'd to the King from the Duke of *Orleans*; dated as above.

Negotiations for Iſabella's Dowry. 315.

22. ANOTHER relating to the Negotiations for the Reſtitution of *Iſabella*'s Dowry [x].

23. AN Order relating to the Incurſion of the Duke of *Orleans* into *Guyenne*, and to the Duke of *Burgundy*'s Deſign of beſieging *Calais*; dated [y] *October* the 25th, 1403.

Iſle of Wight. 342.

24. ANOTHER, for oppoſing the Count *de St. Pol*, when he was preparing to make a Deſcent upon the Iſle of *Wight*; dated *December* the 9th, 1403 [z].

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25. A LETTER from *Henry* to *Charles* VI, relating to the Challenge ſent from the Duke of *Orleans*, and to the intended Siege of *Bourdeaux*; dated *February* the 25th, 1404 [a].

Henry's Letter to Charles about the Challenge. 348.

26. A LETTER upon the ſame Subject from the *Engliſh* Noblemen to thoſe of *France*; dated as above.

A Letter thereupon from the Engliſh to the French Nobility. 342.

27. AN Order to arm againſt an Invaſion intended by the *French*; dated *October* the 26th, 1404 [b].

28. A LETTER to the Archbiſhop of *Canterbury* upon the Victory obtain'd at *Merk*, by the Earl of *Somerſet*, over the Count *de St. Pol*; dated [c] *May* the 21ſt, 1405.

29. ANOTHER Order to arm againſt an Invaſion intended by the *French*; dated *July* the 2d, 1405 [d].

Order againſt an Invaſion. 402.

30. A FULL Power to the Biſhop of *Wincheſter*, the King's Brother, to conclude a perpetual Peace with *France*; dated [e] *March* the 22d, 1406.

Treaty of perpetual Peace with France. 434.

31. ANOTHER to the ſame Prelate, to treat of the Prince of *Wales*'s Marriage with a Daughter of *Charles* VI, dated as above [f].

Of a Marriage. 433.

32. AN Order to be in a Readineſs againſt the Invaſion threaten'd by the *French*; dated *October* the 20th, 1406 [g].

Other Orders againſt a threaten'd Invaſion. 456, 466.

33. ANOTHER much like it; dated *February* the 5th, 1407 [h].

34. A TRUCE of one Year for *Guyenne*; dated *December* the 7th, 1407 [i].

Truce for Guyenne. 507, 521.

35. A TRUCE with *France* by Sea, 'till the Month of *May*, 1410 [k].

Truce by Sea. 548.

36. THE Alliance renew'd between *France* and *Caſtile* againſt *England* [l].

Alliance between France and Caſtile. 561.

37. THE King's Power to his Ambaſſadors to treat of a perpetual Alliance with *France*; dated *May* the 15th, 1409 [m].

Treaty with France. 586.

38. A PASSPORT for the Ambaſſadors of *France*, with 300 Perſons in their Retinue; dated *Auguſt* the 15th, 1409 [n].

Paſſport for her Ambaſſadors. 593.

39. A PARTICULAR Treaty of Truce for *Picardy*, and a general one by Sea [o].

Truces. 641.

40. A FULL Power to treat of a Marriage betwixt the Prince of *Wales* and a Daughter of the Duke of *Burgundy* [p].

Marriage Treaty. 699.

41. A PASSPORT for the Ambaſſadors from the Duke of *Burgundy*; dated *January* the 11th, 1412 [q].

Paſſport for the Duke of Burgundy's Ambaſſadors 712.

42. A COMMISSION from the Dukes of *Berry* and *Orleans*, the Counts of *Alençon*, *Armagnac*, &c. to offer the King of *England* the entire Reſtitution of *Guyenne*; dated at *Bourges*, *January* the 24th, 1412.

French Princes offer all Guyenne to Henry. 715.

[i] At *Weſtminſter*. [k] At *Weſtminſter*. [l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Lenlinghen*, a Town between *Calais* and *Boulogne*. [o] At *Lenlinghen*. [p] At *Weſtminſter*. [q] At *Weſtminſter*. [r] At *Lenlinghen*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] At *Lenlinghen*. [x] Dated at the ſame place, *July* the 21ſt, 1403. [y] At *Weſtminſter*. [z] At *Coventry*. [a] At *Weſtminſter*. [b] At *Coventry*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] And at the ſame place, *October* the 5th, 1406. [g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Glouceſter*, and at *Pontefract*, *April* the 30th, 1408. [k] Dated at *Paris*, *October* the 5th, 1408. [l] Dated at *Valladolid*, *December* the 7th, 1408. [m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] Dated at *Weſtminſter*, *July* the 20th, 1410. [p] Dated *September* the 1ſt, 1411, at *Weſtminſter*. [q] At *Weſtminſter*.

43. AN

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43. AN Offer of the ſame Nature from the Count *d' Armagnac* in particular; dated the 28th *ditto* [r].

Paſſport for their Envoys. 718.

44. A PASSPORT for the Envoys from the *French* Princes; dated *February* the 6th, 1412 [s].

45. AN Inſtrument dated the Day following [t], confirming the Inhabitants of *Guyenne* in the Privileges of natural-born *Engliſhmen*.

Treaty for marrying the Prince of Wales. 721.

46. A COMMISSION to treat of the Marriage of the Prince of *Wales* with one of the Duke of *Burgundy*'s Daughters; dated the 10th *ditto* [u].

Paſſport for French Envoys. 726.

47. A PASSPORT for the Envoys of the Dukes of *Berry*, *Orleans*, &c. dated *March* the 2d, 1412 [x].

Engliſh not to meddle in the Quarrel of the French Princes. 728. *Orders for the King's Voyage.* 730, 733.

48. A PROHIBITION to the *Engliſh* to ſerve either of the two contending Parties in *France*; dated *April* the 10th, 1412 [y].

49. SEVERAL Orders relating to a Voyage which the King was to make beyond Sea [z]. This was with deſign to go and take poſſeſſion of the Places in *Guyenne*, which the *Orleans* Party had offer'd to him.

Henry's Letter to the Flemings. 737.

50. THE King's Letter to the *Flemings*, demanding to know whether they purpos'd to aſſiſt the Duke of *Burgundy* in the Incurſion which he threaten'd to make into *Guyenne*; dated *May* the 16th, 1412 [a].

His Treaty with the French Princes. 738.

51. TREATY betwixt the King and the Princes of the *Orleans* Faction; dated *May* the 18th, 1412 [b]. By this Treaty the Princes engag'd to reſtore to the King no leſs than 1500 Towns, Caſtles, &c. in *Guyenne*; and to help him to conquer every Place held there by the King of *France*. The King engag'd on his Part to ſend to their Aſſiſtance 1000 Men at Arms, and 3000 Archers, to be paid by the Princes, &c.

His Sons Engagement to obſerve it. 743. 763.

52. THE Engagement of the Princes, Sons to King *Henry*, for obſerving the ſaid Treaty; dated *May* the 20th, 1412 [c].

53. THE King's Ratifications of it; dated *July* the 15th, 1412 [d].

Affairs with Bretagne.

John de Montfort.

JOHN de Montfort Duke of *Bretagne*, had always been very much attach'd to the Intereſts of *England*; and it was by the Aſſiſtance of his Father-in-law, *Edward* III, that he came at length to the peaceable poſſeſſion of the Dutchy of *Bretagne*, which had been ſo obſtinately diſputed betwixt him and *Charles* of *Blois*. The Dutcheſs, his Wife, dying and leaving him no Children, he marry'd to his ſecond Wife, *Blanche* of *Navarre*, by whom he had three Sons. He died in *November*, 1399, and left his Children to the Guardianſhip of the Duke of *Burgundy* and *Oliver de Cliſſon*. The eldeſt of his Sons ſucceeded him by the Name of *John*; tho' at his Baptiſm he was nam'd *Peter*.

His ſecond Wife.

Henry's Marriage.

In 1402, *Henry* marry'd *Blanche* of *Navarre*, Widow of the Duke of *Bretagne*, and Mother of theſe three Princes; which the Court of *France* was ſorry to hear; for ſhe had reaſon to dread that Union betwixt *England* and *Bretagne*, which had formerly given her ſo much Perplexity. To prevent this Inconvenience, the Duke of *Burgundy* repair'd to *Bretagne*, and carry'd the young Duke and his Brothers to *Paris*; after which the Affairs of *Bretagne* fell under the ſole Direction of the Court of *France*, who had the Duke in their Power, and whoſe chief Aim was to create a Miſunderſtanding betwixt the People of *Bretagne* and the *Engliſh*; ſo that the former continually harraſs'd the latter, without the leaſt Pretence for it.

A Deſcent upon England *from* Bretagne.

IN 1403, they made a Deſcent upon the Weſtern Coaſts of *England*, where they committed great Ravages. *Henry* complain'd of this Inſult, but could get no other Satisfaction than a Declaration that the thing was done by Perſons who had no Authority from the Government. He would not ſhew the leaſt Reſentment of this Affront, but put it up as tamely as he did many others, for the reaſon ſo often mention'd, *viz.* becauſe he was determin'd to avoid a Rupture with any of his Neighbours. Nevertheleſs, the Inhabitants of the Coaſts, who were Sufferers by the Invaſion, mann'd out a Fleet with the King's tacit Conſent, and therewith took a ſweet Revenge upon the Invaders *.

A Deſcent from England *upon* Bretagne.

Another Deſcent at Portland.

IN 1404, the People of *Bretagne* made another Deſcent at *Portland*; but inſtead of taking any Booty there, they were beat, and left ſome of their People Priſoners in the Hands of the *Engliſh* †. The King ſeem'd to take no notice of this Inſult neither: And after that time, the Hoſtilities continued on both ſides without

[r] At *Ruthen.* [s] At *Weſtminſter.* [t] At *Weſtminſter.* [u] At *Weſtminſter.* [x] At *Canterbury.* [y] At *Canterbury.* [z] One for Impreſſing Sea-men, dated *April* the 18th, 1412, at *Weſtminſter*; another to the Cinque-Ports, to prepare both Men and Ships; dated from the ſame place the 1ſt of the following Month. [a] At *Weſtminſter.* [b] At *Bourges.* [c] At *London.* [d] At *Weſtminſter.*

* WE are told in that call'd *the Compleat Hiſtory of* England, that the Invaders were commanded by the Lord *Caſſils*; and that after having burnt and plunder'd *Plimouth*, they return'd home with rich Spoils. The *Engliſh* Fleet that was ſent to return the Inſult upon the Coaſts of *Bretagne* was commanded by *William Wilford*, Eſq; who not only took 40 Sail of Merchant Ships, laden with Oil and Soap, and 1000 Tun of *Rochel* Wine; but landed his Men, and deſtroy'd the Towns and Villages for ſix Miles together, as far as the Town of *St. Matthew*, which he left in Flames, and returning to his Ships, ſet ſeveral empty Veſſels on fire which lay in the Harbour, and then departed.

† THE *Compleat Hiſtory of* England ſays, that this Expedition was commanded likewiſe by the Lord *Caſſils*, who was kill'd in an Engagement with the *Engliſh* Fleet at *Black-Pool*, together with 400 of the common Soldiers, and 200 taken.

any

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any open Rupture, or however without any Declaration of War.

Truces with Bretagne.

IN 1407, ſuch were the Diviſions at the Court of *France*, that the People of *Bretagne* fear'd they could have no farther Protection from that Quarter, and therefore deſir'd a Truce of *Henry* for one Year, which was immediately granted; and, if they had deſir'd it, they might have had one for a longer Term: But all that they aim'd at then, was to wait what Turn the Affairs of *France* would take, in order to regulate themſelves accordingly. It is obſervable, that in this Truce the little Iſle of *Brehac* (on the Coaſt of *Bretagne*) the uſual Retreat of the Privateers, was particularly excepted.

French attack'd in their Harbour.

SOME time after this, the *French* Privateers which infeſted the *Engliſh* Coaſts, being purſued by the Earl of *Kent*, who commanded the *Engliſh* Fleet, withdrew into the Harbour of *Brehac*, where the Earl of *Kent* attacking them, was kill'd in the firſt Onſet. But this did not hinder his Troops from carrying on the Siege, and taking the Town, where they put all to the Sword.

Prolongations of the Truce.

IN 1409, the Truce betwixt *England* and *Bretagne* was prolong'd to the 1ſt of *July*, 1411, and before it was expir'd, it was farther prolong'd for ten Years.

Acts concerning Bretagne.

Order againſt the People of Bretagne. 325.

1. AN Order to oppoſe the People of *Bretagne*, who inſtead of being Friends, as it was believ'd, were declar'd Enemies: It is dated *Auguſt* the 26th, 1403 [e].

To releaſe their Priſoners. 357.

2. A PROHIBITION to releaſe the Priſoners of that Country taken at *Portland*; dated *May* the 23d, 1404 [f].

Truces with Bretagne. 490. 591. 710.

3. A TRUCE for one Year with *Bretagne*; dated *July* the 11th, 1407 [g].

4. A TRUCE of two Years [h].

5. A TRUCE of ten Years betwixt *England* and *Bretagne*; dated *December* the 21ſt, 1411 [i].

Affairs of the Church.

THE Diſputes betwixt *England* and the Court of *Rome*, mention'd in ſeveral of our former, ſtill ſubſiſted; and it was hardly poſſible for them to be attended with any other Conſequence than an entire Rupture, as happen'd in the Century which follow'd this we are now treating of. The Court of *Rome* would not relax one jot, and the *Engliſh* began to be leſs pliable than formerly; and there was a vaſt Difference between the People that liv'd in the Reigns of *John Lackland* and *Henry* III, and thoſe that came after them. Whatever Grievances the latter complain'd of, they had the Remedy in their own Hands, and apply'd it; whereas their Forefathers were ſo ſilly as to expect it in the Juſtice and Condeſcenſion of the Popes. For ſome time paſt, particularly in the Reigns of *Edward* III and *Richard* II, the Parliaments had made Statutes ſtrong enough to have ſecur'd the *Engliſh* from the Vexations of the Court of *Rome*, if they had been but duly obſerv'd. But, to their Misfortune, the Intereſts of their Kings ſo often claſh'd with thoſe of the Nation, that thoſe Acts of Parliament were too frequently diſpens'd with. The Statute of *Præmunire*, which was at firſt call'd the Statute againſt *Proviſors*, was the ſtrongeſt Dike which the Parliament caſt up againſt the Incroachments of the Court of *Rome*, if their Kings had taken that care which they ought, to have put it in Execution. Foraſmuch as the Term *Præmunire* frequently occurs in the Hiſtory of *England*, it will not be impertinent in this Place briefly to explain the Meaning of it.

The Statute of Præmunire.

THE Statute againſt Proviſors, made in the time of *Edward* III, inflicted a Puniſhment upon thoſe who made ſuit to the Court of *Rome* for Proviſion to Benefices already vacant, or to ſuch as ſhould happen to be vacant hereafter, contrary to the Rights of the Crown, or of the Patrons of Benefices. The Proviſions to Benefices before they became vacant, were call'd *Gratiæ Expectativæ*. The ſame Puniſhment was order'd for thoſe who remov'd Cauſes that were within the Juriſdiction of the Royal or Civil Courts, to the See of *Rome*, or any Eccleſiaſtical Court. When a Perſon happen'd to be guilty of this new Crime, he was ſerv'd with a Writ, or Order, which began with theſe Words, *Præmunire facias*; and he was thereby ſummon'd to appear in the King's Court. It is from this firſt Word that the Statute, as well as the Puniſhment thereby inflicted, had its Name. The Puniſhment conſiſted at firſt in the Forfeiture of Eſtate, and in the Impriſonment of the Offender, during the King's good Pleaſure. After *Edward* the Third's time the Puniſhment was often aggravated, and the Statute extended to ſeveral other Caſes which had relation to the Quarrels betwixt *England* and the Court of *Rome*. Conſequently all the Acts of *Præmunire*, are ſo many Extenſions of thoſe Acts which were made upon Points of that Nature in the Reigns of *Edward* III and *Richard* II. In general, the Word *Præmunire* regards Offences committed with reſpect

[e] At *Woodſtock*. [f] At *Nottingham*. [g] At *Weſtminſter*. [h] Dated at *Weſtminſter*, *July* the 11th, 1409. [i] At *Weſtminſter*.

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respect to any Religious or Ecclesiastical Affair, wherein the Civil Jurisdiction is concerned. By this Term we likewise understand the Punishment which they incur who bring before the Ecclesiastical Court those Causes which ought to be try'd by the King's Courts. And nothing is a more common Phrase among the *English* than this Expression, *to fall into a Præmunire.*

THO' these Statutes were not observ'd with all the Exactness that was requisite, yet they produc'd a great many good Effects. The Popes were thereby made more cautious than before, of giving the Parliament a handle to take Measures that might be yet more effectual; nevertheless, when they found a favourable Opportunity, they made it sufficiently appear that they did not renounce their Pretensions. This was, generally speaking, the present Disposition of the Popes and the *English*, with respect to the Dealings they had with each other.

English Clergy envy'd by the Laity.

FORASMUCH as the Clergy commonly took part with *Rome* in those Disputes, they thereby incens'd the Laity, who besides could not help envying their wealthy Possessions. The Sect of the *Wicliffites* or *Lollards* which grew stronger every Day, were a remarkable Thorn also in the sides of the Clergy, by the Care they took to shew the People those Abuses which were crept into Religion. Among these Abuses, the Ecclesiastical Jurisdiction, and the Wealth of the Clergy, were the Topicks which they most insisted on; and therefore the Clergy left no stone unturn'd to ruin the whole Sect.

Wickliffites expose the Clergies Power and Wealth.

WHAT was said in the first Article under the Head of Domestick Affairs, plainly shews how much *Henry* IV was concern'd in Interest to be upon good Terms with the Clergy. He had too many Malecontents in his Kingdom already, to exasperate a Body who had it so much in their Power to hurt him; and for this Reason he had always as much Complaisance for the Clergy as they could possibly desire. The Clergy being assembled in Convocation, during the first Parliament that was held in his Reign, he sent two Lords to them to assure them of his Protection, and to let them know his Readiness to concur with them in all the proper Measures for the Extirpation of Heresy. Nothing could go farther than such an Engagement as this to win him the Hearts of the Clergy; for the number of the *Lollards*, which increas'd every Day, gave the Bishops and Abbots reason to fear that they would at last work a Reformation, which could not but be prejudicial to their Interest.

Henry forced to buckle to his Clergy.

Hereticks punish'd by the Bishops without the King's leave.

IN the Reign of *Richard* II, the Bishops had obtain'd leave of the Court to throw the Hereticks into Prison, without being oblig'd to ask the King's Consent; but the House of Commons got the said Concession revok'd; after which time there was no Act of Parliament made upon that Account. But tho' the King granted this Permission to the Bishops more frequently than ever, yet the Bishops represented to *Henry* IV, that bare Imprisonment was not sufficient to stop the Progress of the Sect of the *Lollards*. And *Henry*, who affected a mighty Zeal for Religion, tho' his only View was to secure the Clergy in his Interest, strenuously recommended it to the Parliament, which assembled in 1401, to take care that the Church suffer'd no Damage by means of this Sect: And tho' the lower House was utterly against persecuting the *Lollards*, yet by the Interest of the Court, and the Cabals of the Clergy, an Act was pass'd for condemning the obstinate Hereticks to the Fire. And no sooner was the Law made, but one *William Salter* or *Sautre* was deliver'd over to the secular Arm, and burnt alive.

The Act de Hæretico comburendo *put in execution for the first time.*

THIS Law, and the immediate Execution of it, was matter of great Triumph to the Clergy who were in the utmost Consternation for fear that the Heresy of the *Lollards* would strip them of their Riches and Power. The Sect had already made such an Impression on the People to their Prejudice, that the Clergy were no longer treated with that Respect and Veneration as formerly, and Measures were actually concerting to abate their Pride by depriving them of their Temporalities. In the Parliament which assembled in 1404, the Commons presented an Address to the King, praying him to seize the Revenues of the Clergy; the Wealth of which Body they represented to be excessive, and complain'd that it was apply'd to Uses that were the most contrary to those for which they were intended.

The Commons of England *complain of the Clergy's Wealth and ill use of it.*

BUT the King perceiving by a Speech which the Archbishop of *Canterbury* made to him on this Head, that his Acceptance of this Proposal might embroil his Affairs, rejected it. Nevertheless the Commons still intended to insist upon their Demand, but the upper House broke their Measures.

The King rejects two Proposals of the House of Commons to seize their Revenues.

THE Persons who had form'd this Project against the Clergy, were not a little mortify'd by the ill Success of it: Yet it was far from discouraging them; for in 1410, the lower House presented an Address to the King of the same Nature with the former, wherein they acquainted him that the Clergy were Masters of one third of the Revenues of the Kingdom, and the State not a Penny the better for it: That the Superfluity of their Re-

venues was sufficient to maintain 150 Earls at 3000 Marks each *per Annum*, 1500 Barons at 100 Marks each, 6200 Knights at 40 Marks each, and 100 Hospitals at 100 Marks each *per Annum*. That, in such case, the Kingdom would be in a better Posture of Defence, the Poor better maintain'd, and the Clergy would stick more to their Functions. The King sharply rejected this Address, and forbad the Commons to meddle with the Affairs of the Church.

He rejects the Commons Address for some Favour to the Lollards.

AFTERWARDS, the very same House of Commons presented another Address to the King, praying him to consent that the Act pass'd against the *Lollards* might be repeal'd, or at least soften'd. But the King made Answer, that so far was he from consenting to any such Repeal, that he wish'd one had been made yet more severe.

AT last, the Commons only desir'd that such of the Clergy as were accus'd of capital Crimes might not be try'd by the Ecclesiastical Court; but even this Demand was refus'd them with surprizing Disdain. It is not unlikely that it had been insinuated to the King, that this House of Commons were all Hereticks, or the Abettors of Hereticks; and therefore *Henry*, not content with having rejected their Petition in favour of the *Lollards*, gave Orders that *John Badby*, one of that Sect, should be burnt alive, during the Session of the Parliament, and in the Face of the whole House.

He commits another of them to the Flames.

IT is observable, that this happen'd in the Year 1410, a Time when the King had nothing more to fear from *France*. Moreover, the *Welsh* began to abandon *Glendourdy*; and finally, the Earl of *Northumberland* was dead: So that this Prince had no body to stand in fear of at home besides the Clergy, if he had done any thing to disgust them. Had not all these Circumstances concurr'd, he would not have ventur'd to treat the Commons with so much Contempt. But about a Year before his Death, perceiving that his Subjects, the Laity especially, were very uneasy, and having some jealousy of his Son the Prince of *Wales*, he endeavour'd by more moderate Behaviour to redress the Injury he had done to himself by taking such Steps. And when he died, he was scarce lamented by any of his Subjects except the Clergy, who shew'd some Regret for his Loss, for a Reason which has been already observ'd.

He alters his Conduct.

His unlamented Death.

Acts relating to the Church.

1. A REVOCATION of the Order pass'd in the Reign of *Richard* II, for seizing the Estate of *Thomas Arundel* Archbishop of *Canterbury*; and the Restitution of his Revenues to him, pursuant to an Order of Parliament, dated *October* 21, 1399 [k]. *Order for restoring the Archbishop of Canterbury's Estate.* 96.

2. RESTITUTION to the Priors Alien or Foreigners, dated *November* 13, 1399 [l]. *Restitution to the Priors Alien.* 101.

3. AN Order to the Clergy to arm for defence of the Kingdom, dated *January* 27, 1400 [m]. *Order to arm the Clergy.* 123.

4. A PROHIBITION to the Grand Prior of the Order of St. *John* of *Jerusalem*, to prosecute any Cause at the Court of *Rome*, dated *August* 5, 1400 [n]. *To the Prior of St. John of Jerusalem.* 155.

5. AN Order to the Mayor of *London* for burning *William Sautre*, a Heretick, under sentence of Death, dated *February* 26, 1401 [o] *. *Order to the Mayor of London.* 178.

6. A CONFIRMATION of the Primacy of *Ireland* to the Archbishop of *Armagh*, dated *July* 5, 1401 [p]. *Primacy of Ireland.* 208.

7. A PARDON for a Person who had apply'd to the Court of *Rome* for a Prebend of *Sarum*, dated *December* 10, 1401 [q]. *Pardons for applying to Rome.* 233.

8. ANOTHER of the same kind [r]. 244.

9. A MODIFICATION of those Pardons and Licences [s]. *Modification thereof.* 252.

10. ANOTHER Restitution made to the Priors Alien, dated *December* 5, 1403 [t]. *Restitution to the Priors Alien.* 340.

11. A LETTER from Pope *Innocent* VII, to the King, acquainting him with his Exaltation to St. *Peter*'s Chair, dated at *Rome* the 6th of the Calends of *January*, 1404. *Pope's Letter to the King* 381.

12. A LICENCE to sue the Court of *Rome* for *Gratiæ Expectativæ*, or Reversions to *English* Benefices, dated *August* the 27th, 1405 [u]. *Licences to apply to Rome.* 409.

13. ANOTHER of the same Import, dated *January* 1, 1406 [x]. 426.

14. THE Nomination of Ambassadors to go and persuade Pope *Gregory* XII, to resign the Pontificate, dated *April* 26, 1407 [y]. *Ambassadors sent to the Pope.* 479.

15. ORDERS relating to the General Council to be held at *Pisa*, dated *December* 24, 1408 [z]. *General Council at Pisa.* 567.

16. AN Order to all the King's Subjects to acknowledge Pope *Alexander* V, after his Election by the Council of *Pisa*, dated *October* 22, 1409 [a]. *Order for owning Pope Alexander V.* 604.

[k] At *Westminster*. [l] At *Westminster*. [m] At *Westminster*. [n] At *Newcastle* upon *Tine*. [o] At *Westminster*.

* He was a Parish Priest first of St. *Margaret* in *Lynn* in the County of *Norfolk*; and afterwards of St. *Syth*'s Church, formerly in *Syth-Lane*, *London*.

[p] At *Westminster*. [q] At *Westminster*. [r] Dated at *Westminster*, *February* 23, 1402. [s] Dated *April* 18, 1402. at *Westminster*. [t] At *Westminster*. [u] At *Leicester*. [x] At *Westminster*. [y] At *Westminster*. [z] At *Westminster*. [a] At *Westminster*.

17. AN

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17. AN Order for burning *John Badby* a Heretick, dated *March* 5, 1410 [b]†.

Grant of Benefices to a Cardinal. 654.

18. A PERMISSION for a Cardinal to obtain four *Engliſh* Benefices from the Pope, dated *September* 14, 1410 [c].

Reverſions of Benefices. 756.

19. A LICENCE for obtaining from *Rome* thoſe *Gratiæ Expectativæ*, or Bulls for Livings, before they became void, dated *July* 8, 1412 [d].

WE are now come to the Ninth Tome of the Fœdera, *which takes in the Acts of the Reign of* Henry V, *from the* 20*th of* March, 1413, *the Day that* Henry IV *died, to the Peace of* Troyes, *which was ſign'd* May *the* 21*ſt*, 1420, *incluſive.*

The Uſefulneſs of the ninth Volume of the Fœdera.

AMong all the Tomes we have abridg'd hitherto, there is not one which contains ſuch a Variety of important ſecret Acts, and Pieces ſo uſeful for illuſtrating the Hiſtories of *France* and *England*, as this now open before us. And I will venture to ſay, that ſome of theſe Acts are ſo abſolutely neceſſary, that for want of knowing them, both the *French* and *Engliſh* Hiſtorians have given a very imperfect Account of this Reign. The principal Subjects to which the Acts of this Tome relate, are, 1. The Pretenſions of *Henry* V to the Crown of *France*. 2. The Negotiations on that Head. 3. The War which was renewed upon that Account. And, 4. The Peace which put an end to it.

The Subject of it.

Mr. RYMER's vaſt Collection of the Acts in the ſeveral Reigns, when conſider'd abſtractedly from the Events to which they relate, being in a proper ſenſe but as a Body without a Soul, we ſhall therefore purſue the ſame Method that has been obſerv'd all along, by connecting the Thread of the Hiſtory from one Period to another, with the authentick Records which illuſtrate and ſupport it. Now, to give a general Idea of this Tome, it is abſolutely neceſſary to inform the Reader, 1. Of the State of Affairs between the two Crowns when *Henry* V aſcended the Throne. 2. Of the Situation of Affairs at the Court of *France* after the Death of *Charles* V, ſurnam'd the *Wiſe*. And when this is done, it will not be difficult to diſcover the Motives of thoſe Acts, and the Uſefulneſs of them.

[*] N° VII, *of this* Folio Edition. *A Recapitulation of* Edward III's *Diſpute with* France.

IT has been already obſerv'd *, that *Edward* the Third laid Claim to the Crown of *France*, and we have ſeen what was the Foundation of his Pretenſions. The Preference that the General Aſſembly of the States gave to *Philip de Valois*, was the Cauſe of the War which *Edward* undertook againſt *France*. In that War he gain'd a Victory at Sea, routed *Philip* at *Creſſy*, and won *Calais*, which afterwards ſerv'd as a Key to let him into *France*, as often as he thought fit to carry his Arms into that Kingdom. After a ſhort Interval of Peace, his Son the Prince of *Wales* gain'd the famous Victory of *Poictiers*, where King *John*, Son and Succeſſor to *Philip de Valois*, was taken Priſoner. While that Monarch was a Captive in *England*, *Edward* enter'd *France* at the Head of 100,000 Men, and ſhew'd himſelf at the very Gates of *Paris*. This powerful Invaſion, which *France* was in no Capacity to reſiſt, produc'd the Treaty of *Bretigny*, whereby *Edward* recover'd all the old Dependencies of *Guyenne* which had been taken from his Anceſtors. Theſe Dependencies contain'd, beſides *Gaſcoigne* or *Guyenne* in particular, *Bigorre*, *Saintoigne*, *Poictou*, *Angouleſme*, *Perigord*, *Limouſin*, *Rovergne*, and in general whatever had been enjoy'd by the ancient Earls of *Poictiers*, Dukes of *Guyenne*. All theſe Provinces came to the Kings of *England* by the Marriage of *Eleanor*, Heireſs of *Guyenne*, to *Henry* II; but during the Reigns of King *John* (ſurnam'd *Lackland*) and of *Henry* III, *Philip-Auguſtus* and St. *Lewis*, Kings of *France*, had par'd away ſo much of this vaſt Tract of Country, that *England*, when *Edward* III came to the Throne, had no Part of it left but *Bourdeaux*, *Bayonne*, and *Gaſcoigne*. Moreover, by the ſame Treaty *Edward* had *Monſtrevil* reſtor'd, together with the Earldom of *Ponthieu*, which had both been forfeited at the beginning of the War. He alſo ſecur'd himſelf in the poſſeſſion of *Calais*, and the Earldom of *Guiſnes*. By the ſame Peace he acquir'd the abſolute and independent Sovereignty of all the Lands, Towns, and Provinces, which were thereby yielded to him, without being oblig'd to do Homage for them to *France*. In fine, he ſtipulated a Sum of three Millions of Crowns in Gold for King *John*'s Ranſom. And for his own part, he quitted all his Rights whatſoever to the Crown of *France*; and in particular renounc'd his juſt Pretenſions to *Normandy*, *Anjou*, *Maine*, and *Touraine*, the Inheritance of his Anceſtors, which

[b] At *Weſtminſter*.

† HE was a Taylor of *Eveſham* in *Worceſterſhire*. This Perſon and *William Sautre*, above-mentioned, were the two firſt Perſons, that we read of, who were burnt in *England* for Hereſy, in oppoſing the Doctrine of the Church of *Rome*. For the particular Charge againſt both theſe Confeſſors, and for the Courage and Patience with which they offer'd up their Lives as a Sacrifice to the Truth, ſee the *Hiſtory of the* Engliſh *Martyrs*, which ſays, that the Prince of *Wales*, afterwards *Henry* V, was preſent at the Execution of *Badby* in *Smithfield*, and preſs'd him to recant, with an Offer not only of his Life, but a Penſion.

[c] At *Leiceſter*. [d] At *Weſtminſter*.

France

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France had unjuſtly taken from them, as alſo his Right of Sovereignty over *Bretagne*.

THIS Treaty was religiouſly executed by King *John*, and punctually obſerv'd during his Life, except in the Article of his Ranſom, of which near two Thirds remain'd unpaid when that Prince died. But *Charles* V, his Son and Succeſſor, finding this Peace too diſadvantagious to *France*, tho' he himſelf had concluded, ſign'd, and ſworn to it while the King his Father was a Priſoner, took a frivolous Occaſion to break it. He declar'd War againſt *Edward*; and in the Space of a few Years recover'd all that had been yielded to *England* by the Treaty of *Bretigny*, except *Calais*, *Bayonne*, *Bourdeaux*, and part of *Guyenne*, properly ſo call'd.

THIS ſecond War was interrupted by a Truce which laſted 'till the Death of *Edward* III, in the Year 1377. During the Reign of *Richard* II, the remainder of *Charles* the Fifth's, and the former part of *Charles* the Sixth's Reigns, War and Truces were renew'd by Turns, without any conſiderable Conqueſts or Conceſſions made on either ſide. At length, in 1395, *Charles* VI, and *Richard* II, concluded a Truce of 28 Years, which was ſeal'd by *Richard*'s Marriage with *Iſabel*, King *Charles*'s Daughter.

RICHARD II being depos'd in 1399, and *Henry* IV ſucceeding him, the Truce was very ill obſerv'd by *France* during all that Reign; nor was *Henry* IV himſelf very regardful of it towards the latter end of his Days. But however, notwithſtanding thoſe frequent Violations of the Truce, it was pretended on both ſides to be ſtill ſubſiſting.

State of Affairs between France *and* England *at* Henry's *Acceſſion.*

THUS Affairs ſtood between the two Crowns when *Henry* V came to the Throne of *England*. *France* having broke the Treaty of *Bretigny*, and pretending it to be null and void, it is manifeſt that by that Means the Kings of *England* were thereby intitl'd to all the Rights which they claim'd before the ſaid Treaty. Therefore immediately after the Rupture, what did *Edward* III do but reſume the Title of King of *France*, which he had quitted ſince the Concluſion of the Treaty, and his Succeſſors took it alſo as well as he. After the beginning of the War which follow'd the Treaty of *Bretigny*, there never was a Peace betwixt the two Crowns, but only Truces which did not in the leaſt affect the Rights of either Party. It is therefore clear that when *Henry* V came to the Throne, he ſtood upon the ſame Terms as *Edward* III, his Great-Grandfather did fourſcore Years before, when he began the firſt War. But beſides this Primitive Right, *Henry* had a ſolemn Treaty in his favour, which *France* did not break 'till it had been entirely executed, and upon the weakeſt of all Pretences. This was the State of the Differences between the two Crowns in 1413. Now let us ſee what was the Situation of the Court and Kingdom of *France*.

HENRY V.

State of the Court and Kingdom of France.

CHARLES V, ſurnam'd the *Wiſe*, died in 1380, leaving to ſucceed him *Charles* VI, his Son, who was twelve Years of Age; and to govern the Kingdom during his Minority, three Brothers, *viz.* *Lewis* Duke of *Anjou*, *John* Duke of *Berry*, and *Philip* Duke of *Burgundy*, who by their boundleſs Ambition, and their Jealouſies of each other, turn'd the whole State upſide down. *Charles* V alſo left another Son, nam'd *Lewis*, who had the Title of Duke of *Orleans*, and who in his Time too did as much as his Uncles towards embroiling the Affairs of the Kingdom. In the beginning of the Reign of *Charles* VI the Jealouſy between his Uncles flam'd out to ſuch a degree that there was very juſt Reaſon to dread the Conſequences of it; for they agreed but in one ſingle Article, and that was to over-burthen the Subjects with Taxes, which produc'd ſuch an univerſal Diſcontent as diſpos'd the common People to run into Factions, when the Hatred betwixt the Great Men was at the higheſt Pitch.

THE Kingdom of *Sicily* falling to the Duke of *Anjou*, he quitted *France* in 1381, and went to *Italy*.

AFTER his Departure, the Dukes of *Berry* and *Burgundy* govern'd in the Name of the King, their Nephew. In 1385, they marry'd him to *Iſabella*, Daughter of *Stephen* Duke of *Bavaria*. Tho' *Charles* VI was of Age at the Year 1382, according to the Decree of the King his Father, which bounded the Minority of Kings at their fourteenth Year, his two Uncles govern'd both his Perſon and State, 'till he was twenty.

Charles VI's *Marriage.*

IN 1388, *Charles* diſcharg'd his two Uncles, and took the Reins of Government into his own Hands. His chief Favourites at that time were the Duke of *Orleans* his Brother, who was ſeventeen Years of Age, and the Duke of *Bourbon* their Uncle by the Mother's ſide.

His Favourites.

THE Duke of *Burgundy* was extremely jealous to ſee the Dukes of *Orleans* and *Bourbon* govern the Realm in the Name of the good-natur'd King. And by his Cabals he ſo contriv'd it, that in 1391 the Aſſembly of the States delegated the Government to him, on pretence of enabling the King to bear the Weight of it. Probably *Charles* began from that time to give Demonſtrations of that Diſtemper in his Mind, which render'd him all his Life-

Duke of Burgundy's *Jealouſy and Caballing.*

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time incapable to take care of his Affairs. Had it not been for this, the States would not have attempted to give him a Miniſter, or rather a Governour, againſt his liking. And it was for this Reaſon too that the Duke of *Burgundy* was ſo eager to be put in poſſeſſion of that Poſt, in hopes that his Adminiſtration would be of a long Continuance; for this very Year the King was ſurpriz'd with a Touch of Frenzy, of which he had repeated Fits the following Years. And finally, in 1395, he was attack'd with it ſo violently, that from that time he had ſcarce any calm Intervals; and even when he ſeem'd to be in Health, he labour'd under ſuch a Weakneſs both of Body and Mind, as render'd him altogether unfit for the Government.

Charles's Indiſpoſition for the Government.

THE King remaining in this ſad State all the reſt of his Life *, his Queen, the Dukes of *Orleans*, *Berry*, *Burgundy* and *Bourbon*, diſputed for ſeveral Years who ſhould govern the Kingdom. In fine, the Dukes of *Orleans* and *Burgundy* form'd two oppoſite Parties, with which the whole Court join'd, as their ſeveral Intereſts or Inclinations led them; and in a very ſhort ſpace of time, the whole Kingdom was liſted in the one or the other of theſe two Factions. Queen *Iſabel* join'd with the Duke of *Orleans*. The Duke of *Berry* hover'd between both Parties, and had much ado to keep them from Acts of Hoſtility. The two grand Chiefs became at laſt ſo equal, that rather than yield to one another, they agreed to leave the Care of the Government to the King's Council. The Duke of *Burgundy* retir'd into the *Netherlands*, where he was Maſter of the Counties of *Flanders* and *Artois*, and of the Dutchy of *Brabant*, and died there in 1403, leaving for his Succeſſor *John* his eldeſt Son, who became Duke of *Burgundy*, and Earl of *Flanders* and *Artois*. The Princes his Brothers inherited the other Eſtates of their Father.

Parties in the Court and Kingdom of France.

Duke of Burgundy's Retirement and Death.

His Son and Succeſſor.

WHILE the new Duke of *Burgundy* was kept by his Affairs in the *Netherlands*, the Queen and the Duke of *Orleans* ſeiz'd the Government, but not much to the Satisfaction of the People, who ſaw themſelves ſaddled every Day with new Taxes. Mean time, the Duke of *Burgundy* marry'd *Philip* his Son, the Count *de Charolois*, to *Michelle* the King's Daughter, and gave one of his Daughters in Marriage to the Dauphin *Lewis*, the King's Son, who was but nine Years of Age.

SOME time after this, *Charles* VI, being in one of his calm Intervals, and hearing the Complaints made on both ſides againſt the Queen and Duke of *Orleans*, call'd an Aſſembly of the chief Men, to conſider of a Remedy for theſe Diſorders, and ſent for the Duke of *Burgundy* to be preſent, which the Duke obey'd; but he came ſo well attended, that at his Approach, the Queen and the Duke of *Orleans* thought fit to leave *Paris*, and to carry away the young Dauphin with them; but the Duke of *Burgundy* being inform'd of it, made ſuch great haſte that he overtook them, and reſcued the Dauphin out of their Hands, which occaſion'd an open Rupture betwixt the two Princes. They were reconcil'd to outward Appearance, but they ſtill hated each other as much as ever. In ſhort, not to enter into farther Particulars upon this Subject, it will be ſufficient to ſay, that in 1407, the Duke of *Burgundy* caus'd the Duke of *Orleans* to be aſſaſſinated. He had Courage enough to own that he was the Author of this Murder, and Credit enough to get a Pardon for it. But his Affairs calling him away into the *Netherlands* next Year, his Enemies took advantage of his abſence, and caus'd the Pardon to be revok'd.

Duke of Orleans aſſaſſinated by the Duke of Burgundy, who gets a Pardon for it.

His Pardon revok'd.

AT the ſame time, the Duke won a Battel over the *Liegeois*; and immediately after his Victory, march'd directly to *Paris* with 4000 Horſe. At his Approach the Queen fled to *Tours*, and carry'd the King along with her. Mean time, as ſhe did not find herſelf ſtrong enough to reſiſt the Duke, ſhe conſented to an Accommodation. The King receiv'd him into Favour, and reconcil'd him in all outward appearance to *Charles* Duke of *Orleans*, the eldeſt Son of the murder'd Duke; after which, the Duke of *Burgundy* remain'd Maſter of the Government, and of the King's Perſon.

His Victory over the Liegeois.

His Reconciliation with the young Duke of Orleans.

IT has been before obſerv'd, that in 1410 a powerful League was form'd at *Gien* againſt the Duke of *Burgundy*, the Heads of which were the Dukes of *Berry*, *Orleans*, *Alençon*, and the Count *d' Armagnac*, Governour of *Languedoc*, and Father-in-law to the Duke of *Berry*. It was at this time that the Titles of *Burgundians* and *Armagnacs* were given to

Factions of the Burgundian and Armagnacs.

* So much has been ſaid of this King's Madneſs, that we have been curious to enquire into the Cauſe of it: Some Authors have aſcrib'd it to his being frighten'd by an Apparition, as he was riding thro' the Foreſt of *Mans*. But *Mezeray*, the moſt authentick Hiſtorian among the *French*, ſays, that as he was riding in a very hot ſultry Day, on an Expedition againſt the Duke of *Bretagne*, arm'd *Cap a pie*, and attended with his Page carrying his Lance, he dropp'd aſleep; and the Page happening to let his Lance fall upon his Helmet, it made him awake in ſuch a Fury, that he fell upon all that were about him, and had certainly kill'd ſome of them, if he had not been prevented by being laid hold on. His Diſtemper, ſays *Mezeray*, grew worſe by a Fright the next Year, when Dancing in a Maſk, the Clothes of his Fellow Maſquers being daub'd with Pitch and Roſin, took fire; ſo that before they could be undreſs'd, they were either burnt or ſtifled; which ſo frighten'd him, that he never recover'd his Senſes more.

the two Parties. The latter had its Name from the Count *d' Armagnac*, who by reason of his Abilities directed the Affairs of the whole Party. At first, the Duke of *Burgundy*, having receiv'd Assistance from *Henry* IV of *England*, had a great Advantage over his Enemies. Afterwards, the *Armagnacs* having also obtain'd considerable Assistance from that very King, oblig'd the Duke of *Burgundy*, who besieg'd them in *Bourges*, to grant them a Peace: But as it was upon Condition that none of their Chiefs should have leave to return to Court, the Duke of *Burgundy* remain'd Master of the King's Person.

Duke of Burgundy *gets the better both of them and the Dauphin.*

THE *Armagnac* Party being by this means considerably sunk, the Duke of *Burgundy* flatter'd himself that he should find no more Opposition, when a new Enemy started up against him, from whom he thought he had nothing to fear, *viz.* The Dauphin *Lewis*, his Son-in-law, who was at that time sixteen Years of Age. This young Prince being vex'd to see the Duke of *Burgundy* Manager of the Government, form'd a Design to supplant him. He imagin'd that neither the Duke nor any other Person but himself had a Right to pretend to the Administration of the Affairs of the State during the Illness of the King his Father. With this View he gain'd the Governour of the *Bastile*, and seiz'd that Fortress; upon which News the *Parisians*, at the secret Instigation of the Duke of *Burgundy*, took Arms; and a Surgeon, nam'd *John* of *Troye*, putting himself at the Head of ten or twelve Thousand Men, marches directly to the Dauphin's Palace, breaks open the Doors, and carries away the Prince's chief Favourites to Prison. This happen'd about the beginning of the Year 1413, while *Henry* IV of *England* lay ill of that Distemper, of which he died the 20th of *March*, as above, being succeeded by *Henry* V *.

Sedition at Paris *against the Court.*

AT the end of *April*, the Seditious of *Paris*, who were all *Burgundians*, committed fresh Outrages, as well against the King himself, as against the Dauphin, and oblig'd them both to put on the White Hood, which was the Badge of their Party. They were secretly abetted by the Duke of *Burgundy*, tho' they often carry'd things farther than he desir'd. The Dauphin had attempted to take the Power out of his Hands, and that was enough, tho' this young Prince was his Son-in-law, to render him odious to him, and to incline him to give him all the Mortification possible.

The Armagnac *Party support the Dauphin against the* Burgundians.

THE Dauphin seeing himself thus trampled upon, had recourse to the *Armagnacs*, who were a very numerous Party in *Paris*, tho' they liv'd in Oppression under the Government of the Duke of *Burgundy*. He so artfully conceal'd his Designs, that by the beginning of *September* there were 30,000 Men on a sudden up in Arms in *Paris*, all ready to support him. He put himself at their Head, and immediately scour'd the Streets of *Paris* with them, in order to terrify the *Burghers*, and to hinder them from assembling. This Action succeeded according to his Heart's Desire; for the *Burgundians* being terrify'd, abandon'd the *Bastile*, *Louvre*, and the Town-House, of which they were in possession, and thought of nothing but making their Escape. And their Chief seeing his Party in a Consternation, and not thinking himself strong enough to stem the Torrent, had no shift to make but to retire to *Flanders*.

THE Dauphin made no Improvement of that Turn which he had brought about in Affairs. The King his Father being in one of his sober Intervals immediately after this Revolution, took the Reins of Government into his own Hands, and sent for the young Duke of *Orleans* his Nephew, whom he made his chief Companion and Favourite. This young Prince laying hold of the Advantage, made the King publish thundering Declarations against the Duke of *Burgundy*, and order several of his Party, who were concern'd in the late Riot, to be executed. It was necessary to enter into this Detail of the Troubles of *France*, because *Henry* V regulated all his Motions by the Situation of Affairs in that Kingdom. It is now time to speak of some of the Pieces which we meet with in the beginning of the Ninth Tome of the *Fœdera*.

ALTHO' in the first Months of the Year 1413, the Duke of *Burgundy* had the Advantage over the Dauphin, by means of the Sedition which he rais'd in *Paris*, he plainly saw that it was too violent to be of long Continuance. The Dauphin being presumptive Heir to the Crown, must, in all Probability, get the better of him at last. His Age was the only Pretence

* *Mr.* RYMER *in his Dedication of the Ninth Tome of the* Fœdera *to* Queen Anne, *gives her the following general Character of this Reign.* "With this Tome, in order of time, you raise to Life, and set forth "the Acts and Atchievements of that most victorious Prince, your *Royal Progenitor* King *Henry* the Fifth: "In whose time for ever renowned is the Field of *Agencourt*; and to blazon it the more after the Mode of the "Times, an *Herald* is created by the Name of *Agencourt*. After various Adventures, Treaties of Peace, "and Operations of War, this Tome ends with a Peace, and a Marriage. In the Eighth Year of King *Henry* "the Fifth, the *French* are brought to an Agreement with him on his own Terms. In this, the eighth "Year of his Reign, the *Great Peace*, as they call'd it, and a Royal Marriage are concluded and solemniz'd."

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of depriving him of the Adminiſtration of the publick Affairs during the King's Illneſs: But this Pretence could not hold long. Beſides, this Prince being already ſixteen Years old, was above the Age which begun the Majority of Kings, and by Conſequence deem'd capable of governing the State. For this reaſon the Duke of *Burgundy* believ'd, that in order to maintain himſelf in his Poſt, he ought before-hand to make ſure of Aſſiſtance from the new King of *England*. With this View he ſent ſeveral Ambaſſadors to *Henry*, as appears by the Paſſports which that King diſpatch'd to them.

Duke of Burgundy courts King Henry's Aſſiſtance.

Paſſports for his Ambaſſadors.

p. 7. THE firſt was for the Governour of *Arras*, with ſixteen Perſons; dated *May* the 10th, 1413 [e].

p. 14. THE ſecond was for a Baron, two Knights, and two Clergymen, all anonymous, who were to go over to *England*, *certis de cauſis*, with forty other Perſons; dated the 24th *ditto* [f].

THIS way of granting Paſſports without naming the Perſons ſent, nor thoſe from whom they came, makes it preſum'd that it was for ſome very ſecret Affair. The Sequel will ſhew that thoſe Envoys came from the Duke of *Burgundy*.

p. 27. THE third Paſſport was for *Ralph le Maire*, Provoſt of *St. Donas* of *Bruges*, and twenty-four others; dated 8 *June* the 14th, 1413.

WE ſhall find preſently that theſe Envoys had Orders to make the King a Propoſal of a firm Alliance with the Duke of *Burgundy*. This was before he was drove out of *Paris*, which did not happen 'till *September*.

WHETHER *Henry* had reſolv'd to make War againſt *France* before that time is uncertain: But be that as it will, as ſoon as he ſaw himſelf courted by the Duke of *Burgundy*, he either form'd that Deſign, or elſe was entirely confirm'd in it.

Henry's Ambaſſadors to France. Their Powers.

TOWARDS the middle of *July*, *Henry* ſent no leſs than ſix Ambaſſadors to *France*, *viz.* *Henry Chicheley*, Biſhop of *St. David's*, who was ſoon after made Archbiſhop of *Canterbury*, the Earl of *Warwick*, and four others, whoſe ſeveral Powers were all dated *July* the 14th, 1413 [h].

P. 34. THE firſt was to treat of an Alliance and perpetual Amity between *Henry* and the Duke of *Burgundy*.

P. 35. THE ſecond for renewing the Truce betwixt *England* and *Flanders*.

THE firſt of theſe Powers is a manifeſt Proof that the Duke of *Burgundy* had already caus'd the ſaid Alliance to be propos'd to the King, for the Reaſons abovemention'd.

FOR that Duke's Affairs ſeeming at that Juncture to be in the higheſt State of Proſperity, there's no manner of Appearance that it ſhould come into *Henry's* Head to propoſe any ſuch Alliance to the Duke.

THE ſecond was only to ſerve as a Pretence for thoſe ſecret Conferences which the ſaid Ambaſſadors were to have with the Duke.

THE third Power was to inform the Court of *France* of their Maſter's Intention to obſerve the Truce of twenty-eight Years, and to charge that Court to ſee it better obſerv'd than it had been in time paſt.

THE fourth was to treat with the *Adverſary* of *France*, concerning all the Differences which their Maſter had with him, and to conclude a Peace. p. 36.

THE fifth was for granting Paſſports to the Ambaſſadors of *France* to repair to a Place to be agreed on for the Conferences. p. 38.

THE Duke of *Burgundy's* Flight from *Paris* interrupted the Negotiation which related to him, and it was not reſum'd 'till ſome time after.

Truce with France. p. 56.

MEAN time, the Ambaſſadors of the two Courts, who were aſſembled at *Lenlinghen*, immediately after the Revolution which happen'd at the Court of *France*, and while the Duke of *Orleans* ſat at the Helm, concluded a Truce there from *October* the 1ſt 1413, to the 1ſt of *June*, 1414, which Truce is dated the 25th of *September*, 1413.

IN the Conferences which were held betwixt thoſe Ambaſſadors, the *Engliſh* gave the others to underſtand, that their Maſter inſiſted upon the renewing of the Treaty of *Bretigny*, and on the Reſtitution of every thing that had been taken from his Predeceſſors ſince that Treaty. The Court of *France* alarm'd at this Demand, immediately ſent Ambaſſadors to *Henry*, the Archbiſhop of *Bourges*, the Conſtable of *Albret*, and one of the King's Secretaries, nam'd *Goutier Col.* Their Paſſports are dated the 8th of *October*, 1413 [i]. and their Commiſſion on the 11th of *November* following [k].

French King's Embaſſy to Henry.

Their Paſſports, 60. *Commiſſion*, 69.

THIS was probably with a View to ſift *Henry's* Inclination; for their Power was only to prolong the Truce.

ON the 10th of *January*, 1414, *Henry* nominated Commiſſioners to treat with thoſe Ambaſſadors. It appears by another Piece in the *Fœdera*, that in this Conference the *Engliſh* renew'd their King's Demand, relating to the Treaty of *Bretigny*. The *French* anſwer'd, they had no Inſtructions upon that Head. Nevertheleſs,

Henry's Commiſſioners, 88. *Negotiations betwixt them.*

[e] At *Weſtminſter*. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Weſtminſter*. [k] At *Paris*.

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vertheleſs, they, as it were of their own Heads, propos'd one way which they thought proper for procuring the Peace between the two Crowns, and that was *Henry*'s Marriage with the Princeſs *Catherine*, their Maſter's only Daughter that remain'd unmarried. *Henry* could not think by any means that this was a proper method to procure Peace, and he ſtill inſiſted upon Reſtitution as the only effectual Way. However, as there was nothing in the Marriage propos'd to him that was incompatible with the Reſtitution demanded, he was willing that there ſhould be a Treaty upon both thoſe Methods; whereupon the Truce was prolong'd to the 2d of *February*, 1415 [l]. Which done, the Ambaſſadors of *France* return'd to *Paris*. By this we ſee the Miſtake of the *French* Hiſtorians who ſay that the Propoſal of this Marriaage came firſt from the King of *England*. But this is not an Error of any great Conſequence.

Truce prolong'd, 91.

Miſtake of French *Hiſtorians.*

FOUR Days after the ſigning of the Truce, *viz.* on the 28th of *January*, *Henry* nominated Ambaſſadors for the Court of *France*, by an Inſtrument dated at *Weſtminſter*.

Henry's *Ambaſſadors to* France, 102.

THE following are ſome Acts in this Tome of the Fœdera *which are capable of illuſtrating this matter.*

1. *HENRY*'s Engagement that he will not contract Marriage with any other Woman but the Princeſs *Catherine*, before the firſt of *May* following [m].

His Promiſe to marry none but Princeſs Catherine. 103, 104.

2. A POWER to his Ambaſſadors to prolong that Term [n].

3. A SAFE Conduct from the King for *Ralph le Maire*, Provoſt of *St. Donaſt* in *Bruges*, and for four other Envoys from the Duke of *Burgundy*; dated *January* the 29th, 1414 [o].

Paſſport for the Duke of Burgundy's *Envoys.* 112.

4. ANOTHER of the ſame kind for *Roland de Hutkerke*, Envoy from the ſame Duke, dated *April* the 2d, 1414 [p].

THE Court of *France* having found ſomething amiſs in the Powers of the *Engliſh* Ambaſſadors, or perhaps being willing to gain Time, deſir'd *Henry* to ſend them other Ambaſſadors with more extenſive Powers. Upon this Demand the King appointed ſeven other Ambaſſadors on the 31ſt of *May*, 1414 [q], and gave them a Commiſſion to treat with the Court of *France* on the two Methods propos'd on both ſides for a Peace, *viz.* Reſtitution and Marriage.

More Ambaſſadors ſent to France. 131.

5. A COMMISSION from the King to the Lord *Scroop* and four others, to treat with the Envoys of the Duke of *Burgundy*, then in *England*, about the King's Marriage with the Princeſs *Catherine*; dated *June* the 4th, 1414 [r].

Commiſſioners appointed to treat of his Marriage. 136.

BEFORE we proceed to the other Pieces in this Tome, it is abſolutely neceſſary to give an account of what paſs'd in *France* from the beginning of the Year 1414.

THE Duke of *Orleans*, who govern'd in the King's Name, fearing leſt the Dauphin ſhould ſerve him the ſame Trick as he had play'd the Duke of *Burgundy*, kept ſuch a ſtrict Hand over him, that the young Prince was no better than a Priſoner in the *Louvre*. Such a State of Confinement not at all ſuiting with the Dauphin's Humour, he ſecretly call'd the Duke of *Burgundy* to his Aſſiſtance; whereupon the Duke immediately put himſelf at the Head of an Army, and advanc'd near *Paris*. He was welcom'd at *Noyon*, *Soiſſons*, and *Compiegne*, and made himſelf Maſter of *St. Denys*.

Duke of Burgundy *marches to the Deliverance of the Dauphin.*

BUT his Party being ſo weak in *Paris* that he could not enter that City, he retir'd. Immediately after his Retreat, the King publiſh'd a thundering Declaration againſt him; and it was reſolv'd in Council to go to War with him. For this end, the King went himſelf to *St. Denys* to fetch the *Auriflamb* *, as if he was going to march againſt an Enemy of the State.

Council reſolves to go to War with him.

IT was while Preparations were making in *France* for this War, that the Duke of *Burgundy* ſent thoſe Ambaſſadors to *England*, whoſe Paſſports are mention'd above. In order to know what was their Commiſſion, one need only conſider the Powers which *Henry* gave to his Commiſſioners to treat with them.

THE firſt was to treat with the Duke's Ambaſſadors about the King's Marriage with *Catherine*, Daughter of his Adverſary of *France*. Nevertheleſs, at that very time, the Duke of *Burgundy* was not only without any Credit at the Court of *France*, but alſo a declar'd Enemy of the State.

Powers given to Henry's *Commiſſioners*, 136.

THE ſecond Power was for treating with the Ambaſſadors aforeſaid, *about a League, Confederacy, and perpetual, or temporary Friendſhip between* Henry *and his Succeſſors, Kings of* England, *on one part; and on the other, their moſt dear Couſin* John *Duke of* Burgundy, *his Succeſſors, Subjects and Vaſſals, and all his Dominions whatſoever they* 137.

[l] By an Inſtrument dated at *London*, *January* the 24th, 1414. [m] Dated at *Weſtminſter*, *January* the 28th, 1414. [n] Dated as above. [o] At *Weſtminſter*. [p] At *Tewksbury*. [q] At *Weſtminſter*. [r] At the Caſtle of *Leiceſter*.

* THIS was that Purple Standard which the *French* King always carried againſt the Infidels, and which *Philip* took with him to the Battel of *Creſſy*, where he had that ſignal Defeat by our King *Edward* III.

be;

FOEDERA Tom. IX. *be; and alſo of the manner and form of thoſe Succours, Subſidies and Supports, with which they are to aſſiſt one another.*

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THE third Power was for receiving Homage from the Duke of *Burgundy*, as the King's Vaſſal.

p. 138. FROM all this it is plain enough that the Duke of *Burgundy*, when he ſaw all the Forces of *France* ready to fall upon him, deſir'd Aſſiſtance from the King of *England*; that he offer'd to become his Vaſſal, and to bring about his Marriage with *Catherine* to his Satisfaction, provided that by his means he might recover the Poſt which he had left at the Court of *France*. Therefore *Mezeray* might well ſay that the Arms of *England* were brought into *France* by the *French* themſelves. Yet no Hiſtorian that I know of has ſpoke of theſe ſecret Intrigues between *Henry* and the Duke of *Burgundy*, before the beginning of the War; theſe private Memoirs being to be met with no where but in Mr. *Rymer*'s Collection, and yet abſolutely neceſſary for underſtanding the Hiſtory of that time. For it is very probable that *Henry* would not have thought of aſſerting his Pretenſions to *France*, if the Duke of *Burgundy* had not courted his Friendſhip. Nevertheleſs, this Negotiation came to nothing at that Juncture, becauſe of the Turn that happen'd to the Duke of *Burgundy*'s Affairs, of which it is neceſſary to give a brief Hint.

THE King of *France* being in the Field, recover'd thoſe Places which the Duke had taken. And afterwards, the *Flemings* having refus'd to ſerve the Duke againſt *France*, the Duke of *Bourbon*, who had been detach'd towards *Artois*, made himſelf Maſter of *Bapaume*. Nor was the Deſign to ſtop there; but, happily for the Duke, the King relaps'd into his Frenzy, which gave him leiſure to fortify *Arras*, and to put a ſtrong Garriſon into it.

Charles of France relapſes.

The Dauphin aſſumes the Regency.

As ſoon as the King was attack'd with his old Diſtemper, the Dauphin aſſum'd the Regency, which the Duke of *Orleans* had no Right to diſpute with him. He carry'd the King, ſick as he was, to the Siege of *Arras*, where he met with more Difficulty than he expected; ſo that without more ado it was reſolv'd in Council to grant to the Duke of *Burgundy* a Peace; but it was upon hard Conditions: It is true that he had an Amneſty with it, but 500 of his Followers were excepted out of it. Moreover, it was agreed that he ſhould come no more to Court, and that the King's Banners ſhould be hung out upon the Walls of *Arras*. The Duke who was glad he came off, put a Stop to his Negotiations with *England* for a time.

He grants Peace to Duke of Burgundy.

WE left at *Paris* ſeven Ambaſſadors from *England* ſent to treat with the Court of *France* upon the two Methods propos'd for Peace, *viz.* Reſtitution and Marriage.

THESE Ambaſſadors in the beginning of *March*, met the Commiſſioners of the King of *France* at *Paris*, with the Duke of *Berry* at the Head of them. We have in this Tome the authentick Protocol of their Conferences, which being too long to be inſerted here at large, I ſhall only give the Subſtance of it.

Protocol of the Conference betwixt the Ambaſſadors of England *and the Commiſſioners of* France. 208.

At firſt, the Ambaſſadors of *England* demanded the whole Kingdom of *France*: Afterwards, they contented themſelves with demanding the Reſtitution of *Normandy*, *Touraine*, *Anjou*, *Maine*, all that *France* poſſeſs'd in *Guyenne*, all that was yielded to *Edward* III by the Treaty of *Bretigny*, all the Country ſituate between *Gravelin* and the River of *Soamme*, the Homage for *Bretagne*, and the abſolute Sovereignty of the Countries mention'd in this Article.

THE *French* Commiſſioners having made ſeveral Objections to thoſe Demands, and ſeveral Offers on their part, the *Engliſh* reduc'd themſelves to theſe four Articles.

1. THE Treaty of *Bretigny*. 2. Half of *Provence*, and the Counties of *Beaufort* and *Nogent*. 3. Six Hundred Thouſand Crowns of Gold for the Arrears of the Ranſom of King *John*. 4. Two Millions of Gold for Princeſs *Catherine*'s Dowry.

To theſe Demands the Duke of *Berry* return'd theſe Anſwers in Writing. 1. He offer'd to reſtore *Agenois* to *England* with the *Bazadois*, *Auch* in part, the *Perigord*, *Bigorre*, *Saintonge* beyond the *Charente*, *le Quercy* except *Montauban*, the *Angoumois* and *la Rouergne*.

To the ſecond Article he anſwers, that the King his Nephew had no Lands in *Provence*, and that he never had any thing there which belong'd to the *Engliſh*.

To the third, that ſince the King of *France* offers to yield ſo many fair Provinces, the King of *England* ought to forbear making any farther Demands.

To the fourth, that the King offer'd 600,000 Crowns of Gold for Princeſs *Catherine*'s Dowry.

AFTER many Debates, the *Engliſh* ſtill perſiſting in their former Demands, as to the three firſt Articles, reduc'd themſelves in the fourth to a Dowry of one Million of Crowns in Gold.

THE Duke of *Berry* perſiſting in like manner in his Offers to the three firſt Articles, went ſo far as to offer 800,000 Crowns of Gold for the Dowry.

THE chief Difficulty lay in this, that *Henry* wanted to have the Sovereignty of

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all that ſhould be yielded to him, where-as *France* would only give it him in Fief or in Domain, according to the then State of each Place. The Conference ended the 13th of *March*.

FROM that time to the breaking out of the War, there were various Negotiations, reciprocal Embaſſies, and Conferences upon the Articles which were debated in the laſt.

IT was in a manner impoſſible that a Peace could be made upon the Footing propos'd by *Henry*, without compelling *France* to it by Arms; which was what *Henry* hop'd likewiſe for an Opportunity of doing, becauſe of the inteſtine Diviſions of that Kingdom.

HE very well knew that he ſhould only have to do with one of the Parties, ſince they hated each other too heartily to unite againſt him. Beſides, he did not deſpair of gaining the Duke of *Burgundy*. Therefore in a Parliament which aſſembled at *Leiceſter* the 31ſt of *May*, 1414, a War againſt *France* was reſolv'd on; and the Parliament granted the King the neceſſary Subſidies to prepare for it.

War voted by Parliament againſt France.

THE reſt of the Year 1414, was ſpent in unſucceſsful Negotiations. All that *France* aim'd at was to gain Time and amuſe *Henry*, who, on his Part, ſtill decoy'd her with the Hopes that if the Marriage propos'd took effect, he might probably recede from a part of his Pretenſions. It was with this View that he prolong'd from time to time the voluntary Engagement which he had enter'd into upon account of *Catherine*, as we find in ſeveral Acts of this Tome. During that time, Ambaſſadors were continually going and coming betwixt *Paris* and *London*. And it is for this Cauſe we find ſo many Paſſports and Commiſſions here, during that Interval, for treating of a Peace and a Marriage. But this was only for the Amuſement of one another.

AMONG the Acts of this Year, we have a Paſſport for an Envoy from the Duke *Orleans*; dated *November* the 1ſt [s]. This gives ſome colour for preſuming that the Duke courted the Protection of *England*, tho' it is but Conjecture.

Paſſport for an Envoy from the Duke of Burgundy. 179.

THERE's another for *Copin de la Vieſeville*, Envoy from the Duke of *Burgundy*; dated *November* the 16th, 1414 [t]. This Prince was ſtill for keeping the Negotiation on foot concerning his Alliance with the King of *England*.

Truce with France *prorogu'd.* 197, 199, 225, 262.

On the 15th of *January*, 1415, the Truce was prolong'd to the 1ſt of *May*, and from thence at ſeveral times to the 15th of *July* following [u].

FRANCE was govern'd at that time by the Dauphin *Lewis*, a preſumptuous young Prince, who 'till then thought of amuſing *Henry* by ſham Negotiations. Mean time, the Preparations that were making in *England* open'd the Eyes of his Council, and made them reſolve to ſend over twelve Ambaſſadors, with the Archbiſhop of *Bourges* at the Head of them. Their Paſſport is dated *April* the 13th, 1415 [x].

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Paſſport to twelve Ambaſſadors from France. 219.

THREE Days after this, *Henry* aſſembled all the Nobility who were then in *London*, and declar'd to them that he deſign'd to go to *France* to recover his Inheritance by force of Arms.

Henry's *Declaration to his Nobility.* 222.

THE Embaſſy of the Archbiſhop of *Bourges* came to nothing more than a Prolongation of the Truce from the 10th of *June*, 1415, to the 15th of *July* following.

Prorogation of the Truce. 262.

THE King having made his Laſt Will and Teſtament, dated at *Southampton* the 24th of *July*, 1415, wherein he only bequeath'd certain Legacies to his Favourites and Domeſticks, was juſt ready to embark on the 5th of *Auguſt*, when he diſcover'd a Conſpiracy by the Earl of *Cambridge*, the Duke of *York*'s Brother, and by the Lord *Scroop*, who were puniſh'd according to their Deſerts. The *Engliſh* Hiſtorians ſay that *France* gave or promis'd them a Million of Livres to kill the King: But we find nothing like it in the Confeſſion of the Earl of *Cambridge*, in this Tome, which ſhews that their only Deſign was to ſet up *Edmund Mortimer* Earl of *March* in his room, who was the very Man that diſcover'd the Conſpiracy to the King.

King's Laſt Will and Teſtament. 289.

Conſpiracy againſt him deteſted and puniſh'd.

Earl of Cambridge's *Confeſſion.* 300.

HENRY having embark'd his Army, which conſiſted of 50,000 Men, or thereabouts, ſail'd about the 20th of *Auguſt*, leaving his Brother the Duke of *Bedford* Regent in *England*. He landed at *Havre de Grace*, and not many Days after beſieg'd *Harfleur*, which he took on the 10th of *September*.

Henry's *Deſcent at Havre de Grace.*

ON the 16th of that Month, he ſent a Challenge to the Dauphin to fight him at ſingle Combat, on condition that the Conqueror ſhould be King of *France* after the Death of King *Charles*, who was to keep the Crown for his Life [y]; but we find no Anſwer to it.

His Challenge to the Dauphin. 313.

WE have a Letter here from *William Bardolf*, the King's Lieutenant at *Calais*, to the Duke of *Bedford*, wherein he tells him, that in a Fortnight at fartheſt, the King will give the Enemy Battel, adding that the *French* Troops are rendezvouſing from all Parts; and that when they are

Letter from the King's Lieutenant at Calais *to the Regent of* England. 314.

[s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] The ſeveral Prorogations are dated at *Paris*, *January* the 24th, 1415, and the 13th of *March* following, and at *Calais* the 10th of *June*. [x] At *Weſtminſter*. [y] The Challenge is dated as above at *Harfleur*.

all

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all together they will make an Army of 100,000 Men. This Letter is dated at *Calais*, *October* the 7th, 1415.

ALTHO' the Acts of this Tome make little mention of this Battel, which was actually fought at *Agincourt* on the 25th of *October*, yet they ſuppoſe it in very many Places. Beſides, the Victory which *Henry* obtain'd there, is in a manner the Foundation of all the Events that we are to ſpeak of hereafter. Therefore we are under ſome Neceſſity of giving a brief Account of it.

AFTER *Henry* had made himſelf Maſter of *Harfleur*, he lay encamp'd near that Town 'till it was repair'd, and never ſtirr'd 'till the end of *September*, or the beginning of *October*. During this, one third of the Army was carry'd off by a Bloody Flux, and another third diſabled from bearing Arms; which ſad Circumſtance conſider'd, and how far the Seaſon was advanc'd, made him reſolve to retire to *Calais*. He hop'd to be able to paſs the *Soamme* at the Ford of *Blanquetaque*, where *Edward* III paſs'd it the Day before the Battel of *Creſſy*; but when he came to it he found it impracticable. This made him reſolve to trace the River to its very Fountain but he would find a Paſſage. During this, the Conſtable *d' Albret*, who commanded the *French* Army, having receiv'd ſeveral Reinforcements, and being at the Head of above 100,000 Men, did not give himſelf any trouble about guarding the *Soamme*; but on the contrary wiſh'd that the *Engliſh* would paſs it, that it might not be in their Power to avoid a Battel. Therefore he went to expect them in the County of *St. Pol*, hard by a Caſtle nam'd *Agincourt*; where King *Henry* met him, and with 15 or 20,000 Men (ſome ſay but 9000) all tir'd, and oblig'd to fight naked from the Waiſt downward, becauſe of the Diſtemper which hung upon them, there did he put that great Army to the rout. The Conſtable *d' Albret*, the Duke *d' Alençon*, the Dukes of *Brabant* and *Nevers*, Brothers to the Duke of *Burgundy*, and a great many other Lords of Diſtinction fell in the Battel. Among the Priſoners were the Dukes of *Orleans* and *Bourbon*, the Counts *d' Eu*, *Vendoſme*, *Richemont*, the Marſhal *de Boucicaut*, the Sire *d' Etouteville*, and many others of an inferior Rank *. Next Day, the victorious King continu'd his March towards *Calais*, and afterwards return'd with his Priſoners to *England*, where he arriv'd the 16th of *November*. And thus ended the Year 1415.

Mortality in the Engliſh Army.

Battel of Agincourt.

King's Return to England with his Priſoners. 1327.

IT was natural to ſuppoſe that after ſo great a Victory, *Henry* would not have fail'd to purſue the Blow. But all the Year 1416, and half of the next were ſpent in Negotiations; during which he did not ſeem to make the leaſt Preparation to carry his Arms again into *France*, where he had made ſo ſucceſsful a beginning of the War. This Conduct of his has been darkly accounted for by Hiſtorians; but the Acts of this Tome of the *Fœdera* clear it up to Satisfaction; for we find that he wholly employ'd the Year 1416, in Negotiations with the Duke of *Burgundy*, in order to bring him into his Intereſt; which was a Point of greater Advantage to him than the winning of another Battel, or the Reduction of many Towns. And by the way, I cannot but think that the King in this Conduct of his made an eminent Diſcovery that his Wiſdom was equal to his Valour. We are now to give an account of his Negotiations, as well with the Court of *France* as with the Duke of *Burgundy*, which are the Subject of the Acts of the Year, 1417. But for this end it is neceſſary, in the firſt Place, to ſee how things ſtood at the *French* Court after the Battel of *Agincourt*; becauſe, according to the Situation of Affairs there, *Henry* regulated his whole Conduct.

His Reaſon for not purſuing his Victory.

THE Conſternation throughout *France* giving the Duke of *Burgundy* Hopes of being reſtor'd to the Adminiſtration, he thought it his Duty not to let this Opportunity ſlip. For this Purpoſe, about a Month after the Battel, he march'd at the

Duke of Burgundy marches an Army to Paris.

* *HARDING* an *Engliſh* Hiſtorian, who was in this Battel, ſays, that King *Henry*'s Army conſiſted of no more than 9000 Men. *Walſingham* reports that they were but 8000, and the *French* Hiſtorians make them but 25000 at moſt; whereas the ſame Authors, both *Engliſh* and *French*, agree that the Conſtable's Army conſiſted of 140,000 at leaſt. Dr. *Parnel*'s Chronicle ſays, that when King *Henry* ſent out *David Gam*, Commander of a Company of *Welſhmen*, to view the Enemy, he brought back word, *There were enough to be kill'd, enough to be taken Priſoners, and enough to run away.* The King expos'd his Life to the greateſt Danger, by fighting on foot in the Front of his Army; for *Le Fevre*, who was alſo in the Battel, ſays, that 18 *French* Gentlemen, having combin'd to kill him, or periſh in the Attempt, charg'd him ſo cloſe that one of them with his Battel-Ax ſtruck him on the Creſt of his Helmet, and brought him to his Knees; but they were all kill'd on the Spot. As for the Loſs of the *Engliſh* in this Battel, *Monſtrelet* makes the Number kill'd to be 1700, and *le Fenin*, another *French* Hiſtorian, but 4 or 500. *Caxton* affirms there were but 26 *Engliſh* Soldiers kill'd, and *Walſingham* ſays not many more, *viz.* The Duke of *York*, the Earl of *Suffolk*, 4 Knights, 1 Eſquire, and 28 common Soldiers. *Le Fevre* writes, that of the *French* 10,000 were kill'd, of whom 100 were Princes, and 7000 Noblemen. *Juvenal des Urſins* makes the *French* Priſoners 14,000; and all Authors agree that they were as many as the Number of the *Engliſh* Army. For the Particulars of the Action, the Reader need only conſult *Goodwin*'s Hiſtory of this Reign. We ſhall only add from *Stow*, that the King, when he return'd to *London* with the chief Priſoners, was met at *St. Thomas of Waterings* by the Mayor, Aldermen, and Clergy, who made a joyful Proceſſion, in which the Prieſts brought out the Relicks of 70 Saints.

Head of an Army directly to *Paris*. But the Dauphin had taken such Precautions to keep him out that he could not enter. Mean time, this young Prince either to be reveng'd of his Father-in-law, or because he did not think himself qualified to steer at the Helm alone in so violent a Storm, sent for the Count *d' Armagnac*, a mortal Enemy of the Duke of *Burgundy*, to give him the Constable's Staff. The Count arriving accordingly at *Paris*, on the 20th of *December*, was invested in his Office; and in five Days after, the Dauphin died, not without suspicion of having been poison'd.

The Count d' Armagnac made Constable of France.

Dauphin's Death.

Constable assumes the Regency with a high Hand.

AFTER the Dauphin's Death, the new Constable assum'd the Government with such absolute Authority that he seem'd to act not so much like a Minister as a Sovereign. He observ'd no Measures with the Duke of *Burgundy*; but all the *Burgundian* Soldiers, that were made Prisoners, were hang'd without Mercy; and the Inhabitants of *Paris*, who were of his Party, were expos'd to continual Insults.

A new Dauphin.

KING *Charles* had two Sons still alive, *viz.* *John* Duke of *Touraine*, and *Charles* Earl of *Ponthieu*. The first, who by the Death of his elder Brother was become Dauphin, liv'd with the Earl of *Hainault*, whose Daughter he had marry'd. This Prince, by the Advice of the Earl his Father-in-law, sent Orders to both Parties to lay down their Arms, by vertue of his Right to command during the Indisposition of the King his Father. The Duke of *Burgundy* obey'd, and retir'd to *Flanders*; but the Constable, perceiving that the Dauphin had a mind to continue Neuter in the Quarrel, refus'd to receive his Orders, unless he would declare himself openly against the *Burgundian* Party. The Dauphin could not think of complying with this Condition, and wisely judg'd that a Prince, who has the Government of a State committed to him, cannot upon such Occasions declare himself the Head of a Party, without doing himself a vast Prejudice. This Refusal furnish'd the Count *d' Armagnac* with a Pretence to keep the Authority in his own Hands, while the Dauphin was still in *Hainault*.

The Constable refuses Obedience to him.

Duke of Burgundy *negotiates with* England.

ALL this while, the Duke of *Burgundy* renew'd his Negotiations with the King of *England*. And among the Acts of the beginning of this Year 1416, there are several Passports for his Envoys. The Pretence was sometimes the renewing the Commercial Truce between the *English* and the *Flemings*, and at other times a certain Affair depending in the Council of *Constance*. We shall see presently what was the Issue of all those Embassies.

The Reason of Henry's *not pushing on the War in* France.

THIS Negotiation betwixt *Henry* and the Duke of *Burgundy* was the true Cause of the Interruption of the War. The Duke had great Domains in *France*, and the Earls of *Flanders* and *Artois* in the *Netherlands*. Moreover, he was in *France* the Chief of a powerful, though oppress'd Party, which bid fair to get the better again, as it actually did. Therefore it was good Policy in *Henry* to bring over this Prince to his Interests. He was wise enough to see that the Duke only courted his Alliance to make use of him at a time of Necessity, when he might happen to be too much press'd: The Duke, therefore, was to be drove, to take this Step out of despair of being otherwise able to make Head against his Enemies. For this Reason *Henry* took care not to press *France*, as knowing very well that all the Advantages he should obtain, would only retard the Execution of this Project. The more Victories he had gain'd, the more the Constable's Credit would have been ruin'd; by Consequence the Duke of *Burgundy* might have been restor'd to the Government, and have had no farther occasion for Assistance from *England*. It was therefore advantagious for *Henry* that Affairs in *France* should continue on the present Footing. It was absolutely necessary that the Constable should preserve his Authority, and that he should persecute the *Burgundians* without Control; to the end that Disgust and a Desire of Revenge might push on the Duke of *Burgundy* to take a Step which he would never have done, if he could have found any other Method to ruin his Enemies. That was without Dispute the true Cause of the Interruption of the War on the Part of *Henry*; but he had like to have been grosly mistaken in his Politicks.

Emperor Sigismund goes to France *and* England *to mediate a Peace.*

THE Emperor *Sigismund* went to *France* in the beginning of this Year, to mediate a Peace between the two Kings; but he did not find that Disposition at the Court which was necessary for the Success of his good Offices. Therefore in the Month of *April*, he pass'd over to *England*, whither the Earl of *Holland* went also with the same Design. The Constable *d' Armagnac*, who was very cunning, perceiving the Officiousness of these two Princes, thought to make use of them to lull *Henry* to sleep, and rob him of *Harfleur*. With this View he consented that they should find out Expedients to procure a Truce, which might pave the way for a Peace. Upon this Consent of his, the two Princes Mediators agreed with *Henry* on a Truce of four Years; during which *Harfleur* was to be put into their Hands upon certain Terms, of which the *French* Princes, who were Prisoners in *England*, were to be engag'd for the Performance. This is a Fact which, tho' not mention'd by the Histo-

A Truce agreed on, but not sign'd.

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rians, is evident from one of the Acts in this Tome [z]. While *Henry* was laid asleep with the Hopes of this Truce, the Conſtable under various Pretexts brought all his Troops down upon *Normandy*. When he was ready, the Captive Princes refus'd to ſign the Treaty, which by that Means was of no effect. At the ſame time the Conſtable went and beſieg'd *Harfleur*, the Garriſon of which *Henry* had neglected to reinforce.

Conſtable beſieges Harfleur.

THE King ſeeing himſelf thus bubbled, was reſolv'd in his Turn to have recourſe to Craft, and to propoſe a Truce, that he might have time to prepare Succours for *Harfleur*. This he did by an Inſtrument, dated *June* the 28th, 1416 [a]. After this, he deſir'd an Interview with his Couſin of *France*, by an Inſtrument of the ſame Date. But the Conſtable of *France* was deaf to all theſe Propoſals; ſo that *Henry* had no Chance left but the Fortune of War. He hop'd that the Valour and Experience of the Earl of *Dorſet* his Uncle, who commanded in *Harfleur*, would give him time to prepare Succours. It appears by ſeveral Acts in this Tome, dated at *Weſtminſter*, from the 3d of *June* to the 22d of *July*, that the King deſign'd to go in Perſon to relieve that Place; but at laſt, upon the Emperor's Sollicitation, he gave a Commiſſion for that Purpoſe to his Brother the Duke of *Bedford* [b]. The Duke putting to Sea towards the latter end of *July*, beat the Viſcount *de Narbonne*, who kept the Place block'd up by Sea, and by that Means the Conſtable was oblig'd to raiſe the Siege.

Henry propoſes a Truce, 365.

And an Interview with the King of France, 366.

363, 370, 371.

His Commiſſion to the Duke of Bedford, 371.

WE left the Dauphin *John* in *Hainault*, refuſing to accept the Condition on which depended his Return to the Court of the King his Father. The Duke of *Burgundy* hearing that he was diſpos'd to continue Neuter, went to *Valenciennes* in the beginning of the Year to diſcourſe with him. In the Conference which he had with him and the Earl of *Hainault* it was agreed, that the Dauphin ſhould make his Appearance in *France*, in order to take that Rank upon him which was due to his Birth; and that if he was receiv'd, he ſhould ſend for the Duke to Court; but if not, that then he ſhould, in concert with the Duke and the Earl of *Hainault*, take fitting Meaſures to deliver the King his Father from Captivity.

Negotiations betwixt the Duke of Burgundy and the Dauphin.

ACCORDING to this Reſolution the Dauphin went to *Compiegne*, where he ſtopp'd while the Earl of *Hainault* proceeded to *Paris*, to negotiate the Affair. When he had once ſignify'd that it was the Dauphin's Intention to recal the Duke of *Burgundy*, they would not hear a Word more that he had to ſay; whereupon the Earl could not help letting fall ſome Menaces, which alarm'd the Conſtable and all his Party. But to make themſelves eaſy they got the Dauphin poiſon'd at *Compiegne*, where he died the 16th of *April*, 1416, and not in 1417, as *Mezeray* has aſſerted in his Abridgment.

Dauphin poiſon'd.

A Miſtake of Mezeray about the time.

BY the Death of *John* the Dauphin, his Brother *Charles*, Earl of *Ponthieu*, became Dauphin and preſumptive Heir of the Crown. This young Prince, who was but fourteen Years of Age, devoted himſelf entirely to the Conſtable, through the Inſtigation of the King of *Sicily* his Father-in-law, who was the Duke of *Burgundy*'s ſworn Enemy. Then the Duke's Affairs grew worſe and worſe. The Conſtable having ſhew'd no Mercy to the *Burgundians*, and choſe to ſacrifice *John* the Dauphin, rather than be expos'd to the Hazard of ſeeing his Enemy triumph, the Duke had no other ſhift to make but to throw himſelf into the Arms of the King of *England*. Therefore, without more ado, he gave Orders to his Envoys at *London*, to ſettle an Interview betwixt him and the King in *October* following at *Calais*. The King's Orders for this Purpoſe are dated at *Weſtminſter* the 5th and 7th of *Auguſt*, 1416.

The new Dauphin is attach'd to the Conſtable of France.

Interview ſettled betwixt King Henry and the Duke of Burgundy, 374, 375.

WHILE this Affair was negotiating at *London*, it happen'd that the *Burgundians* of *Paris* form'd a Conſpiracy to deliver up one of the Gates of that City to their Chief; which being diſcover'd, the Conſtable caus'd the Conſpirators to be puniſh'd in ſuch a manner as compleated the Duke of *Burgundy*'s Deſpair, and forc'd him to take that Step which he had ſo long deferr'd. Therefore, without any farther Regard for the Court of *France*, he caus'd a Truce to be concluded with *Henry*, by his Envoys at *London*, for all their Dominions reſpectively, 'till the Feaſt of St. *Michael*, 1417. This Truce was publiſh'd at *Calais* in the Month of *Auguſt*. But his Revenge did not ſtop here; for his Envoy engag'd in his Name, that he would own *Henry* for King of *France*, that he would perform Homage to him, and that he would take an Oath of Allegiance to him. But this Engagement was kept ſecret, the better to ſerve the Deſigns both of the King and Duke.

Burgundians Plot to deliver up one of the Gates of Paris.

Duke of Burgundy's Truce with Henry, and his Acknowledgment of his Title as King of France.

The following are the Publick Acts, which we meet with in the Ninth Tome of the Fœdera, *relating to this Subject.*

1. A COMMISSION to the Biſhop of *Litchfield*, and to the Earl of *Warwick*, to confer with the Duke of *Burgundy*'s Envoys about certain Affairs of the Church; dated *Auguſt* the 5th, 1416 [c]. This was the Pretext for the Conferences.

Negotiation with the Duke of Burgundy's Envoys, 374.

[a] Dated at *Weſtminſter*, *June* the 13th, 1416. [z] At *Weſtminſter*. [b] Dated at *Southampton*, *July* the 22d. [c] At *Weſtminſter*.

2. ANOTHER of the same Date for agreeing with the said Envoys on an Interview betwixt the King and the Duke.

King's Interview with the Duke of Burgundy, 375.

3. AN Order to all the Persons of his Retinue that were to accompany the King, to be in a Readiness to go with him to *Calais*, where he is to have an Interview with some of his Enemies; dated *August* the 7th, 1416 [d].

Truce with him proclaim'd at Calais, 383.

4. AN Order to the Governour of *Calais*, to proclaim the Truce there concluded with the Duke of *Burgundy*; dated the 16th of the same Month [e].

Henry's Departure for Calais, 385.

5. A MEMORANDUM of the Day of the King's Departure for *Calais*, viz. *September* the 4th, 1416.

Passport for the Duke of Burgundy, 390.

6. A PASSPORT for the Duke of *Burgundy*, with a Retinue of 800 Persons, the Duke of *Glouceſter* being given up to the Count *de Charolois* as a Security for the Duke his Father; dated at *Calais* in the Presence of the Emperor *Sigismund*, *October* the 1st, 1416.

Oaths of the Duke of Burgundy, 394.

7. A COMMISSION to *Thomas de Camoys*, *&c.* to receive the Oaths of the Duke of *Burgundy*, and his Son the Count *de Charolois*, as also to swear in the King's Name to the Conventions concluded betwixt them; dated the Day following [f].

Conventions betwixt the King and Duke. Ibid.

8. CONVENTIONS betwixt the King and the Duke of *Burgundy*, which are to be sworn to by the Duke.

9. THE Duke of *Burgundy*'s Letters Patent conformable to the preceding Conventions. This is a secret and curious Instrument, which has escap'd the Notice of our Historians, and is worthy of being translated in this Place.

The Instrument sign'd by the Duke of Burgundy, 395.

JOHN Duke of *Burgundy*, &c. To all to whom these Letters shall come, Greeting.

"WHEREAS the most High, *&c. Henry* "by the Grace of God King of *England*, "who stiles himself King of *France*, has "inform'd us of his Right and Title to "the Kingdom and Crown of *France*.

"AND whereas, for the Reverence of "God, and for avoiding the Effusion of "human Blood, he requested *Charles* his "Adversary of *France*, to yield him the "Kingdom and Crown of *France* afore-"said, with all its Dependencies, which "Request his Adversary would by no "Means agree to, nor to any other Ex-"pedient for Peace.

"WHEREFORE the said King of *Eng-"land* has acquainted us, that by the Help "of God, of our Lady, and St. *George*, "he intends to proceed to Violence for "the Recovery of the said Kingdom and "Crown of *France*, which he thinks he "ought in right to do; as having no So-"vereign but God, to whom he can ap-"ply for Justice.

"AND We knowing the Right of the "said King of *England*, and considering "the great and signal Victories, which "God of his Grace has given, as well to "the King of *England* that now is, as to "the Kings of *England* his noble Proge-"nitors and Predecessors, in obtaining "for them their Right to the Crown and "Kingdom of *France* above-mention'd.

"WE promise the said King of *Eng-"land*, by these Letters written with our "own Hand, and seal'd with our Privy-"Seal, that,

"THO' for want of being duly in-"form'd of the Right and Title which "the said King of *England* has to the "said Kingdom and Crown of *France*, "we took the Part of his said Adversary, "as thinking it Just;

"Yet now, We being better inform'd, "do and will from henceforth take Part "with the aforesaid King of *England*, "and his Heirs, as the true and lawful "Kings of *France*, who ought by Right "to have Possession of the Kingdom of "*France*.

"AND tho' for the present the said "King of *England* does not desire us to "perform that Homage to him which we "owe him;

"NEVERTHELESS we promise by these "Presents, that as soon as, by the Help "of God, our Lady, and St. *George*, the "said King of *England* shall become "Master of a considerable Part of the said "Kingdom of *France*, we will perform "Liege Homage, and take such Oath of "Fealty to the said King, as a Subject of "the Realm of *France* ought to perform "and take to his Sovereign Lord the King "of *France*: And we will also endeavour "by all the secret Ways and Means that "we know of, or that any body can in-"form us of, to enable the said King of "*England* to carry his Point, *viz.* to "have real and peaceable Possession of "the Kingdom and Crown of *France* a-"foresaid.

"AND that while the said King of "*England* employs himself in the Reco-"very of the said Kingdom and Crown of "*France*, we will make War with all "our Power on our Enemies of the "Kingdom of *France*, that is to say, a-"gainst *A. B. C. D.* and all their Coun-"tries, Dependents and Creatures, who "shall be disobedient to the said King of "*England*.

"AND moreover, we promise that,

"IN all Alliances made or to be made "between the said King of *England* and

[d] At *Westminster*. [e] At *Westminster*. [f] At *Calais*.

"Us,

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" Us, in which the ſaid Adverſary, or the " Son of the ſaid Adverſary to the King " of *England*, are or ſhall be excepted ;

" IT is not, nor ſhall it be our Intenti- " on to do any Prejudice to the ſaid King " of *England*, nor to violate any part " of the Promiſe which we have made to " him in theſe our Letters, but we will " fulfil them in every Article.

" AND therefore if ſuch Exception of " the Adverſary, or of his Son, as above, " be by us expreſs'd for a greater Good, " and for the more ſpeedy attaining, by " God's Aſſiſtance, to the End above ſpe- " cify'd, We nevertheleſs will and declare " by theſe our Letters, ſuch Exceptions " to be null and void.

" AND to the end that every one may " know that theſe our Letters proceed " from our mere free Will, and that we " will keep and obſerve them in all and " every part without ever contravening " them in any manner whatſoever, We " ſwear and promiſe to obſerve them by " our perſonal Faith and Allegiance, and " on the Word and Honour of a Prince.

Written and ſign'd with our own Hand, and ſeal'd with the Privy-Seal of our Arms, at *Calais* the : : : : : Day of *October*, *Anno* : : : : :

The different Turn given to this Matter by Mezeray.

MEZERAY ſays, " That the Thirſt " of Dominion ſo far tranſported the " Duke of *Burgundy*, that he went to " confer with the King of *England* at " *Calais*, and there concluded a ſeparate " Truce with him, whereby he engag'd " in one reſpect not to aſſiſt the King of " *France* his Sovereign." But beſides that the Truce was already concluded and proclaim'd at *Calais* before the Duke went thither, the Inſtrument we have juſt now inſerted is a very plain Evidence that the Affair tranſacted betwixt *Henry* and the Duke was very wide from a ſeparate Truce.

His groſs Miſtake about the Dauphin.

I SHALL obſerve here by the way, that *Mezeray* is guilty of a capital Error, which has very much confounded the Hiſtory of this Time, by ſaying that the Duke of *Burgundy* went from *Calais* to confer with the Dauphin *John*, who was dead ſix Months before ; and by placing his Death in the Year 1417, whereas he died in *April*, 1416. This is manifeſt from the Letters Patent juſt now mention'd, wherein the Duke makes a League with *Henry* againſt the Dauphin. Now this Dauphin could be no other than *Charles*, who was his ſworn Enemy, whereas *John*, as has been before obſerv'd, was his Friend. But I have made this Remark not ſo much to point out an Error of *Mezeray*, as to ſhew the Uſefulneſs of the *Fœdera*.

French Court's Jealouſy of the Interview betwixt Henry and the Duke of Burgundy.

WHILE *Henry* was at *Calais*, *France* being alarm'd at the Interview which he was to have with the Duke of *Burgundy*, ſent the Archbiſhop of *Rheims* thither, with five other Ambaſſadors, on pretence of negotiating a Peace ; but according to all Appearance it was only to diſcover what paſs'd. It ſeems by all the Hiſtories of *France* that they were not able to dive into the Secret, tho' afterwards the Proceedings of the Duke of *Burgundy* made it groſly ſuſpected that he was too good a Friend to the *Engliſh*. In the mean time, this Alliance betwixt the King and the Duke of *Burgundy*, is as it were the Hinge on which the principal Events that happen'd before and after it turn. From hence it is eaſy to perceive how imperfect moſt Hiſtories are, and how uſeful this Collection may be to ſuch as ſhall happen hereafter to write the Hiſtory of *England*.

A farther Note upon the Uſefulneſs of the Fœdera.

Truce with France, 397.

THE Ambaſſadors of *France*, during their Stay at *Calais*, obtain'd a Truce from the 9th of *October*, 1416, to the 2d of *February* following, N. S.[g]

Henry's League with the Emperor, 377.

AMONG the Acts of the Year 1416, there's a Treaty of Alliance betwixt the Emperor *Sigiſmund* and *Henry*, againſt *France*, which League was ſign'd at *Canterbury* the 15th of *Auguſt*, as the Emperor was on the Road for *Calais*. This ſhews that the Emperor was not an impartial Mediator ; for tho' he had receiv'd no Injury from the Court of *France*, he made a League againſt that Nation with its Enemy, pretending this reaſon for it, that he had not been ſucceſsful in making a Peace betwixt the two Crowns. This Treaty ſhews, moreover, that *Sigiſmund* did not undertake this Voyage, nor ſtay ſo long in *France* and *England*, with no View to his own Intereſt, as he would have had it believ'd. We find by the Treaty, that *Henry* engag'd himſelf to procure him the Enjoyment of certain Provinces he claim'd in *France*, and the Homage of certain Countries which are not nam'd in the Act, but it is ſuppos'd they were *Provence* and *Dauphiny*. And *Sigiſmund* engag'd on his part to aſſiſt *Henry* with all his Power to conquer the whole Kingdom of *France*. It appears likewiſe by ſome Acts in this Tome, that after the ſigning of the League againſt *France*, the Emperor being then at *Calais*, ſtill continued the Office of Mediator between the two Crowns, *France* knowing nothing all the while of his Engagements to *Henry* : But whether this was ſtrictly honourable or not is no hard

Emperor's Diſſimulation with France, 387.

[g] It is dated at *Calais*, *October* the 1ſt.

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matter to judge. In short, we find in several places of this Tome, that there was a firm Union, and entire Correspondence betwixt the Emperor and *Henry*.

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Henry's Embassies to foreign Powers to assist him in his War with France. 410, 412, 414, 415, 419.

As soon as the King of *England* had made sure of the Assistance of the Duke of *Burgundy*, he turn'd all his Thoughts to War; and with this View he sent Ambassadors to *Arragon*, *Castile*, *Germany*, the *Hanse* Towns, and to the Republick of *Genoa*, in order to get Succours from all those Dominions, or at least to engage them to observe a Neutrality. All these Commissions we find among the Acts of *December* [h].

Another of Mezeray's *Anachronisms discover'd.*

BEFORE we proceed to the Acts of 1417, it may not be improper to observe another of *Mezeray*'s Errors in Chronology, when he places *Henry*'s second Descent on *France* in the Year 1416, whereas it is certain it was not undertaken 'till the end of *July* 1417, as is evident from several Acts in this Tome, and from the whole Series of the History.

Henry's Letter to Tiptoft, 417.

AMONG the Acts in *January* 1417, there's a Letter from the King to *Tiptoft*, his Ambassador to the Emperor *Sigismund*, in which he communicates a Secret to him, with Orders to tell it to none but the Emperor himself. It is dated the 25th. The Subject of it was as follows.

Private Negotiations betwixt Henry *and the* French *Prisoners.*

"THE Princes and other *French* Prisoners of distinction, who were in *England*, had made a Proposal to the King of a separate Agreement with him. But upon *Henry*'s requiring of them to own him for King of *France*, the Duke of *Orleans* answer'd for one and all, that they could not treat upon that Foot. Some time after, the Duke of *Bourbon* desir'd a private Audience of him, and told him that since they had the Honour to talk with him, they had sent People into *France* to inform themselves exactly of his Right to that Kingdom, and that they had receiv'd such Light from them as they never had before. That for his own part, since he had heard that his Majesty had offer'd to quit all Claim to the Crown of *France*, provided he might have those Lands restor'd which were yielded to *Edward* III, in the Treaty of *Bretigny*, with the Addition of *Normandy*; he thought it so reasonable a Proposal, that the Peace not only might, but ought to be made upon that Condition; and he gave him also to understand that this was the Sentiment of the other Prisoners.

"UPON this Foundation he desir'd his Permission to go to *France*, there to sollicit the Court in the Name of all the rest to accept this Proposal. And if they refus'd to consent to it, he would engage to put his Places into sure Hands, and return to *England*, where he would not only pay him Homage, but swear Allegiance to him. At the same time he begg'd him to keep it secret, because of the Danger he should run if it were discover'd during his stay in *France*. Upon this Engagement the King gave him a limited Furlough, after having receiv'd his Son as a Hostage, and Security for 200,000 Crowns." This is what the King charged *Tiptoft* to discover to the Emperor, in order to have his Opinion. At the same time he commanded him to tell that Prince, that this should not retard the Expedition he had design'd against *France*; but we find no Consequence attending this Affair, therefore I imagine that it was only a Trick of the Constable *d' Armagnac*, who put the Duke of *Bourbon* upon this Action, on purpose to lull *Henry* asleep with the Hopes of this Negotiation, and to retard his Preparations. The Duke of *Bourbon* did nothing in *France*; and tho' he return'd to *England*, he did not perform his Engagement. We find a great many Acts in this Tome relating to this Affair. And perhaps the Order which the King issued to shut up the Duke of *Orleans* in *Pontefract* Castle, was a Consequence of it. This Order was dated [i] the first of *June*, 1417.

Duke of Orleans *committed to* Pontefract *Castle*, 456.

Henry and the Constable amuse each other.

WHILE *Henry* was preparing to carry his Arms again into *France*, the Constable *d' Armagnac* endeavour'd to retard him by fresh Negotiations. And *Henry* in his Turn paid him in the same Coin, by never refusing to enter into a Treaty, tho' he did not lose one Moment in his Preparations for War. And this is the Substance of many Acts in the beginning of the Year 1417.

Truce with the Duke of Burgundy. 451.

WE find in this Tome, that during that time Envoys came to *London* every now and then from the Duke of *Burgundy*, on pretence of renewing the Truce, which indeed was prolong'd by an Act dated the 8th of *May* [k]; but that was not the real Motive of those Embassies. Probably the Business was to concert with the King that Diversion which the Duke propos'd to make while the King attack'd *Normandy*. The Constable himself furnish'd the Duke with a Pretext for taking Arms, tho' it did not appear that it was in favour of the King of *England*.

[h] Those to *Arragon*, *Germany*, the *Hanse* Towns and *Genoa*, are dated the 2d of that Month at *Westminster*, and that to *Castile* is dated on the 15th. [i] At *New-Sarum*. [k] At *Calais*.

THO'

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THOUGH Queen *Iſabel*, the Wife of King *Charles*, was no Friend of the Duke of *Burgundy*'s, yet ſhe was a continual Thorn in the Sides of the Conſtable, who was afraid ſhe would find means to remove him from the Government, either by gaining over the King her Husband in ſome of his calm Intervals, or at leaſt the Dauphin her Son. To ward off this Blow, he fill'd the Heads of both the King and the Dauphin with ſo many Jealouſies againſt this Princeſs, that he caus'd her to be baniſh'd to *Tours*; an Affront for which ſhe never forgave either him or the Dauphin.

The Queen of France baniſh'd to Tours by the Intrigues of the Conſtable.

THE Duke of *Burgundy*, who only wanted a fair Pretence for Action, took occaſion from the Queen's Baniſhment, the Death of the two former Dauphins, and ſeveral other things, to run down the Conſtable's Conduct, in a Manifeſto which he publiſh'd on that Head, and ſent to the chief Towns of the Kingdom, many of which openly eſpous'd his Party; for there was an univerſal Diſcontent at the Conſtable's Government, which had been very violent. After this, the Duke of *Burgundy* advanc'd near to *Paris*, and took ſeveral Towns in the Neighbourhood.

Duke of Burgundy publiſhes a Manifeſto againſt him.

AT the ſame time, the King of *England* ſailing about the latter end of *July*, made a Deſcent with about 25,000 Men, at *Touque* in *Normandy*. Conſequently, the Dauphin and the Conſtable were under a Neceſſity either of abandoning *Paris* to the Duke of *Burgundy*, or elſe of leaving *Normandy* expos'd to the *Engliſh* Arms, and providing for the Security of *Paris*. But they choſe the latter, and ſhut themſelves up in that Capital. One may eaſily judge, that as Affairs then ſtood, *Henry* did not meet with abundance of Oppoſition in *Normandy*. He preſently made himſelf Maſter of *Touque*, and ſeveral other Caſtles, and afterwards of *Caen*, *Bayeux*, *Mante*, *Alençon*, and *Falaize*. We find the Capitulations of all thoſe Places in this Ninth Tome of the *Fœdera*, the Dates of which may be of ſome ſervice.

Henry's Deſcent in Normandy.

His Progreſs there.

WE left *Queen Iſabel* in Baniſhment, and little better than a Priſoner at *Tours*, which was a Reſtraint upon her that ſhe could not brook; and in order to her deliverance, ſhe made a League with the Duke of *Burgundy*, which was concluded with ſuch Secrecy, that the Court of *France* had not the leaſt notion of it. The Duke of *Burgundy*, who was beſieging *Corbeil*, left his Camp all on a ſudden, and poſted to *Tours*; from whence he carry'd off the Princeſs without oppoſition, and conducted her to *Troyes* in *Champaign*, where ſhe took the Title of Regent, aſſerting that both the King and the Dauphin were kept by the Conſtable in a State of Slavery.

Queen Iſabel's League with the Duke of Burgundy, who carries her off to Troyes, where ſhe takes the Title of Regent.

Mean time, *Henry* puſh'd on his Conqueſts in *Normandy*. As ſoon as ever he had reduc'd *Touque*, he ſent to acquaint King *Charles* with his Intention to recover his Eſtate by force of Arms. The Letter is dated [1] the 13th of *Auguſt*, 1417. *Charles* return'd anſwer, that he was always for Peace, that Peace was what he ſtill deſir'd, and that he was ready to make uſe of all proper means for that end. *Henry* reply'd, that if he was in earneſt for a Treaty, he would offer to ſend his Ambaſſadors to ſome convenient place: upon which a Conference was agreed on at *Berneville*, a place betwixt *Touque* and *Harfleur*; but it was not held 'till the 28th of *November*. What was moſt remarkable in it, are the Conditions upon which *Henry* offer'd to make Peace, *viz.* That *Charles* ſhould hold the Crown during his Life, but that after his Death it ſhould deſcend upon *Henry* and his Heirs: That during the Life of *Charles*, *Henry* ſhould be Regent of the Kingdom; and upon theſe Terms, *Henry* offer'd to marry the Princeſs *Catherine*, without putting the King her Father, or the Kingdom, to any Charge. This Conference was not puſh'd very far, becauſe the Archbiſhop of *Rheims*, who was at the Head of the Embaſſy of *France*, had no Inſtructions for treating on a Demand of that nature.

Henry's Letter to Charles of France. 482.

His Anſwer. 517.

Conference at Berneville. Ibid.

DURING this, *Henry* continued the War in *Normandy*, notwithſtanding the Severity of the Winter, being reſolv'd to improve the beſt Opportunity that he could poſſibly have had. The Capitulations of the many Places he took, during the Remainder of the Year 1417, and the firſt Months of 1418, fill up a conſiderable part of this Tome *.

IN the Year 1418, *Henry*'s Affairs took a conſiderable Turn, occaſion'd by the Revolution which happen'd at the Court of *France*. *Martin* V, who had been choſe Pope by the Council of *Conſtance* on the 11th of *November*, 1417, ſent two Legates in *April* following into *France*, with a Commiſſion to make Peace between the Kings of *France* and *England*, or to procure the Publication of Truces, &c. *Partium tamen diſſidentium accedente conſenſu*; i. e. With the conſent nevertheleſs of the contending Parties. In this he was more modeſt than *John* XXII, who (as was obſerv'd in our *Acta Regia*, p. 101) order'd his Legates to make a Peace between the Kings of

The Pope ſends his Legates to make a Peace betwixt England and France, &c. 558 to 560.

[1] At the Caſtle of *Touque*.

* THE Inhabitants of the open Country had ſuch terrible Ideas of the *Engliſh*, that no leſs than 25,000 Families fled into *Bretagne*, from whom the People of that Province learnt the Art of dreſſing Wool, and making Cloth; inſomuch that when the *Engliſh* came to *Liſieux*, a conſiderable Town eighteen Miles from the Sea, they found only one old Man and a Woman, the reſt being retir'd into the fortify'd Towns. For this *Goodwin* quotes *Meyer*'s Annals of *Flanders*.

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England and *Scotland*, without adding any Clauſe including their Conſent; and by his ſingle Authority caus'd a Truce to be proclaim'd without conſulting the King of *Scotland*, who made a Jeſt of it, and went on with his Hoſtilities. It appears by *Mezeray*'s Hiſtory that *Martin*'s Legates had Orders, in the firſt Place, to uſe their utmoſt Endeavours for reconciling the two Factions into which *France* was then divided. Accordingly they made that their firſt Buſineſs; and they ſucceeded ſo well, that on the 17th of *May* the Dauphin and the Duke of *Burgundy* agreed, all Malice apart, to govern the Kingdom jointly during the King's Life. But the Conſtable laid invincible Obſtacles againſt the Execution of the Treaty; and the Chancellor, who was his Creature, refus'd to ſeal it.

The Reconciliation of the two Factions in France, *only hinder'd by the Conſtable.*

THIS Conduct of the Conſtable open'd the Eyes of a great many People, even of his own Party. His Enemies took occaſion from it to run down his Conduct; and when they ſaw that the People were incens'd againſt him, they form'd a Conſpiracy to deliver *Paris* into the Power of the *Burgundians*, in which they effectually ſucceeded: For on the 24th of *May*, *Liſle Adam*, who was Governour of *Pontoiſe* for the Duke of *Burgundy*, was admitted through the Gate of *St. Germain* into *Paris*, with 800 Horſe; and immediately a multitude of the Citizens flock'd to him ſo faſt that the *Armagnacs* had not Time to take Meaſures for their Defence. *Tanneguy du Chatel* Governour of the *Baſtille*, run immediately to the *Louvre*, and carried away the Dauphin, naked in his Shirt, in order to ſhelter him from the Fury of the *Burgundians*. The Conſtable had no other Shift to make, but to conceal himſelf at the Houſe of a Maſon, who betray'd him; and he was immediately committed to the Priſon of the Palace.

Paris deliver'd into the power of the Burgundians.

UPON this News, the *Burgundians*, who had been baniſh'd the City, return'd, and on the 12th of *June* made a horrid Maſſacre of the *Armagnacs*. The Conſtable was hal'd out of Priſon, murder'd, and dragg'd about the Streets. In a Word, no leſs than 2000 Perſons had their Throats cut in a few Days time. And upon the 14th of *July*, the Queen and the Duke of *Burgundy* enter'd *Paris* as it were in triumph, and took the King's Perſon and Government into their own Hands.

They maſſacre the Conſtable and all his Party. The Queen and the Duke of Burgundy *enter* Paris, *and aſſume the Government.*

DURING theſe Tumults, *Henry* continued his Conqueſts in *Normandy*, and reduc'd a great many Places. We have in in this Tome the Capitulations of *Evreux*, *Dompfront*, *Pont de l'Arche*, &c. as alſo of *Cherbourg*, which, after having ſuffer'd a Siege of three Months, ſurrender'd on the 22d of *Auguſt*, 1418. As the King only wanted to take *Roan* to be entire Maſter of *Normandy*, he begun the Siege of it about the latter end of *Auguſt*, or the beginning of *September*, and not in the Month of *June*, as *Mezeray* has aſſerted *.

Henry's *Conqueſts in* Normandy. 589, 601, 602, 618.

An Error of Mezeray *about the Siege of* Roan.

BY the Revolution which had juſt happen'd at the Court of *France*, the Scene of Affairs was alter'd, and the Intereſts of the principal Actors became quite different from what they were before. The Dauphin, who ſaw himſelf excluded from the Government, was very ſure that the Duke of *Burgundy* favour'd the King of *England*, tho' he knew nothing at all of their ſecret Alliance. He dreaded the Union of thoſe two Powers againſt him, and ſtudied day and night how to ward off the Blow. On the other Hand, he was willing to ſave *Roan*, the Capital of *Normandy*, on which the Preſervation of that Province depended; and for this end he thought it his beſt way to enter into a Treaty with *Henry*, and to propoſe an Alliance with him againſt the Duke of *Burgundy*. With this View he ſent his Steward to make the Overture to him, as appears by the Paſſport which *Henry* granted him, dated the 3d of *October* [m].

The Dauphin deſires an Alliance with Henry *againſt the Duke of* Burgundy. 624.

THE Duke of *Burgundy* was as much perplex'd too as the Dauphin. He knew he was engag'd to the King of *England* by a ſecret Treaty betwixt them; but having now the Government in his own Hands, his Intereſt and *Henry*'s were vaſtly different. Yet he did not dare to break with him, for fear the Dauphin ſhould preſs him ſo hard as to make ſuch a Protector neceſſary. Therefore while he was demurring what courſe to take in ſo tickliſh a Juncture, he ſuffer'd *Henry* to carry on the Siege of *Roan* without Moleſtation. It is true, he made as if he intended to march to the Relief of the Beſieged; but whether he thought himſelf too weak, or whether he was afraid of breaking ſo ſoon with the King, he dropp'd that Deſign. By what we have now taken notice of, it is pretty obvious that moſt of the Occurrences of that time have a Dependance on the ſecret Treaty made betwixt *Henry* and the Duke of *Burgundy*; and that by Conſequence the Hiſtorians, who knew nothing of this Treaty, could not but give a very lame Account of their Cauſes.

Duke of Burgundy *wants to get off of his Alliance with* Henry.

HENRY having receiv'd the Dauphin's Propoſal, did not think fit to reject it. He did not imagine that it would come to any Concluſion; but all he meant by it was to give Umbrage to the Duke of *Burgundy*, and to oblige him to haſten the concluſion of the Peace with him while it was to be had. Such was the Situation of Affairs, and the Diſpoſition of thoſe three Princes during the Siege of *Roan*, which laſted near five Months.

Henry's Views in treating with the Dauphin.

* *GOODWIN* alſo muſt be miſtaken, who aſſerts that the *Engliſh* Army inveſted it upon the laſt Day of *July*.

[m] At the Camp before *Roan*.

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Instructions to his Ambaſſadors for that end. 628.

THE King and the Dauphin having agreed to ſend their Plenipotentiaries to *Alençon*, *Henry* gave Inſtructions to his, which we find dated from the Camp before *Roan*, the 26th of *October*, 1418. Nothing is a plainer Proof of the Foreſight and Judgment of this great Prince than theſe Inſtructions; but as they are too long to be inſerted here, it may be ſufficient to obſerve, that theſe were the three chief Heads: 1. A Peace between *France* and *England*. 2. A long Truce with the Dauphin. 3. A League with him againſt the Duke of *Burgundy*. As to the Peace, *Henry* inſtructed them to demand in his Name, beſides the Territories comprehended in the Treaty of *Bretigny*, *Anjou*, *Maine*, *Touraine*, *Normandy*, *Flanders*, and the Country ſituate between the *Soamme* and *Graveling* in full Sovereignty. And if the Dauphin's Ambaſſadors ſhould offer the King reaſonable Satisfaction, he would not have them conclude a Treaty with him, but to demand how, and by what Means the Dauphin propos'd to make thoſe Offers ſure and effectual.

2. As to the Truce, if the Dauphin's Plenipotentiaries were for a ſhort one, his were to refuſe it; but if they offer'd a long one, they were then to demand what their Maſter would give to obtain it.

3. THEN as to the League, he ſaid that this Propoſition would tend unavoidably to obtain Aſſiſtance of him againſt the Duke of *Burgundy*: In that caſe, he order'd his Ambaſſadors not to hear of their Demand of a few Succours, but to offer them Aſſiſtance worthy of a great King, and ſuch as might be ſufficient for reſtoring the Peace and Tranquillity of the Kingdom of *France*. In conſideration of ſuch powerful Succours, he requir'd the Dauphin to aſſiſt him in the Reduction of *Flanders*, and that afterwards all the other Places which ſhould be taken from the Duke of *Burgundy* ſhould be conquer'd for *France*.

IT is evident by theſe Inſtructions, that *Henry* had no deſign to conclude any thing with the Dauphin, becauſe, tho' the Dauphin had granted every thing he ask'd, it was not in his Power to execute it.

Charles's *Letter to* Henry. 631.

AFTER theſe Inſtructions we have a Letter from *Charles* VI to *Henry*, dated [n] *November* the 1ſt, 1418, wherein he tells him, that he perceives by his Letter of the 26th of *October* to the Duke of *Burgundy*, that he was ready to receive all reaſonable Propoſals for advancing of a Peace, if he was inclin'd to ſend Ambaſſadors to him. That Letter from *Henry* to the Duke of *Burgundy*, which was dated the ſame Day that he ſign'd the Inſtructions above-mention'd, ſhews, that as on the one hand he had a mind to give umbrage to the Duke of *Burgundy* by his Negotiations with the Dauphin, ſo he aim'd on the other hand to give the Dauphin the ſame Uneaſineſs by his Conferences with the Ambaſſadors of the King his Father. Nevertheleſs there was this difference, that *Henry* wiſh'd to conclude a Peace with the latter; whereas he only aim'd at amuſing the Dauphin, and to oblige him to offer ſuch Conditions as he might make an advantage of in his Treaty with the Duke of *Burgundy*. As for the Dauphin, he only wanted to obtain a Truce in order to ſave *Roan*. And thus we have ſeen the Game which was then play'd by thoſe Princes. Mean time, the two Kings agreed to ſend their Plenipotentiaries to *Pont de l' Arche*, there to treat of Peace. Theſe two Negotiations are the principal Contents of the Acts in this Tome, from the beginning of *October* to the end of the Year 1418.

The Colluſion of Henry *and the* French *Princes.*

AMONG thoſe acts, one of the chief is a Protocol or Journal of the Conference between the Ambaſſadors of the King of *England*, and of the Dauphin; by which we find that the *Engliſh* Ambaſſadors brought thoſe of the Dauphin to propoſe the Execution of the Treaty of *Bretigny*, except as to the Sovereignty of the Places thereby yielded: But upon this Exception the Conference broke off. Beſides, the Dauphin could not give any valid Security for the Execution of that Treaty, moſt of thoſe Provinces being now in his Power. There was no mention in the Conference of the two other Articles contain'd in the King's Inſtructions [o].

Conferences betwixt the Engliſh *and the Dauphin's Ambaſſadors.* 632.

BEFORE this Conference was over, *Henry* ſent a full Power to his Ambaſſadors, dated *November* the 14th [p], to engage in his Name to the Dauphin, that he would conclude no Friendſhip nor Alliance with the Duke of *Burgundy* before the Feaſt of the Circumciſion. This was purely to haſten the Dauphin's Ambaſſadors to propoſe every thing that they had a Power to offer; for the King's Alliance with the Duke had already been made above a Twelvemonth, tho' the Dauphin knew nothing of it.

Henry's *Promiſe to make no Peace with the Duke of* Burgundy. 646.

WE find alſo that at this very time, the Dauphin wrote to *Henry* to deſire an Interview with him; and here we have likewiſe the King's Anſwer, wherein he accepts the Propoſal. The former is dated [q] *November* the 25th, 1418; and the latter [r] the 25th *ditto*.

Letters betwixt Henry *and the Dauphin.* 647, 651.

AFTERWARDS we find ſome Acts relating to the Conference which was held in the Month of *December*, at *Pont de l' Arche*, between the Ambaſſadors of the two Kings, with the Mediation of Cardinal *Jordan* of *Urſins*, the Pope's Legate, and of his Colleague. This Conference was begun, but came to nothing by reaſon of a need-

Conference at Pont de l' Arche.

[n] At *Paris*. [o] It began on the 10th of *November*, 1418, at *Alençon*. [p] From the Camp before *Roan*. [q] From the *French* Camp near *Gully*. [r] From the Camp before *Roan*.

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leſs Cavil which the *French* had recourſe to on purpoſe to break it off. They would have the Conference manag'd, and the Protocol kept in their own Language, to which the *Engliſh* were not willing to conſent. The Cardinal *des Urſins* gave himſelf a great deal of Trouble to accommodate this Diſpute. *Henry* too, who hop'd to reap ſome Advantage from the Conference, conſented that two Protocols ſhould be kept, one in *Latin* and the other in *French*; and that the firſt ſhould be deem'd authentick. But the *French* rejected this Expedient. Probably the Duke of *Burgundy* had heard that the Conference at *Alençon* was come to nothing. Moreover, he had another Project in his Head, which did not require him to be too haſty in his Concluſion of a Peace with the King of *England*, nor ſo much as to enter into a Negotiation with him.

THUS ended the Year 1418, while *Henry* was ſtill employ'd in the Siege of *Roan*, which he carry'd on without intermiſſion, notwithſtanding the Severity of the Winter. The Year 1419 produc'd Revolutions much more ſtrange, and more prejudicial to the Peace of *France*.

Capitulation of Roan. 664.

ON the 13th of *January*, 1419, *Roan* capitulated *, and the King made his Entry into it the 19th. By the taking of this Town, he became Maſter of all *Normandy*, a very few Caſtles excepted.

THOUGH the Conference at *Pont de l'Arche* came to nothing, yet the Dauphin was alarm'd at it. He renew'd his Inſtances to haſten his Interview with *Henry*; and it was to regulate the Time and Place of it, that his Ambaſſadors met with thoſe of the King at *Louviers*: There it was agreed on the 12th of *February*, that the two Princes ſhould meet each other on the 26th of *March*, between *Evreux* and *Dreux*. But the Dauphin taking other Meaſures afterwards, this Propoſal fell to the Ground. Mean time the King continu'd to make himſelf Maſter of ſeveral Places.

Interview appointed betwixt Henry *and the Dauphin*, 686.

Capitulations of other Places, 674, *to* 679.

DURING all theſe Negotiations, the Duke of *Burgundy* was in the utmoſt Perplexity. It was now againſt his Intereſt to keep his Engagement with the King of *England*, in aiding him to conquer *France*. He was ſenſible that when once that Monarch was in poſſeſſion of the Kingdom, he would not leave the Government of it to him; and yet all the Steps he had taken for ſeveral Years, had a manifeſt tendency to that very end. On the other hand, he had in the young Dauphin a mortal Enemy, who might one Day triumph over him again, either by the Death of the King his Father, or by ſome other Means unforeſeen. After he had long conſulted on his Pillow how to extricate himſelf out of this Difficulty, he determin'd at laſt to take that courſe which he thought the ſafeſt and moſt honourable. He reſolv'd to leave no Stone unturn'd to incline the Dauphin to a ſincere Reconciliation, to the end that they might govern the Kingdom jointly, and drive out the *Engliſh*. By this Means he thought himſelf ſure of being at leaſt Second in the Government; and he did not deſpair of having this young Prince as much in his Power one day or other, as the late Count *d'Armagnac* had before him. But in caſe he could not effectually ſucceed in this Project, he form'd a deſperate Reſolution to put *Henry* in poſſeſſion of the Kingdom. The then ſituation of the Duke's Affairs being ſuch that he was under an immediate neceſſity of knowing what he had to truſt to, he caus'd the ſaid Reconciliation to be propos'd to the Dauphin without loſs of Time. But this Prince receiv'd the Propoſal with ſo much Indifference, that thoſe who were employ'd in the Affair, plainly ſaw that it would not take; and therefore they contented themſelves with the Offer of a Truce. The Dauphin was very willing to conſent to it, provided it might be for three Years; but the Duke of *Burgundy*, whoſe Affairs were in too uncertain and wavering a Condition to admit of any longer Suſpence, would have it only for two Months: And therefore the Negotiation was broke off.

The Duke of Burgundy *reſolves to be reconcil'd to the Dauphin.*

The Dauphin rejects his Overture.

MEAN while the Duke had begun to concert Meaſures for treating of a Peace with the King of *England*, in caſe the Dauphin ſhould ſtill refuſe to be reconcil'd with him. He had deſir'd the Duke of *Bretagne* to go to *Henry*, and make him the firſt Overture of it. Immediately after this, the Court of *France* requir'd that the Plenipotentiaries of the two Crowns might aſſemble at *Mante*, and ſeem'd in a Hu-

Duke of Burgundy *propoſes a Peace to* Henry.

* ONE cannot forbear mentioning ſome of the Diſtreſſes of this City during the Siege, as they are related by *Goodwin*, who quotes *Hollingſhed*, *Hall*, *Monſtrelet*, *Peter de Fenin*, *Le Fevre*, and other *French* Hiſtorians, for the Truth of what he relates. Above 50,000 were ſtarv'd during the Siege, and in one burying Place above 12,000 were thrown into the Ground. Perſons of better Quality eat their own Horſes, and the poorer People fed on Dogs, Cats, Rats and Mice; ſo obſtinate were they in holding out the Town to the laſt Extremity. Little Infants hung on the Breaſts of their ſtarv'd Mothers as they lay dead in the Streets; and the Rage of Hunger forc'd the diſtracted Multitude to a thouſand Violences: So that whoever was ſeen carrying any thing fit to eat was preſently aſſaulted, and thus they wounded and kill'd one another to take away the vileſt Nouriſhment of Life. In three Months together no Meat had been ſold in the Shambles, ſo that what coſt but one Penny before the Siege, was ſet at the Price of 30 or 40; inſomuch that young Virgins were forc'd by Hunger to proſtitute themſelves for Bread. *Goodwin* adds, that King *Henry* was ſo compaſſionate of their Miſeries, that he often ſent Relief to the poor People as they lay ſprawling in the Ditches, and that he tax'd the *French* Officers with Inhumanity in not relieving them according to their Promiſe. By the Date of its Surrender, the Reader is enabled to correct a groſs Miſtake of Dr. *Howel*, who ſays it had been beſieged a Twelvemonth.

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mour to make Propoſals to *Henry*'s Satisfaction.

IN order to have a complete Idea of the Situation of Affairs in the beginning of the Year 1419, it is abſolutely neceſſary to know how the Duke of *Burgundy*, the Dauphin, and the King of *England* ſtood affected. The firſt had, as they uſe to ſay, two Strings to his Bow: He was reſolv'd either to be reconcil'd heartily with the Dauphin, or elſe to be united more ſtrongly with the King of *England*; but he gave the firſt the Preference, and was not inclin'd to try the ſecond but in a caſe of Extremity. For this end he was under a neceſſity of negotiating publickly with the King of *England*, that the Dauphin taking the Alarm might haſten his Conſent to the Reconciliation propos'd. But at the ſame time it was neceſſary to prolong this Negotiation, in order to give the Dauphin leiſure to reflect upon the Riſque he was going to run; and in caſe that the Dauphin continu'd obſtinate, the Duke reckon'd it would be ſtill time enough to conclude a Treaty with *England*.

The Dauphin obſtructs it.

THE Dauphin had nothing in View but to gain Time, and, as far as lay in his Power, to obſtruct the Concluſion of the Peace, which could not but be made to his prejudice. And he thought the ſureſt Way to carry his Point, was to make the King of *England* hope for more Advantages from a Concert with him, than he could poſſibly expect from the Duke of *Burgundy*.

As for *Henry*, he perfectly knew what an Animoſity there was between thoſe two Princes; and he hop'd to find his account in it, by making them both jealous of one another. With this View he refus'd none of the Propoſals that were made to him from either Party, whether for the aſſembling of Ambaſſadors, or for Interviews and perſonal Conferences. This then was the Diſpoſition or Temper of the three Courts; by which we may be enabled to judge of the Reaſons and Motives of thoſe Acts in this Tome, which we are now going to refer the Reader to.

Powers to treat with the Dauphin. 670.

1. A POWER to the Archbiſhop of *Canterbury*, &c. to treat with the Dauphin's Ambaſſadors either of a final Peace or of an Interview, *&c.* dated *January* the 21ſt 1419 *.

676. 2. A PASSPORT for the Archbiſhop of *Sens* and other Ambaſſadors from the Dauphin, to repair to *Roan*; dated the 31ſt *Ditto*.

3. A TREATY for an Interview betwixt the King and the Dauphin; dated *February* the 12th, 1419 [r]. *Interview with him.* 686.

4. A PASSPORT of the ſame Date for the Duke of *Bretagne*, going to wait on King *Henry*. *Paſſports for the Duke of* Bretagne. 688.

5. A PASSPORT for the Ambaſſadors of *France*, going to *Mante*; dated *February* the 14th [t]. *For Ambaſſadors of* France. 689.

6. TRUCE with the Dauphin 'till *Eaſter*, for all the Country ſituate betwixt the *Seine* and the *Loire*; dated *February* the 16th, 1419 [u]. *Truce with the Dauphin.* 692.

7. A POWER to the Earl of *Warwick*, &c. to treat of a Peace with *France*; dated *February* the 23d [x]. *Treaty with* France. 696.

8. A RATIFICATION of the Treaty relating to an Interview with the Dauphin; dated *February* the 28th, as above. *Interview with the Dauphin.* 701.

9. A POWER to the Archbiſhop of *Canterbury* to grant Paſſports to the Ambaſſadors of the Dauphin; dated *March* the 8th, 1419 [y]. *Treaty with the Dauphin's Ambaſſadors.* 703.

10. ANOTHER Paſſport for the Ambaſſadors of *France*; dated *March* the 18th, at the Caſtle aforeſaid. *Paſſport for Ambaſſadors.* 709.

BY theſe Acts we ſee that *Henry* treated with both Parties at one and the ſame time.

WHILE theſe Ambaſſadors, *&c.* went forward and backward, the Duke of *Burgundy* try'd all the Intereſt he could make with the Dauphin to engage him to a Reconciliation.

BUT this young Prince, who was always beſieg'd by *Tanneguy du Chatel*, and by *Louvet* the Preſident of *Provence*, old Servants of the late Duke of *Orleans*, would hear no talk of it. *Dauphin ſtill refuſes a Reconciliation.*

THE Duke of *Burgundy* thought then it was high time to haſten the Negotiation with the King of *England*, with a View either to force the Dauphin to a Reconciliation, or whatever happen'd, to conclude a Peace with the *Engliſh*, tho' to the prejudice of *France* and the Royal Family.

PURSUANT to this Reſolution, a Treaty was concluded at *Vernon* upon the *Seine* for the Interview of the two Kings; which Treaty we have here at length, dated the 7th of *April*, 1419. It was therein agreed, that King *Charles*, Queen *Iſabel*, the Princeſs *Catherine*, and the Duke of *Burgundy* on the one Part, and the *Treaty for an Interview between the two Kings.* 717.

* At the Caſtle of *Roan*. [r] At *Roan*. [t] At the Caſtle of *Roan*. [u] At the Caſtle aforeſaid. [x] At the ſame Caſtle. [y] At the Caſtle of *Roan*.

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King of *England* on the other, ſhould meet together between *Meulant* and *Pontoiſe* on the fifteenth of *May*, and that the Duke of *Bretagne* ſhould be there preſent: That there ſhould be a Truce, out of which *Picardy* and *Normandy* ſhould be excepted; and that this Truce ſhould commence from the Day of the Ratification of this Treaty, and laſt all the time of the Conference, and eight Days longer, *&c.*

Acts relating to it, 746 to 757.

AFTER it follow ſeveral Acts which have relation to this Treaty, as Conventions about the Place and Time, a Prolongation of it to the 31ſt of *May*, the Oath of the King of *France* upon this Subject, and other things of that nature.

The Interview.

THE firſt Interview was had upon the 29th of *May*, near *Meaulant* or *Melun*, at a Place which had been agreed on. King *Charles* was not there by reaſon of his Diſtemper, but there it was that *Henry* firſt ſaw the Princeſs *Catherine*. The ſame Day he iſſu'd Letters Patent, importing an Agreement that the Conferences ſhould be continu'd 'till the Concluſion of the Peace; that in caſe either of the two Kings had a mind to break them off, he ſhould ſend his Letters Patent to the other eight Days beforehand, to notify it to him; and that in the mean time, the Truce ſhould ſubſiſt for theſe eight Days, and for eight Days longer.

The Agreement about it. 759.

Commiſſioners appointed to conclude a Peace with France. 761.

HENRY perceiv'd Affairs had ſuch a promiſing Aſpect of Peace, that on the firſt of *June*, when he was at *Mante*, he nominated his Brothers, the Dukes of *Clarence* and *Glouceſter*, to be the Finiſhers of the Treaty, which was to be firſt form'd in the Conferences.

Henry's Demands. 762.

AFTER this, we meet with *Henry's* Demands, containing in ſubſtance theſe three Articles: 1. The Poſſeſſion of all the Grants in the Treaty of *Bretigny*. 2. *Normandy* and its Dependencies. 3. The abſolute Sovereignty of all Places that ſhould be yielded to him by the Treaty.

Duke of Burgundy's Policy.

WE have already ſeen that it was not the Duke of *Burgundy's* Intention to come to any Concluſion with *Henry*, 'till he had reaſon to deſpair of an Agreement with the Dauphin; and that he hop'd theſe Conferences would help to determine this young Prince to Friendſhip. With this View it was neceſſary to keep the Conferences at *Melun* on foot, in order to give the Dauphin time to take his Reſolution. By conſequence it was by no means proper abſolutely to deny the King thoſe three Articles, for fear of breaking off the Conferences; for *Henry* was ſo poſitive in his Demands, that he would have a Peace upon thoſe Terms, or none at all. The Duke of *Burgundy* therefore, being deſirous to reſerve to himſelf the Power of concluding the Peace upon theſe Conditions, if he was forc'd to it, or of breaking up the Conferences, if his Intereſt requir'd it, reſolv'd to make counter Demands on the part of *France*. Thoſe Demands which we find here, together with the King's Anſwers, were of ſuch a nature, that the Duke might ſtand to or recede from them as he ſhould think fit. They are too long to be inſerted in this Extract, and it is ſufficient to obſerve, that the greateſt part of them did not pleaſe the King, becauſe they requir'd a fuller Explanation; whereas this was the very thing the Duke of *Burgundy* aim'd at. But the Explanation which the King wanted, ſeem'd ſo eaſy in the nature of it, that this Prince did not imagine it could be any Obſtacle to the Peace, and made not the leaſt doubt that it was upon the point of being concluded.

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Counter Demands of France, and King Henry's Anſwer. 763.

THE reſt of the Month of *June* was ſpent in a Treaty of Commerce betwixt *England* and *Flanders*. The Duke of *Burgundy* was very glad to amuſe the Congreſs with the Expectation of the Dauphin's final Reſolution.

Treaty of Commerce with Flanders. 767, &c.

HENRY ſeeing the Treaty in ſo good a Forwardneſs, appointed Ambaſſadors to go and finiſh it, and empower'd them to compound with the Court of *France* for the Arrears of the Ranſom of King *John*, as alſo for the Demands which that Court had upon him as to the Reſtitution of the Dowry of *Iſabel*, *Richard* the Second's Widow. This Commiſſion was dated [z] *July* the 5th, 1419. Moreover, by another Commiſſion of the ſame Date, he impower'd the ſame Ambaſſadors to conclude his Marriage with the Princeſs *Catherine*; but his Affairs ſoon took a new turn.

Henry's Commiſſion to his Ambaſſadors to treat with France. 774, 775.

THE Dauphin, who ſaw the Peace juſt ready for ſigning without his Participation, and who was ſenſible that ſuch a Peace muſt needs be to his Prejudice, thought of no other means to ward off the Blow than to be reconcil'd with the Duke of *Burgundy*. And on the 11th of *July*, theſe two Princes met and embrac'd each other, about a League from *Melun*, on the Road to *Paris*, each accompany'd by ſeveral Noblemen. At the ſame time they ſign'd a Treaty, which was ready drawn up for the purpoſe, whereby they promis'd to love one another like Brothers, to govern the Kingdom together in Union and Concord, and to unite all their Forces to oppoſe what they call'd the damnable Deſigns of the *Engliſh*. This Treaty, which we have at large, dated the 11th of *July*, 1419, was ſworn to before *Alain* Biſhop of *Leon*, the Pope's Legat, by the two Princes, by eighteen Noblemen, on the part of the Dauphin, among whom were *Tanneguy de Chatel* and *Louvet*; and by

Dauphin's Reconciliation with the Duke of Burgundy.

Their Treaty. 776.

[z] At *Mante*.

twenty-

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twenty-one on the part of the Duke of *Burgundy*.

Prior's Letter about the Peace. 779.

IMMEDIATELY after this Treaty, comes a Fragment of a Letter, dated from *Mante* *July* 14, and ſubſcrib'd *Rober Priour*, wherein it is ſaid, that after the Articles of the Peace had been agreed on, and nothing remain'd but to engroſs the Treaty, the *French* produc'd new Demands, which had prevented the Concluſion of it: Moreover, that the Dauphin and the Duke of *Burgundy* were reconcil'd on the eleventh, and that their Treaty was publiſh'd the ſame Day at *Paris*; and that conſequently it would not be above ſix Days before they ſhould know whether they were to have War or Peace.

Henry's Power to his own Miniſter to prorogue the Truce. 792.

IT ſeems, however, that notwithſtanding all that had paſs'd, *Henry* ſtill flatter'd himſelf with the Hopes of Peace. This appears by a Power which he gave to the Earl of *Warwick* on the 19th of *July* [a] to prorogue the Truce beyond the 29th, by reaſon of certain Occurrences, which made it probable that the Peace could not be concluded before that Day whereon the Truce was to expire. And in this Collection we alſo find a ſafe Conduct for four of King *Charles*'s Privy Counſellors, who were to repair to the King of *England* at *Mante* [b].

Henry's Paſſport for French Miniſters. 783.

NEVERTHELESS *Henry* was not ſo far dos'd with the Hopes of Peace, but that he thought of renewing the War. The Conferences being broke off, by reaſon of the Chicanery of the *French*, he caus'd the Walls of *Pontoiſe* to be ſcal'd by his Brother the Duke of *Clarence*, who took it, *Liſle Adam* the Governor being forc'd to fly out naked in his Shirt with part of the Garriſon. The Booty which the *Engliſh* found in the Town, where the Court of *France* had been not many Days before, amounted to above two Millions of Livres. I have read in ſome *French* Hiſtorian *, that this Action happen'd on the 28th of *July*; which, if true, was a Day before the Expiration of the Truce.

His Army takes Pontoiſe with a great Booty.

His Manifeſto. 786, &c.

AFTER the taking of *Pontoiſe*, *Henry* publiſh'd a ſort of Manifeſto, or particular Narrative of all that had paſs'd from the beginning of his Reign, with relation to his Pretenſions to the Crown of *France*. There are ſeveral Particulars in it, which may be of very great Service towards explaining the Hiſtory of that Time: But I have mention'd them elſewhere, and therefore it is not neceſſary to repeat them. Beſides ſeveral things of no great Importance, *Henry* complain'd chiefly, that after the Conditions of Peace had been agreed on, the adverſe Party had refus'd to conſent that they ſhould be engroſs'd; that they had advanc'd new Demands that were quite contrary to the former; that they had demanded of him to renounce all manner of Right which he had, or might have, either by Transfer or Purchaſe, or any other way, to the Crown of *France*, as well now as for the future, for himſelf, and for his Heirs and Succeſſors; but that this Demand having a Relation to Futurity, and including all ſorts of unforeſeen Caſes, he could not poſſibly agree to it in this general way without ſome Explication: That *France* had alſo demanded things of him which he could not grant without offending God, *&c.* That when he anſwer'd the firſt Demands of the adverſe Party, they reply'd in general, that his Anſwers were looſe, unreaſonable, and obſcure: That the *Engliſh* Plenipotentiaries deſiring to know wherein their Obſcurity conſiſted, *France* refus'd to tell them; and in ſhort would not come into any manner of Expedient, but demanded that he ſhould accept her Offers ſimply and expreſly, or elſe the Conferences were to be broke up. He added in the end, that tho' the Court of *France* was chargeable with breaking off the Conferences, and tho' he had ſince made himſelf Maſter of *Pontoiſe*, which was as it were the Key of *Paris*, yet he was willing to abide by his firſt Propoſals, on condition that *Pontoiſe* ſhould remain in his Hands.

The Situation of Henry's *Affairs.*

NOTWITHSTANDING the Grand Airs which *Henry* gave himſelf, it is certain that they were by no means conſiſtent with the then Situation of his Affairs. In the firſt place, he had not above 25,000 Men in *France*, a number ſcarce ſufficient to man the Places he had conquer'd, eſpecially *Pontoiſe*, which required a ſtrong Garriſon: And if immediately after the breaking up of the Conferences he had been oblig'd to have brought 10,000 Men into the Field, he would undoutedly have been very much embarraſs'd. 2. The two Factions on whoſe Diviſion he had depended, being reconcil'd, he might naturally expect all the Forces of *France* upon his Back in a very ſhort time. 3. It was very likely that the *Flemings*, who had refus'd to ſerve the Duke of *Burgundy*, their Sovereign, againſt *France*, would aſſiſt her with all their Power when the Kingdom was at ſtake. 4. At the very time that we are ſpeaking of, *Henry* receiv'd a Letter from *Bayonne*, dated *July* the 22d, 1419, informing him that the King of *Caſtile* had fitted out 40 Sail of Ships for *Scotland*, to tranſport a number of Troops from thence, which the *Scots* deſign'd for the

Letter to the King from Bayonne. 783.

[a] At *Mante*. [b] It is dated the 22d of *July* as aforeſaid.

* THIS Author was *Juvenal des Urſins*, in his Hiſtory of *Charles* VI, but *Goodwin* ſays, *Henry* was ſo punctual in his Obſervation of the Truce, that it was not beſieged 'till the Day after it expir'd. Dr. *Howel* ſays it was taken the 31ſt of *July*.

Dauphin's

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Dauphin's Assistance. Another Letter from the Mayor of that City, which was writ soon after the former [c], gave him an account that the *Castilians* and the *Arragonese* were enter'd into *Bearn*, and preparing to besiege *Bayonne*; and also that their design was to send powerful Succours to the Dauphin. 5. The *English*, who according to their natural sanguine Disposition, enter'd with Impatience into the War against *France*, in hopes that a Battel or two would put an end to it by the Conquest of that Kingdom, were vex'd to see that in five Years time there was but one single Province conquer'd. They knew too that this Conquest was not so much owing to the King's Forces, as to the Divisions of the *French* Nation. Consequently the Parliament grew cool, and what Subsidies they granted were far short of his present Necessities. The King was perpetually oblig'd to borrow Money, and to pawn his Jewels, and his Crown to boot, for a Security; as appears in several Pages of this Collection. His ordinary Revenues amounted but to 55,000 *l.* Sterling, and his ordinary Expences to 52,000. Therefore if we weigh all these Circumstances together, *viz.* The few Troops which *Henry* had, the Reunion of the Forces of *France*, the Conjunction of the *Flemings* and the *Scots*, the Diversion given by the *Arragonese* and the *Castilians*, the King's Poverty, and the Parliament's Indifferency, it is easy to judge, that this Prince, whatever he pretended to, was not in a Condition to support the War. But his own good Fortune, and the Dauphin's Animosity against the Duke of *Burgundy*, pav'd the way for him to carry his point without any great Struggle.

Another. 794.

King's Revenues, Disbursements, and Poverty.

IN the Interview betwixt the Dauphin and the Duke of *Burgundy*, on the 11th of *July*, they agreed to have another upon the 18th of *August*, at the Bridge of *Montereau Faut-yonne*. On that Day the two Princes repair'd to the fatal Bridge, and there the Dauphin caus'd the Duke of *Burgundy* to be assassinated by *Tanneguy de Chatel*, and some others who with him had sign'd and sworn to the Treaty of Reconciliation *.

Duke of Burgundy *assassinated by the Dauphin.*

AFTER that time, *Henry*'s Affairs took quite another Turn: *Philip* the new Duke of *Burgundy*, Son to the deceas'd, being impatient to revenge his Father's Death, thought there was no Way more speedy and effectual than to unite firmly with the King of *England*, and Queen *Isabel*, who was a mortal Enemy to her Son the Dauphin. He held the same Posts about King *Charles* as the Duke his Father had, which was an Advantage that he only made use of to sacrifice *France*, and the Royal Family, to the Passion which govern'd him.

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ALL the Remainder of this Year, Couriers and Envoys were continually going and coming betwixt the Duke of *Burgundy* and King *Henry*, as appears from the Acts in the close of the Year 1419; all which Negotiations ended at last in an Alliance between the King and the Duke against the Dauphin. But before it came to maturity, *Henry* was desirous to be sure of a Peace with the *French* King upon his own Terms. As the Conjuncture was so favourable for him, he did not think it worth while to abide by his last Demands, *viz.* The Execution of the Treaty of *Bretigny*, and the Grants of *Normandy* and *Pontoise*; but he reviv'd his former Pretensions, especially to the Kingdom of *France*, only he was willing to leave the Crown to *Charles* during his Life. When the Duke of *Burgundy* had consented to this, a publick Instrument was drawn up which that Prince approv'd, sign'd and swore to. It contain'd in substance, that King *Charles* should keep the Crown and Title of King of *France* during his Life, and enjoy the Revenues of the Kingdom: That *Henry* should be Regent, and marry the Princess *Catherine*; and that after *Charles*'s Death, the Crown of *France* should devolve to *Henry* and his Heirs. The Duke of *Burgundy* sign'd this Instrument at *Arras*, the 2d of *December*, 1419. After this, a Truce was agreed upon betwixt *France* and *England*, from the 24th of *December* to the 1st of *March*, 1420, out of which the Countries obedient to the Dauphin were excepted. This done, the King ratify'd his Treaty of Alliance with the Duke of *Burgundy*, by an Instrument dated [d] on the 25th of *December*. And the Duke's Ratification of it was dated at *Arras* on the 25th of *January*, 1420.

Negotiations betwixt Henry and the new Duke of Burgundy.

Preliminaries of Henry's *peace with* France. 816.

Truce with France. 821.

Henry's *Alliance with the Duke of* Burgundy. 825, 840.

[c] *Viz. September* the 5th.

* *GOODWIN*, who gives the Particulars of this Fact, and shews the Treachery of it in all its Colours, remarks it as a signal Instance of the divine Justice, that this Duke of *Burgundy*, who had caus'd the Duke of *Orleans* to be assassinated in the Streets of *Paris*, should be sacrificed in the same manner, after several Stops and Pauses upon the Road whether to proceed or not, for fear that Mischief was intended him. *Tanneguy de Chatel* (who had been a trusty Servant of the murder'd Duke of *Orleans*) first assaulted him, and with a Battel-Ax hid under his Coat, cut off his Chin, which fell on his Knees; when the Duke nevertheless offer'd to draw his Sword in his own Defence, but was soon beat down by others, and kill'd with many Wounds; one of the Assassins running his Sword up to the Hilt in his Belly, which made so large a Wound that the Guts came out, and he fell on the Ground: then a Friend of his throwing himself on the Body to shield it from the Blows they made at it, was soon kill'd, as was also the Lord *de Nouailles*, who had drawn his Sword half out to defend the Duke, or to revenge his Death; and his other Companions, to the number of eight, were all taken Prisoners.

[d] At *Roan*.

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IT was ſtipulated by this Treaty, that the King of *England* and the Duke of *Burgundy* ſhould bear reciprocal Love to one another as Brothers: That they ſhould join all their Forces together againſt the Dauphin: that if the Dauphin, or any other of the Aſſaſſins of the late Duke of *Burgundy* ſhould be taken, they ſhould not be ſet at liberty without the Duke's Conſent: That the King ſhould make over to the Duke and to *Michelle* his Ducheſs, who was Daughter to King *Charles*, Lands to the value of 20,000 Livres *per Annum*, lying as near as poſſible to thoſe which the Duke already enjoy'd in *France*, to hold them in Fee of the Crown: That if any other Prince, who ſhould marry a Daughter of the Royal Family of *France*, ſhould claim the like Settlement, the Duke ſhould aſſiſt the King with all his power to hinder it. This could only have a view to the Dukes of *Bretagne* and *Orleans*, who were married to two other Daughters of *Charles* VI.

THE five firſt Months of the Year 1420, were ſpent in drawing up the ſolemn Treaty of Peace, according to the Terms which had been before agreed to: during which time the Truce was often prolong'd. When every thing was ſettled, another Treaty was made for regulating the Interview of the two Kings who were to ſign and ſwear to the Peace. It was agreed firſt that it ſhould be in ſome place near *Troyes*, where the Court of *France* then was. But afterwards *Henry* conſented to go to *Troyes* itſelf. This Treaty was immediately reduc'd into preliminary Articles, which were confirm'd by King *Charles*'s Letters Patent, dated at *Troyes* the 9th of *April* 1420.

Preliminaries of the Treaty with the Fr. King. 877.

BY one of the Articles it was ſtipulated, that during the Life of *Charles*, *Henry* ſhould never aſſume the Title of King of *France*. Yet we find, that nine Days after the Date of theſe Letters Patent, *Henry* publiſh'd an Order from *Roan* Caſtle to coin new Money in *Normandy*, with this Inſcription upon one ſide, *HENRICUS FRANCORUM REX*.

880.

Henry's Order for Coinage in Normandy. 888.

WE have here a Letter of Attorney from King *Charles* (who was then indiſpos'd) to his Queen *Iſabel* and to the Duke of *Burgundy*, to ſwear to the Peace in his Name; 'tis dated the 19th of *May* 1420 *.

Charles's Letter of Attorney to the Queen and the Duke of Burg. 894.

THIS Treaty, which was call'd the Peace of *Troyes*, is printed here entire, both in *Latin* and *French*. It contain'd 31 Articles; the chief of which were the Dowry ſettled by *Henry* on *Catherine* his Spouſe; the Regency of the Kingdom of *France* made over to *Henry* during the Life of King *Charles* his Father-in-law, and his Succeſſion to the Crown after the Death of *Charles*, conformable to the Prelimianary Articles. The greateſt part of the reſt were only Explanations of theſe.

Peace of Troyes. 896.

IN the 22d Article it was ſaid, that in all the publick Acts King *Charles* ſhould give *Henry* the Stile of *Our moſt Dear Son* Henry *King of* England, *Regent and Heir of* France.

IN the 24th, that the Kingdoms of *France* and *England* ſhould always be united under one and the ſame Sovereign, without being ever ſeparated; and that nevertheleſs each of the two Kingdoms ſhould preſerve its Liberties, Franchiſes, Privileges, Cuſtoms, *&c.*

ALL the mention made of the Dauphin was in the 29th Article, in theſe Terms: *Alſo conſidering the enormous Crimes and Offences committed by* Charles, *who ſtiles himſelf Dauphin of* Vienne, *'tis agreed, that neither we, nor our ſaid Son King* Henry, *nor even our moſt dear Son* Philip *Duke of* Burgundy, *ſhall by any means treat of Peace or Concord with the ſaid* Charles, *but with the Advice and Conſent of every one of us three, and of the States of the two Kingdoms.*

ALL the Acts we find after the Treaty, are a few relating to the reciprocal Oaths of the two Kings, and of ſome other Perſons, and to the Execution of the Treaty.

Duke of Exeter's Letter about Henry's Eſpouſal. 907.

EVERY thing being thus ſettled, *Henry* went to *Troyes* on the 20th of *May* 1420; and next day in the Cathedral Church of *Troyes* the Peace was ſign'd and ſworn, and *Henry* was affianc'd to Princeſs *Catherine*, as appears by a Letter from the Duke of *Exeter*, dated *May* the 23d at *Troyes*.

K's Marriage, and the Siege of Sens. 910.

ON *Sunday*, *June* the 2d, the Marriage was ſolemniz'd, and on the *Tueſday* following the two Courts march'd together towards the City of *Sens*, the Siege of which was form'd the next day.

His Titles.

AFTER this ſome Acts follow, wherein *Henry* takes the Title of *Regent and Heir apparent of* France. And with theſe ends the Ninth Volume of the *Fœdera*, ſo far as relates to the Affairs of *England* with *France*.

II. *Domeſtic Affairs.*

THIS Article takes up ſo little room in that Tome, that we ſhall ſoon run over the chief Pieces relating to it.

Inſtructions to the Executors of his Father's Will. P. 9.

IN the firſt place we find an Act †, by which it appears that the late King *Henry* IV. had left more Debts behind him, and bequeath'd more Legacies in his Laſt Will and Teſtament, than his Effects were ſufficient to pay: That his Executors propos'd to ſet his Jewels to publick Sale, in order to ſatisfy his Creditors and Legatees. But *Henry* V. his Son, thought it was more honourable to keep thoſe Jewels, and to pay the value of them, which amounted to 25,000 Marks, in four Years time, to the end that the Legatees and Creditors might be paid their Proportions as far as the Money would go. It would have been more to his honour to have diſ-

* At *Troyes*.

† Dated at *Weſtminſter*, *May* the 15th, 1413.

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charged the whole. But it must be considered that at this time of day, Kings were not very rich; that the Parliament gave no Supplies but for extraordinary and publick Occasions; and that by consequence the Prince was obliged, like a private Man, to stint his Expences according to his Revenue. He had also this disadvantage, that when he had extraordinary Occasions for Money, he was more puzzled to raise it than any of the Lords of his Court would have been, because he had not so much Credit, there being few People that car'd to trust their Sovereign with their Substance.

Among the Acts of the Years 1414 and 1415, there's a great number relating to a Conspiracy, which will be mentioned under the Article of Religion.

Duke of Bedford's *Creation.* 128.

On the 16th of *May* 1414, *John* of *Lancaster*, the King's Brother, was created Duke of *Bedford* *.

Henry V's *Indentures with his Subjects for raising Men.*

We meet with several Instruments in this Tome, which let us into the Method of *Henry*'s raising Troops for the War against *France*. He made Indentures ‖ with the Nobility and Gentry, whereby they engag'd for a Sum of Money payable Quarterly, to supply him with a certain number of Soldiers, either Foot or Horse. Nor did he make these Indentures only for the sake of Troops, but he sign'd others also of the same kind with his own Officers and Domesticks, as his Physician, Surgeon, *&c.*

His Shifts to raise Money.

As the Funds settled by Parliament did not all come presently into the Treasury, *Henry* was often unprovided with Money to pay those who furnish'd him the Troops punctually every Quarter, according to Agreement: But to remedy this Inconvenience, he gave them his Jewels in pledge for security of Payment, with leave to sell them if the Money was not paid by such a time. And herein he found this advantage, that those People being satisfy'd with their Pawns, gave him the longer time, and often two or three Years, for payment, by which space he might naturally expect that the Moneys arising from the publick Funds were brought into the Treasury. This ninth Tome abounds with Engagements of this kind.

When *Charles* VIII. King of *France*, set out for the Conquest of *Naples*, it was thought very extraordinary that he should be oblig'd, as he pass'd thro' *Turin*, to borrow the Duchess of *Savoy*'s Jewels. But here we find something yet more strange: *Henry* V. when he was preparing for the Conquest of *France*, was oblig'd, before he left *England*, to pawn his Jewels for the Payment of the second Quarteridge due to those who furnish'd him with Troops. This is evident from several Acts in the Year 1415. After the taking of *Harfleur* he was oblig'd to borrow again, in order to put the Place in a posture of Defence: In short, there was hardly one Year, during the whole Course of his Reign, but he was under a necessity of borrowing Money from private Men, by pledging his Jewels, and his Crowns into the bargain, for very moderate Sums, as we find in the Acts of this Tome. But this does not appear altogether so surprizing, when one considers that the ordinary Revenues of the Crown amounted at that time to no more than 55,000 *l. Sterling*, and that his Expences exceeded 52,000; so that there was not above 3000 *l. Sterling* for the extraordinary. This is what we find in the Fragment of an Estimate of the ordinary Revenues and Expences, which was drawn up in all probability to be laid before the Parliament. *See Mr.* Rymer's Vol. X. p. 113.

Henry V.

Negotiations betwixt the Q. of Naples *and the D. of* Bedford.

From Page 701 to 711 of this Tome, we have several Pieces relating to a Project form'd between *Joan* Queen of *Naples* and the Duke of *Bedford* Brother to the King. This Queen, so fam'd for her Amours, being much press'd by her Enemies, chose to get Assistance from *England*, by adopting the Duke of *Bedford*, and giving him the Hopes of being her Heir and Successor. We have in this Tome the Duke of *Bedford*'s Instructions to his Envoys, Conventions betwixt the Queen and him, *&c.* It would not only be too tedious to explain the Subject of those Pieces, but it would moreover necessarily engage us in a Detail of the Affairs of *Naples*; therefore 'tis sufficient just to hint at them.

D. of Glocester *propos'd as a Match for the Queen of* Sicily. 716, 741, 742.

At the same time *Henry* proposed a Marriage between the Duke of *Gloecester*, his other Brother, and *Blanche* of *Navarre*, Queen Dowager of *Sicily*, who had some Pretensions to this Kingdom in her own Right. But the Infante of *Arragon* was before hand with him, and actually marry'd her †.

III. *Affairs of the Church.*

Persecution of the Wickliffites.

Of all the Events in *Henry* the Fifth's Reign, relating to Religion, I shall only insist on one in particular, which to me appears of the greatest Importance, and is most capable of being explain'd by the Acts of this Collection; I mean the Persecution rais'd against the *Wickliffites* or *Lollards* in the beginning of this Reign.

From the time that *Wickliff* first publish'd his Doctrine, which was in the latter end of *Edward* the Third's Reign, to *Henry* the Fifth's Accession to the Crown, the Sect of the *Wickliffites* or *Lollards* was exceedingly increas'd, and had been very much favour'd by the Minority of *Richard* II. by the Support of *Anne* of *Luxemburgh* his first Wife, and by the open Protection of the Duke of *Lancaster*. No Act of Parliament was made against them, till *Henry* IV. to

* By a Patent dated at *Leicester*.

‖ See *Du Cange*'s Glossary for this word.

† King *Henry*'s Licence to the Duke for this purpose was dated *April* 1. 1419, at *Evreux*; and *Charles de Beaumont*'s Letters on this head to the King are dated the 28th ditto at *Olit*.

Foedera Tom. IX. to ingratiate himself with the Clergy, obtain'd a Statute of both Houses, which condemn'd obstinate Hereticks to the Fire. Notwithstanding this severe Act, and the Execution of two *Lollards* thereupon, the Sect spread to such a degree, that an Historian says, wherever two or three Persons happen'd to meet together, one of them was sure to be a *Lollard*. The chief Article of their Doctrine, and that which gave most distaste to the Clergy, was, That they would not own the Authority either of Pope or Prelates, nor by consequence that it was necessary for the Clergy to be Masters of so much temporal Wealth. This was enough to inflame the Clergy against them, or else nothing was: And such indeed was their Resentment, that the very first Synod or Convocation, which met in the Reign of *Henry* V. 1413, had a serious Consultation how to destroy this Sect. They came to this Conclusion, that there could be no hopes of rooting out those Hereticks, if care was not taken to punish their principal Leaders and Abettors: among these, Sir *John Oldcastle* being known to be one of the most obstinate, as well as one of the most bitter Enemies of the Clergy, it was thought absolutely necessary to try him for Heresy, and deliver him up to the secular Arm. Mean time, as this Gentleman, to whom some give the Title of Lord *Cobham**, was one of the King's Domesticks, *Thomas Arundel* Archbishop of *Canterbury* was desir'd to let the King know their Resolve, and to ask his Leave to put it in execution. At first the King did not think fit to grant their Demand, but return'd Answer, that he would talk with *Oldcastle*, and if he could not turn him aside from his Errors, he would then permit the Laws to take their swing against him. Mean time, in order to give the Clergy some satisfaction, he put out a Proclamation, forbidding all Priests to preach who were not licens'd, suppressing all private Assemblies of the *Lollards*, and restraining all the Subjects of *England* from going to their Assemblies. The Proclamation was dated † *August* the 21st, 1413.

Of Sir John Oldcastle.

Proclamation against the Lollards. 46.

THE King having talk'd to *Oldcastle*, and finding him inflexible, left him to be dealt with by Law; and upon this Permission, *Oldcastle* was cited by the Archbishop: but so far was he from appearing, that he would not so much as receive the Summons; of which *Henry* being inform'd, caus'd him to be apprehended and committed to the Tower. On the 23d of *September* he was had before the Archbishop, who sat in Court, assisted by two Bishops and some others of the Clergy. The Articles of his Charge being then read to him, he made answer, that he was ready to give an Account of his Faith; and then presented a Paper, containing in substance,

Oldcastle committed to the Tower.

His Impeachment, and Confession of his Faith.

1. THAT in the Sacrament of the Altar the true Body of Jesus Christ, born of the holy Virgin, exists under the Species of Bread.

2. THAT Penance is absolutely necessary.

3. THAT Images were introduc'd into the Church to be Calendars to the Ignorant, to enable them the better to remember the Actions of the Saints. But that they who put that Confidence in Images, which they ought to repose in God alone, and are more devoted to one than to another, are no better than Idolaters, and commit Sin against God.

4. AS to Pilgrimages; that the Man who doth not keep the Commandments of God, because he neither knoweth, nor will know them, may ramble from Pole to Pole in Pilgrimages, and yet fail of Salvation; and that on the contrary, he that observeth the Commandments of God, has no need to take a Journey either to *Rome* or *Compostella*, or any other place of Pilgrimage.

HENRY V.

THIS Confession of his Faith being thought by the Prelates too general, he was order'd to give a clear Answer to the following Articles.

Questions put to him.

1. WHETHER or no in the Sacrament of the Eucharist, material Bread remain'd after Consecration?

2. WHETHER or no he believ'd it necessary to confess to a Priest ordain'd by the Church?

HE answer'd, that he had nothing to say more than what was contain'd in his written Paper.

THEN the Archbishop told him, that the Holy *Roman* Church had determin'd those Points according to the Sentiments of St. *Austin*, St. *Jerome*, and St. *Ambrose*; and that all Christians were oblig'd to conform to those Decisions.

His Answer.

OLDCASTLE made answer, that he was ready to believe all that the Church had decided, and all that God had made an Article of his Faith, or a Precept of his Practice; but that he would not affirm that the Pope, Cardinals, and the other Prelates, had a power to determine any thing about those Points.

THIS Answer not satisfying the Prelates, they order'd him to prepare one to the following Articles, which they sent him in writing the next Day, *viz. Sunday*; and allow'd him time for it to the Day following, which was *September* the 25th.

More Articles put to him.

1. THE Holy Catholic Church has decreed, as to the Sacrament of the Altar, that after the Consecration pronounced by a Priest in the Mass, the material Bread is chang'd into the material Body of Christ, and the material Wine into Christ's material Blood, in such manner that neither the Bread nor the Wine have any longer the Substance they had before.

What is your Belief as to this Article?

2. THAT every Christian is obliged to confess his Sins to a Priest ordained by the Church, if he can get such.

What

* *Goodwin* says, he had this Title of Honour from his Marriage with a Grand-daughter of the Lord *Cobham*; and that as a Peer he had Summons to Parliament in the latter end of *Henry* the Fourth's Reign, and in the first Year of this: That *Henry* IV. gave him a considerable Command in those Troops which he sent over to assist the Duke of *Burgundy* against the Duke of *Orleans*; and that his Seat was at the Castle of *Cowling*, 3 Miles from *Rochester*.

† At *Westminster*.

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What is your Belief as to this?

3. JESUS Christ constituted St. *Peter* his Vicar upon Earth, and the *Roman* Church is his See. He has given the same Power to all St. *Peter's* Successors, who are call'd Popes of *Rome*. 'Tis by their Authority that the Archbishops, Bishops, and the other Ecclesiastical Orders, are establish'd in the Church; and 'tis to them that all Christians are bound to pay Obedience, according to the Traditions of the Church of *Rome*.

What is your Belief in this Article?

4. THE most Holy Catholic Church has decreed, that 'tis necessary for every Christian to go in Pilgrimage to holy Places, there to adore the Relicks of the Apostles, Martyrs, Confessors, and other Saints whom the Church has approv'd of.

What do you believe as to this?

ON the 25th of *September*, as aforesaid, *Oldcastle* being brought before his Judges, was exhorted to desire Absolution; to which he answer'd, that he would apply for Absolution to none but God. And then he gave his Answer to the preceding Articles in this manner.

His Answer. TO the first, that as the invisible Godhead of Jesus Christ is veil'd under his visible Manhood, so in the Sacrament there is the true Body of Jesus Christ, and true Bread; the Bread which we see with our Eyes, and the Body of Jesus Christ which we do not see, hid under the Bread. He deny'd that the Church had decreed otherwise, and maintain'd that if it had, 'twas a Decision contrary to the holy Scriptures, and made since she receiv'd the pernicious Poison of worldly Possessions, and not before.

TO the second, that it might be profitable for a Sinner who found his Conscience burden'd with any great Crime, to go to a discreet Priest for Advice; but that whether it was to his own Pastor, or to some other Priest, was a matter on which Salvation did not depend, because nothing but the Contrition of the Heart could blot out the Sin.

TO the third, that the very Body of Jesus Christ, which was nail'd to the Cross, was the only Subject of Adoration.

AND being ask'd what Honour he allow'd to the Image of the Cross? he answer'd, that to keep it clean, and put it up in a safe place was all the Honour he vouchsaf'd it.

TO the fourth Article he answer'd, that the Pope and his Clergy were truly Antichrist, meaning that the Pope was the Head of the Antichrist, the Cardinals, Archbishops, Bishops, *&c.* the Members, and the Friars the Tail. That they were by no means to be obey'd further than as they were Imitators of Jesus Christ; and that He, and He only was St. *Peter's* Successor, who led the most holy Life.

AFTER he had finish'd his Answer to the four Articles, he lifted up his Hands and Voice, and exhorted the Standers-by to beware of those Men, who were leading them captive to Hell. HENRY V.

His Condemnation. UPON these Answers the Judges proceeded to give Judgment, and pass'd Sentence upon him, by which he was declar'd a Heretic excommunicate, and as such deliver'd up to the Secular Arm.

ABp of Canterbury's Narrative of his Trial. P. 61. ALL this Account of *Oldcastle* is taken from a Narrative written by the Archbishop of *Canterbury* to the Bishop of *London*, to inform him of what pass'd in this Trial, dated at his Manor of *Maidstone* the 10th of *October* 1413. By it we see what were the Opinions of the *Wickliffites* or *Lollards*: And if they had at that time maintain'd all the Errors which have been father'd upon them since, it is not to be suppos'd that they would have been pass'd over in silence in the Charge which was prosecuted against *Oldcastle*.

Oldcastle's Escape. HOW distinguish'd soever this Gentleman was both by his Birth and Merit, he would undoubtedly have suffer'd the Pains of Fire at that time, if he had not found a way to escape from the Tower; at which there's some reason to think his Majesty himself conniv'd, who had a great Esteem for him, and was not yet prejudic'd against the *Lollards*.

THE Clergy were raving mad that their Burnt-Offering was got out of their Clutches; and that *Henry* V. did not shew the same Zeal against the Heretics as did the King his Father. And while the King was in that Temper, they plainly saw that do what they could to destroy them, it would be labour in vain. Therefore all they aim'd at, was to prejudice this Prince against the *Lollards* in general, and *Oldcastle* in particular.

Lollards charg'd with a Conspiracy against the Government. IN the beginning of *January* 1414, when the King was at one of his Seats, about seven Miles from *London*, (*viz.* *Eltham* in *Kent*, where he pass'd the *Christmas* Holidays) word was brought him, that the *Lollards*, with *Oldcastle* at their head, were assembled to the number of 20,000 Men in St. *Giles's* Fields, which, tho' now a part of the Buildings of *London*, were then cover'd with Bushes; and that their Design was to kill his Majesty, the Princes his Brothers, and most of the Lords Spiritual and Temporal of the Realm. Upon this Information, which was back'd with a great many Circumstances, the King with all the Posse he could raise, march'd at the head of 'em towards *St. Giles's*, where he arriv'd about Midnight, and there found fourscore Men arm'd, of whom thirty were kill'd on the spot, and most of the others taken Prisoners. 'Tis very probable, that these People were only assembled there to pray to God in secret, and to worship him in their own way, and that they had taken Arms only to defend themselves in case they should be attack'd. But be this as it will,

The King marches against them to St. Giles's.

FOEDERA Tom. IX.

the King having ſuffer'd himſelf to be prejudic'd againſt the *Lollards*, and in particular againſt *Oldcaſtle*, put forth a Proclamation with a Reward of 500 Marks to any Perſon that ſhould diſcover *Oldcaſtle*, 1000 to the Man that ſhould take him; and if he was apprehended by any Town or Borough, ſuch Corporation or Community was to be excus'd from paying any ſort of Tax for ever. He ſet forth in his Proclamation, that by the Suggeſtions of *Oldcaſtle*, the *Lollards* had conſpir'd to extirpate the whole Royal Family, becauſe like a truly Chriſtian Prince, he had declar'd againſt them. It was dated at *Weſtminſter* the 11th of *January*. Of thoſe who were taken at *St. Giles's*, ſome were executed, and the greateſt part pardon'd, even after they had been condemn'd to die. We don't find in Hiſtory that there was any great Search made over the Kingdom on account of this Conſpiracy, tho' the Nature of the Crime, and the number of the Conſpirators ſeem'd neceſſarily to demand it. If it had been a real Conſpiracy, or if *Henry* had been ſtill convinc'd it was ſo in his own Mind, 'tis by no means probable that he would ſo eaſily have pardon'd the Conſpirators. His natural Temper inclin'd him rather to Severity than Clemency, if we may believe the *French* Authors; tho' in this Tome we find a great number of Pardons granted for this very Fact, as will appear preſently. From hence it may be preſum'd, that this Prince, who at firſt believ'd it to be a real Conſpiracy, was of another mind after he had maturely weigh'd all Circumſtances. Yet for his Honour he would not unſay what he had ſaid; for in all the Pardons which he granted, he always ſuppos'd the Fact as needing no Proof, and reſerv'd to himſelf the Merit of Pardoning of his own free Will, and without being thereto ſolicited, as he himſelf expreſs'd it. Now to prove what I have aſſerted, that the King's Prejudice was over, as to this pretended Conſpiracy, I ſhall produce ſome of the Acts upon this Subject.

Lollards pardon'd. P. 119.

1. A PARDON granted to all the *Lollards* for the Conpiracy, excepting *Oldcaſtle*, and eleven others, dated *March* the 28th, 1414[a].

P. 129.

2. THE like Pardon granted to *Philip Turner* and twenty four others, for the ſame Fact[b]. 'Tis very probable that they were ſome of thoſe who were apprehended at *St. Giles's*. HENRY V.

3. A PARDON to *John Wykham*, one of the Conſpirators, tho' he had always deny'd the Fact of which he was found Guilty, and for which he was condemn'd, dated *November* the 6th, 1414[c]. Is it a uſual thing to pardon Perſons under Sentence of Death, who even after a fair Conviction will not own themſelves guilty? The King ſays in this Act, that the *Lollards* had conſpir'd to kill him, together with his Brothers, *&c.* and then to make *Oldcaſtle* Regent of the Kingdom: That they had reſolv'd on a Meeting at *St. Giles's* to the number of 20,000 Men, and that there they actually aſſembled: But he does no ſay that the whole number of them amounted only to fourſcore, leaving it to be ſuppos'd by the Words *there they actually aſſembled*, that there were 20,000 Men, or at leaſt a very great number. There's a ſort of double Entendre in thoſe Words, which makes one think that what the King ſaid of that Aſſembly, was only to ſave his Honour, and to juſtify his former Conduct. P. 170.

4. THE like Pardon to thirteen Conſpirators, tho' they alſo deny'd the Fact after Conviction; dated *December* the 16th, 1414[d]. P. 193.

Declaration againſt falſe Accuſations. P. 196.

UPON the whole, 'tis apparent that the King began to be diſpleas'd with the Proſecutions carry'd on againſt many Perſons upon this Head, by his putting forth an authentic Declaration, call'd *Inſpeximus*, of a Statute made in the Reign of *Edward* III. to put a ſtop to falſe Impeachments and Accuſations; which Declaration was dated *January* the 24th, 1415[e]. There being no other Affair at that time but this, which could oblige the King to make ſuch publick Notification of that Statute, it may very well be preſum'd, that it was done upon this Occaſion. This however is certain, that from that very time ſuch a ſtop was put to all theſe Proſecutions, that there is nothing like it to be ſeen to the very end of his Reign, excepting only the Inſtance of *Oldcaſtle*, who being apprehended in the Year 1417, while the King was in *France*, was burnt alive, being hung to a Chain faſten'd about his Middle[f]. But his ſuffering this kind

Oldcaſtle's Execution.

[a] At *Weſtminſter*. [b] Dated at *Leiceſter*, *May* the 20th, 1414.
[c] At *Weſtminſter*. [d] Ibid. [e] At *Weſtminſter*.

[f] This great Man, whoſe Blood was the firſt *noble Blood* that was ever ſpilt in *England* by Popiſh Cruelty, on account of Religion, was taken in *Wales* by Lord *Powis*, aſſiſted with a Rabble, againſt whom he defended himſelf ſo couragiouſly, that he wounded ſeveral of them before they overpowered him by numbers. Being conducted under a ſtrong Guard to *London*, he was carried before the Parliament on the 18th of *December*, and executed upon *Chriſtmas-day* at the New Gallows, afterwards call'd *Tyburn*, as ſome have ſuppos'd from the manner of his and other Perſons Execution there, whoſe Bodies were tied to the Gallows, while they were burnt in the Flames. *Goodwin* ſays, he had all the Qualities of a brave and gallant Gentleman, and was equally illuſtrious in Arms and Arts: That in ſeveral Parliaments, and to the faces of this and the two preceding Kings, he declar'd boldly againſt the Corruptions of the Chriſtian Faith and Worſhip, the Uſurpations of the Pope, and the Abominations of the Prieſts. That he maintain'd ſuch Preachers as were hateful to thoſe Clergy; and that at the deſire of *John Huſs*, he caus'd all *Wickliff*'s Works to be writ out, and diſpers'd into ſeveral Parts of *Europe*, of which Books above 200 Volumes were burnt by Order of the Archbiſhop of *Prague*. No wonder that for all this he was mortally hated by the malicious Popiſh Clergy; and that in complaiſance to that perſecuting Order, the Poetaſters in the ſucceeding Ages repreſented him in their Interludes as a Bully or Jovial Royſter, and that from them their Couſins the Sign-Painters have hung him up with a Brimmer in his Hand at the Doors of Alehouſes.

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kind of Death ſhews that it was not ſo much for any Conſpiracy as for Hereſy.

BEFORE I leave this Article of the *Lollards*, I can't avoid juſt taking notice of an Event which has a Dependance upon it; not that there's any mention of it in Mr. *Rymer's* Collection, but only for the ſake of preſerving the Thread of the Hiſtory.

A further Account of the Lollards.

ALTHO the *Lollards* were perſecuted, yet they were very powerful in *England*. They were for a time ſo numerous in the Houſe of Commons, that probably they were ſtrong enough to have had a great many Reſolutions paſs'd in their Favour, if they had not been afraid of alarming the People. We obſerv'd that in the laſt Reign, the Lower Houſe made a Propoſal to the King in two ſeveral Parliaments to ſeize the Revenues of the Clergy, Attempts which none but the *Lollards* and their Friends could be capable of: And the Failure of this Project was owing to the Clergy's repeated Remonſtrances to the King, that the Propoſal came from the Heretics Quarter, and tended to the Overthrow of Religion. In the beginning of *Henry* the Fifth's Reign, the Clergy having us'd thoſe Endeavours we have juſt now mention'd to deſtroy the *Lollards*, the Enemies of the Clergy laid their heads together to make an Advantage of their furious Zeal, in order to draw them into a Snare; and they narrowly miſs'd falling a Prey to their own Reſentments.

Perſons who hold publick Offices oblig'd to ſwear to aſſiſt the Biſhops in the Extirpation of the Lollards.

IN the Parliament which met at *Leiceſter* the 31ſt of *May* 1414, a Motion was made in the Lower Houſe for a new Statute againſt the *Lollards*; which being greedily ſwallow'd by the Clergy's Friends, an Act was made, importing that all Perſons who held any publick Employments, ſhould be oblig'd to take an Oath that they would aſſiſt the Biſhops to the utmoſt of their power to deſtroy the Hereſy of the *Lollards*[a].

Commons addreſs the King to ſeize the Revenues of the Clergy.

NOW the Commons being ſcreen'd by this Act from all Suſpicion of Hereſy, preſented an Addreſs to the King of the ſame nature with thoſe which had been preſented to the King his Father, praying him to ſeize the Revenues of the Clergy into his own hands. *Henry* who had aſſembled this Parliament for no other purpoſe but that they might give a Sanction to his War with *France*, and grant him the neceſſary Supplys, did not reject the Propoſal; being very ſenſible that a Seizure of that kind would enable him to put his vaſt Deſigns in execution. Then it was that the Clergy were terribly alarm'd[b]. They could no longer tax the Houſe of Commons with being Heretical, after the Statute which they had ſo lately paſs'd againſt the *Lollards*. Their Chiefs being aſſembled to conſult how to ward off the Blow, judg'd it abſolutely neceſſary to give the King a Part, in order to ſave the Whole. With this View they offer'd to give him up the Revenues of 110 Priories of Aliens or Foreigners, that were then in the Kingdom, which the King accepted: And by this means the Parliament granted the Eſtates of thoſe Foreign Monks to the King, without the leaſt Oppoſition from the Clergy[c].

HENRY V.

The Clergy give him up 110 Alien Priories. P. 280.

THE *Engliſh* Hiſtorians add, that in the Clergy's Conſultations upon this Head, it was reſolv'd, that there was an abſolute Neceſſity of engaging the King in a War againſt *France*, on purpoſe to divert him from giving an ear to the Commons Propoſal: And that in purſuance of this Reſolution, *Henry Chicheley*, who was then juſt made Archbiſhop of *Canterbury* in the room of *Arundel*[d], harangued the King in Parliament with ſuch Eloquence, as perſuaded him to undertake the War againſt *Charles* VI. But we have already ſeen that this War was reſolv'd upon a Year before the meeting of the Parliament at *Leiceſter*.

Miſtake of our Engliſh *Hiſtorians.*

WE will conclude our Account of this ninth Tome of the *Fœdera*, with juſt pointing out a few more Acts which may be of ſome ſervice to the Writers or Readers of Hiſtory.

IN this Tome we have ſeveral Pieces relating to the Council of *Conſtance*, of which theſe are the chief:

1. A LETTER from *Conſtance* to the King, with the Particulars of the Emperor *Sigiſmond's* Entry into *Conſtance*, wearing the Collar of the Order of the Garter[e]; dated *February* the 2d, 1417.

Letter to the King from Conſtance. P. 434.

2. ANOTHER Letter from the ſame Place, to the Biſhop of *Durham*, with the Particulars of the Diſpute which aroſe in the Council betwixt the *Engliſh* and *Arragoneze* Nations, touching Precedency. The *Engliſh* gave up the Precedency for two Seſſions only, for fear, ſays the Letter-Writer, leſt a Pretence ſhould be taken from the Diſturbance attending

Another to the Biſhop of Durham. P. 439.

[a] By this Law the poor *Lollards* were in as bad a caſe for Hereſy, as if they had committed Treaſon or Murder; they were to loſe both Life and Eſtate, only here was no Stain of Blood. And 'tis obſervable, that purſuant to this Act there was this Clauſe in the Sheriff's Oath, even ſince the Reformation, *viz. Ye ſhall do all your Pain and Diligence to deſtroy and make to ceaſe all manner of* Hereſies *and* Errors, *commonly call'd* Lollers *within your Bailiffwick*. [See Book of Oaths, *p.* 27.] And ſo it continu'd to the beginning of the Reign of *Charles* I. and then, *viz.* the 4th of *December* 1625, it was, by Direction of the King's Council, reform'd, and that Clauſe omitted.

[b] This wrought ſuch an Effect, ſaith *Hall*, that the fat Abbots began to ſweat, the proud Priors to frown, the poor Friers to curſe, and the ſilly Nuns to weep, for fear their *Babel* was now utterly to be demoliſhed.

[c] This appears by an Act dated at *Weſtminſter*, *June* the 25th, 1415.

[d] This *Arundel*, who was Sir *John Oldcaſtle's* bittereſt Enemy, and had in a Synod forbidden the Scriptures to be tranſlated into, or read in the *Engliſh* Tongue, was taken away in the Year 1414, by a very ſtrange Death, his Tongue being ſo ſwell'd, that he could neither ſpeak nor ſwallow. *See* Thomas Gaſconous *his* Theological Dictionary.

[e] This Collar was given him at his Inſtalment, the Year before at *Windſor*. *See* Goodwin.

FOEDERA Tom. IX.

attending this Quarrel, to break up the Council[a].

Deposition of Pope John XXIII.

WE find by some Acts of this Tome, that *Balthazar Cossa*, who had been Pope with the Title of *John* XXIII. and afterwards depos'd, was by the Council deliver'd into the hands of the Emperor *Sigismond*, who committed him to the Custody of the Count *Palatine* of the *Rhine*. Some time after, the Count had Orders to bring him back to Pope *Martin* V. who would fain have committed him to the Charge of the Bishop of *Winchester*, Uncle to King *Henry*. But by all Appearance, this Prelate excus'd himself. Upon the whole, as they were carrying *Balthazar* to the Pope, he found means to escape to a Castle of the Doge of *Genoa*, who happen'd to be his intimate Friend: But having receiv'd a Safe-Conduct from *Martin* V. he went to meet him at *Florence*, where he confirm'd and renew'd his Abdication; after which he was made a Cardinal[b].

His Commitment by the Emperor into the hands of the Count Palatine of the Rhine. P. 538.

Pope Martin's Letter to the Bishop of Winchester. P. 540.

His Letter to King Henry P. 766.

THERE is another Letter from the said *Balthazar Cossa*, to King *Henry* V. wherein he tells him, that having always had a vast Affection for him as long as he enjoy'd the Papal Dignity, he retain'd the same Zeal for his Interests since his being made a Cardinal, and desir'd his Protection. This Letter is dated *July* 12, 1419[c].

The depos'd Pope's Letter to King Henry. P. 767.

WE don't find one Piece in this Tome which makes mention of the Affair of *John Huss* and *Jerome* of *Prague*[d].

Conventions with the new Pope for the Reformation of Abuses. P. 730.

THE Ambassadors of *England* having again demanded of the new Pope, that several Abuses crept into the Kingdom might be reform'd, Conventions were made about it at *Florence*; which, as well as those agreed on betwixt *Gregory* XI. and *Edward* III. are couch'd in such artful, general, and ambiguous Terms, as left the Pope at liberty to continue the Abuses after all his Pretences to redress them. These Conventions were dated at *Florence*, *April* the 17th, 1419.

We now enter the Tenth Tome of the Fœdera, *which contains the Acts relating to the two last Years of* Henry V's *Reign, and a part of that of* Henry VI[e].

ALTHO what remains of *Henry* V's Reign, from his signing the Peace of *Troyes* to his Death, takes up but two hundred and fifty pages of this Tome, yet we find several Pieces in it, which may be useful for the Explanation of the Histories both of *France* and *England*.

THE Peace of *Troyes* might have restor'd the Tranquillity of *France*, if the *French* had one and all come into it: and 'tis not improbable on the other hand, that if all had stood out, the Effect of their Unanimity would have been much the same at last; for then the King of *England* would have been too weak to force them to observe it. If they had been wise, they would have been unanimous in one or other of these two Points, by which means they would have been in possession of that Tranquillity to which their own Divisions altogether disabled them from attaining. If they had only consider'd their own Interest, it must have been very near the same thing to them whether *France* was govern'd by a King of *England*, or by a Prince of the House of *Valois*. They could not well think of being more happy under the one than the other; therefore it may be said that in the Quarrel which had already spilt so much Blood of two contending People, the real Point in dispute was nothing more than the Interest of two Families, both striving for the Crown of *France*, with little or no regard had at the same time to the Interest of the *French* in general: but 'tis common in such Cases for the Subjects to be the Bubbles of their Princes. The People are apt to espouse the Interest of their Princes with as much Heat as if their own were at stake, without considering, that which-ever gets the upper-hand, they themselves are scarce ever gainers in the issue. As

Reflections on the Divisions of the French, *and their different Sentiments of the Peace of* Troyes.

[a] The Letter is dated *March* the 14th, 1417*.

* Goodwin *says, that upon a full Debate of this Business of the Precedency, in which the Pre-eminence of the University of* Oxford *was prov'd above that of* Salamanca, *in an eloquent Speech made by* Henry d'Abendon *of* Merton-College, *who likewise shew'd the many Privileges which the Bishops of* Rome *had granted to the* English *University in preference to that of* Spain, *the whole Council was so mov'd by his Arguments, that they declar'd the Post of Honour for the* English *Nation.*

[b] The Emperor's Letter to the Count *Palatine* above-mention'd is dated at *Constance*, *January* 7. 1418: The Pope's Letter to the Bishop of *Winchester* is dated the 5th of the Ides of that Month; and his Letter to King *Henry*, notifying the depos'd Pope's submissive Behaviour, is dated at *Florence* the 18th of the Calends of *July* 1419.

[c] At *Florence*.

[d] These two Martyrs were burnt by the infamous Council of *Constance*, which also made that abominable Declaration, *That Faith is not to be kept with Hereticks.*

[e] Mr. *Rymer* has left us a fine Picture of these Times, in his Dedication of it to Queen *Anne*.

" This tenth Tome, *says he*, of your Royal Bounty, contains what pass'd most memorable within the Compass " of one and twenty Years, from 1420 to 1441, a Period of great Variety in the Turn of Affairs, and of great " Curiosity: a Time wherein liv'd no Writer of Note to describe or transmit the Transactions to Posterity. It " begins when all the Talk and all the Business in *Europe* was the *Great Peace* concluded betwixt *England* and *France*. " The Emperor, and Princes of any Figure at that Time in *Europe*, send their Ambassadors to give their Laud " and Approbation of this Peace, and to be comprehended in it. The *French* King, with his Lords Spiritual and " Temporal, Citizens and Burgesses, representing the three Estates of *France* in Parliament assembled at *Paris* in " the Palace of St. *Paul*, make this Peace a publick Law, and enact that every Subject swear to observe and main- " tain it, and take an Oath of Allegiance to King *Henry REGENT* and *HEIR* of the Kingdom of *France*.

" Pursuant thereunto, we see King *Henry*, by virtue of his Regency, according to Emergencies, settling both " Church and State: Bishops, Abbots, Deans, and Priors, with the Subaltern Dignities, all strive who the fore- " most to take the Oaths. And what a dust make the Parsons, with all the Flock, their Parishioners at their " Heels, shewing their Zeal and Forwardness in this Point of Swearing? No Abby, Convent, or Religious House, " is easy till King *Henry* does confirm their Charters; nor is any Corporation pleas'd till they see their Franchises " under the Broad Seal of King *Henry*. This the invincible, your most noble Progenitor King *Henry* the Fifth, " at *Bois le Vincennes*, on a Day well known in those Parts by the name of St. *Fiacres*, (not of a Disease call'd St. " *Fiacres*, as Histories have reported) yielded to Death.

FOEDERA Tom. X.

As matters then ſtood with the *French*, the Treaty, which was juſt concluded, inſtead of putting an end to the War, furniſh'd both Parties with freſh Motives for continuing it. Before this Peace was made, *Henry* V. would have been glad of a Part of *France*, and have left the Remainder to the Family of *Valois*, upon the ſame footing that the Peace of *Bretigny* was concluded formerly in the time of *Edward* III. and it was on a Partition much like this, that all the Negotiations of Peace were founded after the time that *Henry* V. renew'd the War. But when the Peace of *Troyes* was ſign'd, *Henry*, conſidering himſelf as preſumptive and lawful Heir to *Charles* VI. could no longer conſent to ſuch a Partition: on the other hand, the Dauphin, who by the late Treaty was excluded from the Succeſſion of the King his Father, plainly ſaw that he could not hope to recover his Right bnt by Force of Arms.

As to the People of *France*, they had different Sentiments of the Peace of *Troyes*, according to the Parties in which they were liſted: the *Burgundians* rejoicing in the Ruin of the *Armagnacs*, choſe to ſee *France* under a foreign Dominion, rather than run the riſque of being expos'd another day to be trampled on by their Enemies. That was the true Reaſon which made them approve of the Peace of *Troyes* independently of the Rights of the two Princes who were Competitors for the Succeſſion, to which they ſhew'd little or no regard; tho' they pretended to act only from a principle of Juſtice, in eſpouſing the cauſe of the King of *England*. The *Armagnacs*, with the like Plea, declaim'd againſt this ſame Treaty, on pretence of the Injury which it did to the Royal Family. But in the main, both acted only from a Spirit of Party; and conſequently their reciprocal Animoſity ſtill continuing with the ſame Heat, *France* remain'd divided betwixt King *Henry* V. and the Dauphin. The King was ſuperior on this ſide the *Loire*, but he had not yet carry'd his Arms on the other ſide, where the Dauphin was Maſter of ſeveral Provinces, and had moreover ſuch Places in the Iſle of *France*, *Champagne*, and *Picardy*, as enabled him to keep the Field near *Paris*, and thereby to hinder the *Engliſh* from advancing on that ſide. Therefore *Henry* found himſelf under a neceſſity to make himſelf entire Maſter of the Northern Provinces, before he could attack his Enemy on the other ſide of the *Loire*, and drive him out of the Kingdom. And the Execution of this Project was what he turn'd all his Thoughts to, as ſoon as ever he had ſign'd the Treaty.

In *June* 1420, he ſet out from *Troyes* to beſiege *Sens* and *Montereau*, which, when he had taken, he ſtay'd ſome time at *Corbeil*, where in a Council of War it was alſo reſolv'd to beſiege *Melun*. And here we find a Commiſſion granted to the Duke of *Burgundy* to command at the Siege on the ſide of *la Brie*. 'Tis dated in the Camp near *Melun*, *July* the 12th, 1420. This Place held out four Months, as may be inferr'd from two Acts, one dated in the Camp before *Melun*, *July* the 20th, and from the Capitulation it ſelf, dated *November* the 17th.

HENRY V.

Sieges of Sens, Montereau, *and* Melun.

Melun *ſurrender'd.* P. 29.

During the Siege of *Melun* ſeveral things fell out to which the Acts in the beginning of this Tome have a Reference; but as they are not all of equal Importance, I ſhall only point out ſome of them, which till theſe Acts appear'd, were not ſufficiently explain'd.

We have obſerv'd that the Dutchy of *Bretagne*, ſo long conteſted between the Families of *Montfort* and *Blois*, was at length by the Aſſiſtance of *Edward* III. and by the Victory at *Auray*, ſecur'd to the Family of *Montfort*. At the time we are now ſpeaking of, there were two Brothers alive of the *Blois* Family, the eldeſt of which nam'd *Olivier*, was Count *de Ponthieure*. Their Submiſſion to *John le Vaillant*, who govern'd at that time in *Bretagne*, gave reaſon to think that they had quite forgot the Pretenſions of their Anceſtors to this Dutchy. But when the Duke was leaſt upon his guard againſt them, they invited him to one of their Houſes, on pretence of giving him an Entertainment, but arreſted him by the way, and carry'd him Priſoner to a Caſtle of *Poictou*; in which Action they had the Countenance of the Dauphin, who was very deep in the Plot. At this News the States of *Bretagne* conſtituted *Alain de Rohan* their Lieutenant General, or Regent, in the abſence of *Arthur* Count *de Richemont*, Brother to the Duke, who had been Priſoner in *England* ever ſince the Battle of *Agincourt*. And at the ſame time they ſent a Deputation to King *Henry*, to intreat him to grant the Count *de Richemont* a Furlough, that he might come over to aſſiſt in the Recovery of the Duke his Brother's Liberty. *Henry* was inclin'd to grant the Count this Favour, on certain Conditions contain'd in a Treaty which they made together, dated *July* the 22d. 1420*.

Revival of the Quarrel about the Succeſſion of Bretagne.

Duke of Bretagne *put in Priſon.*

Furlough for his Brother then a Priſoner in England. P. 8.

The chief of theſe Conditions was, that by *Michaelmas-day* 1422, the Count *de Richemont* ſhould be at *London*, and ſurrender himſelf a Priſoner as before; and that he ſhould on that Day make his Appearance before the King or his Succeſſor, and in his abſence, before his Lord Lieutenant, or High Chancellor, or before the Mayor of *London*.

This Act diſcovers two miſtakes, of which *Argentre* the Hiſtorian of *Bretagne*, and ſeveral other *Frenchmen* copying after him, have been guilty. In the firſt place he affirms, that the King would never conſent to the Furlough thus deſir'd of him for the Count *de Richemont*; which Aſſertion is

Miſtakes of the French *Hiſtorians detected.*

* At *Corbeil*.

FOEDERA Tom. X. is flatly contradicted by this Treaty. And moreover, we find here *Henry*'s Letters Patent dated *January* the 17th, 1421, at his Caſtle of *Roan*, after the Deliverance of the Duke of *Bretagne*, whereby he conſents, that in caſe he be oblig'd to make War againſt the Duke of *Bretagne*, who had not yet ſworn to the Peace of *Troyes*, the Count *de Richemont* ſhall not therefore be bound to take Arms againſt the Duke his Brother. But he adds, that the Count ſhall be oblig'd, happen what would, to perform the Conditions upon which he obtain'd his Furlough.

HENRY V. dying on the 31ſt of *Auguſt* 1422, juſt a Month before the Expiration of the Count's Furlough, he did not think fit to perform his Engagement; which led *Argentre*, and ſome other *French* Hiſtorians, into a ſecond Error, *viz.* That the Count *de Richemont*'s Engagement to *Henry* V. was perſonal, with regard to that Monarch, and that he was clear of the ſaid Engagement by his Death, contrary to the Words of the Treaty, which were expreſs, that upon *Michaelmas-Day* 1422, he ſhould make *his Appearance at* London, *before the King, or his Succeſſor*, &c.

As 'tis probable we ſhall have a farther Occaſion to ſpeak of this Affair before we have done with this Tenth Tome of the *Fœdera*, I think it unneceſſary to ſay any more of it here.

Emperor's Ratification of the Treaty as K. of Bohemia. 14.

HERE is a ſecond Piece that may ſerve for explaining that part of Hiſtory which is tranſmitted to us during the Siege of *Melun*. 'Tis a Ratification ſent by the Emperor *Sigiſmond* of the Treaty of Alliance which he had made with *Henry*, duirng his ſtay in *England* in 1416. He had already ratified this Treaty as King of the *Romans*; but having been crown'd King of *Bohemia* in 1420, and becoming an Elector of the Empire, he confirms the ſaid Alliance in that Quality, as all the other Electors had already done, except the King of *Bohemia*. This Ratification of his is dated at *Prague*, *July* the 31ſt, 1420, the very Day of his being crown'd King.

FORASMUCH as the Treaty betwixt the Emperor and *Henry* V. was unknown to moſt Hiſtorians, ſome have ſuſpected that Father *Maimbourg*, who mentions it, had no grounds for it: But this Author is juſtify'd by the Treaty itſelf, which may be ſeen in the Ninth Tome of the *Fœdera*, and by the Ratification here mention'd.

Approbation of the Peace of Troyes by the Emperor and the Elect. Palatine. 14. 15.

AFTER theſe Acts come two others, which are Letters-Patent of the ſaid Emperor, and *Lewis* Elector *Palatine*, whereby they approve of the Peace of *Troyes*, and wiſh to be included in it, according to the room that was left them by the Terms of that Treaty. *Sigiſmond* adds this Exception in his Patent, *ſaving the League and Confederacy betwixt us and our Brother the King of* England, *&c.* Theſe Acts are of the ſame Date as the former.

Commiſſion for including the States of Bretagne in it. 15.

NEITHER the Duke nor the States of *Bretagne*, having yet ſworn to the Peace of *Troyes*, *Henry* appointed Commiſſioners to negotiate with them for their acceding to the ſaid Treaty, and for receiving their Oaths *.

Confirmation of the Treaty by the Aſſembly of the States. 30.

IMMEDIATELY after *Melun* was taken the two Kings, *Charles* and *Henry*, went to *Paris*, where there was a general Aſſembly of the States, to confirm the Peace of *Troyes*. We find here the Act of Confirmation, dated *December* 6. 1420. by which the States order the ſaid Peace to be obſerv'd as a public Law, and that all the *French* ſhould be oblig'd to ſwear to it. But the whole Aſſembly was made up only of the Partiſans of the King of *England*, and the Duke of *Burgundy*.

Sentence upon the Aſſaſſins of the Duke of Burgundy. P. 33.

AFTERWARDS we find the Sentence, which was pronounc'd at *Paris* the 23d of *December* 1420, againſt the Aſſaſſins of *John* Duke of *Burgundy*, who was murder'd at *Montereau* in 1419. All the *French* Hiſtorians ſay unanimouſly, that the Dauphin was ſummon'd to the Marble Table; and that upon his Non-appearance, he was declar'd attainted, and convicted of the ſaid Murder, baniſh'd the Kingdom, and depriv'd of all manner of Right of Succeſſion, *namely to the Crown*, which is the very Expreſſion of *Mezeray*. I am loth to accuſe that eminent Hiſtorian, and ſo many others, of being miſtaken in a Fact of ſuch importance, and as extraordinary as any that happen'd in *France* from the beginning of its Monarchy. But I know not what Judgment to make of it, when I conſider that the Sentence, which is here inſerted entire, ſays no ſuch thing, at leaſt particularly of the Dauphin. It is conceiv'd in general Terms againſt all thoſe in the lump that were guilty of the Duke's Murder, without ſpecifying either the Dauphin, or any body elſe in particular. The Reader perhaps will be pleas'd to ſee it inſerted here at length.

Groſs Miſtake of the French *Hiſtorians.*

The Attainder of the Aſſaſſins.

CHARLES, *by the Grace of God, King of* France, *To all to whom theſe Letters ſhall come, greeting: Be it known, that*

" OUR moſt dear and well-beloved " Son *Philip* Duke of *Burgundy*, Earl of " *Flanders*, *Artois* and *Burgundy*, appear- " ing before us in his own Perſon, with our " moſt dear and well-beloved Couſin the " Ducheſs of *Burgundy*, his Mother, and " our moſt dear and well-beloved Daugh- " ters and Couſins *Margaret* Ducheſs of " *Guyenne*, *Anne* and *Agnes* her Daugh- " ters, Siſters of our ſaid Son, or their At- " torney for them.

" AND we having heard the Complaint " made to us on their Behalf, in the preſence " of our moſt dear and well-belov'd Son " the King of *England*, *Heir and Regent* " *of* France, and of the three Eſtates of the " Cities and Provinces of our Kingdom, our " good and loyal Subjects, obedient unto us.

" IT being the Requeſt of our ſaid Chil- " dren and Couſins, that Juſtice ſhould be " done and adminiſter'd to them, againſt " thoſe who were guilty of the death of

* The Commiſſion is dated from the Camp before *Melun*, the 1ſt of *Auguſt*, 1420.

FOEDERA Tom. X.

" our moſt dear and well-beloved Couſin " *John* Duke of *Burgundy*, whom God " abſoil, their Father, and the Husband " of our ſaid Couſin the Dutcheſs of *Bur-* " *gundy*. We having heard their Opinions, " and their Demands of ſuch Juſtice upon " the Perſons guilty, as is conſiſtent with " the Cuſtom of *France*; and having alſo " heard the Opinion of our Attorney-Ge- " neral in the Caſe, for the ſake of Juſtice " againſt the guilty Perſons:

" TOGETHER with the Petitions and " Supplications to us made by our moſt " dear and well-beloved Daughter the " Univerſity of *Paris*, by our moſt dear " and well-beloved the *Echevins*, Bur- " ghers and Inhabitants of our good City of " *Paris*, and the ſaid three Eſtates of " many good Towns of our Realm;

" THAT we would pleaſe to have good " and ſpeedy Juſtice done and adminiſter'd:

" THE Petitioners declaring at the ſame " time, and proteſting with reſpect to Ec- " cleſiaſticks, that their Aim is only a civil " Iſſue, and according as their Profeſſion " allows them.

" WE, after great and mature Delibe- " ration had thereupon, and having dili- " gently ſeen and perus'd in our Council the " Inſtruments of Alliance made between " our ſaid deceas'd Couſin the Duke of " *Burgundy*, and *Charles*, ſtyling himſelf " Dauphin, agreed to, and ſolemnly " ſworn by them upon the true Croſs, and " the holy Evangeliſts, before the Biſhop " of *Leon*, Legate of our holy Father the " Pope.

" CONSIDERING, that according to the " ſaid Treaties, which were ſo remarka- " ble, and ſo profitable to our whole King- " dom, and made with the Conſent of the " Parties, we order'd a good Peace, and a " firm Union to be from that time forwards " for ever, kept and obſerv'd between " all thoſe of our Blood and Lineage, and " our Subjects of what Eſtate and Con- " dition ſoever.

" AND therefore publiſh'd a general " Amneſty, and other Ordinances for the " ſake of the ſaid Peace.

" REQUIRING that the Tranſgreſſors, " or ſuch as infring'd the ſame in Word or " Deed, ſhould be puniſh'd as Perſons guil- " ty of the Crime of High Treaſon.

" AND that the Clergy, Nobility, and " Magiſtracy of our ſaid Realm, ſhould " promiſe and ſwear to keep and obſerve " the ſame, every one in his Station, with- " out any Infringement, and to exert him- " ſelf to the utmoſt againſt him or them, " who ſhould infringe the ſame, notwith- " ſtanding that they ſhould be their Sub- " jects or ſworn Vaſſals.

" OF which Homages, Promiſes and " Oaths, we declar'd them from that time " forwards abſolv'd and acquitted, as is " more fully contain'd in the Letters Patent " iſſued thereupon.

" WHICH Peace, together with all that " is contain'd in the ſaid Letters Patent, our " ſaid late Couſin of *Burgundy* and the ſaid " *Charles*, their Officers and Servants, " ſwore to before the ſaid Biſhop of *Leon*, " as above, and therewith deliver'd their " Letters Patent on that Head. HENRY V.

" WHICH, together with the ſaid " Royal Inſtruments of the Treaty of Peace, " and alſo the Inſtruments of the ſaid Al- " liances, were publiſh'd in our Court of " Parliament, and in our *Chatelet* of *Paris*, " and Oaths taken by the Clergy, Nobility, " Burghers, and Inhabitants of our ſaid " good City of *Paris*, and likewiſe in and by " the other good Towns of our Kingdom.

" AND whereas nevertheleſs our ſaid " Couſin of *Burgundy* deceas'd:

" WHO was of our Family of *France*, " ſo near a Relation as our Couſin-German, " being ally'd to us by great Affinity of " Marriages, Dean of the Peers, and twice " a Peer of *France*; who was always ſo " great a Lover of the Welfare of us and " of our Kingdom and Subjects, and who " in obedience to our Command, for the " publick Good of our ſaid Kingdom, and " in order to maintain the ſaid Peace, went " to *Monſtereau* or *Faut-yonne*, attended " with many Noblemen and Perſons emi- " nent in Church and State, our Officers " and others, at the Prayer and Requeſt " of the ſaid Criminals.

" WAS wickedly, treacherouſly, and " damnably murder'd and kill'd at *Monſ-* " *tereau* aforeſaid, notwithſtanding the " ſaid Promiſes and Oaths, ſo made and re- " peated at *Monſtereau* by him and his Ac- " complices.

" AND with him were alſo taken and actu- " ally impriſon'd ſeveral Lords, Knights, " Eſquires, Clergy, and Burghers in the " Company of our ſaid deceas'd Couſin of " *Burgundy*, our Officers and others, ſome " of whom were damnably murder'd and " put to death, others oblig'd to give exceſ- " ſive Ranſom, or otherwiſe variouſly per- " ſecuted, and even ſome detain'd Priſoners.

" THE ſaid Criminals thereby infringing " the ſaid Peace, Alliances, Promiſes, and " Oaths, committing High Treaſon, and " otherwiſe offending in many reſpects.

" UPON conſideration of the whole " Matter, and how notorious the ſame is " to us, and to our whole Kingdom, to- " gether with all the Circumſtances that " are to be ſeen and conſider'd.

" BY the Advice and Opinion of the " Members of our Grand Council, the Preſi- " dents and Laics of our Parliament, and " others of our Counſellors in a great num- " ber have declar'd, and do declare by theſe " Preſents, all the Perſons who were guilty of " the ſaid damnable Crime, done and com- " mitted on the Perſon of our ſaid deceaſed " Couſin the Duke of *Burgundy*, and each " of them, to be guilty of High Treaſon, " and conſequently to have forfeited their

" Bodies

Foedera Tom. X.

" Bodies and Eſtates to us, and to be in-
" capable and unworthy of ſucceeding
" to any Eſtates directly or indirectly, or
" of enjoying any Dignities, Honours,
" and Prerogatives whatſoever, with the
" other Pains and Penalties which the Laws
" order and provide for Perſons guilty
" of High Treaſon, and their Poſterity.
" Moreover, we have and do declare them
" criminal, and every one of them to be
" involv'd in the other Pains, declar'd by
" the Alliances and Treaty of Peace above-
" mention'd, as far as concerns our Royal
" Power and Authority.

" In a ſpecial manner we have declar'd,
" and do hereby declare, all the Vaſſals,
" Subjects, and Favourers, preſent and to
" come, of the ſaid Criminals, and every
" one of them to be abſolv'd and acquitted
" of all the Oaths of Allegiance, and of all
" Promiſes and Obligations of Service to
" them and their Succeſſors, now and for the
" time to come for ever, as far as is needful;
" and we acquit and abſolve them of all
" the ſaid Oaths and Promiſes, and forbid
" them all by theſe Preſents to ſerve, aid, or
" comfort the ſaid Criminals henceforth,
" in any reſpect whatſoever, on pain of
" being reputed, if they act contrary-wiſe,
" as guilty of High Treaſon, and incurring
" our Diſpleaſure for ever.

" The whole without prejudice to the
" Petitions and Complaints made to us by
" our ſaid Son and Couſins, againſt any
" who have been by them particularly
" named, and alſo againſt all in general who
" are or ſhall be charg'd with the ſaid dam-
" nable Murder, and other things above-
" hinted.

" This is our Command to our truſty
" and well-beloved Counſellors the Mem-
" bers of our ſaid Parliament, and to all
" our other Juſtices and Officers, or to their
" Lieutenants, and every one of them to
" whom it ſhall appertain, that as to the
" ſaid Opinions and Proſecution commenc'd
" by the ſaid Plaintiffs, and our ſaid Attor-
" ney, they and every one of them in his
" reſpective Juriſdiction, do perform and
" adminiſter Juſtice to the Parties, and pro-
" ſecute the ſaid guilty Perſons criminally,
" if need be, and if the Caſe ſo requires;
" and diligently adminiſter right and ſpeedy
" Juſtice to the ſaid Plaintiffs on the Affairs
" above-mention'd, with their Circumſtances
" and Dependencies.

" In Witneſs whereof we have caus'd
" our Seal to be affix'd to theſe Preſents."

Given at *Paris* the 23d Day of *December*, in the Year of our Lord 1420, and of our Reign 41.

By the King in Council,

MILET.

It can't be ſaid that this Sentence was paſs'd againſt the Dauphin in particular, becauſe he is not ſo much as mention'd in the Purview or Decretory part of the Sentence, but only in the Recitative part. It can only affect him by ſuppoſing him guilty of the Crime in queſtion, and in that reſpect indeed it confounds him with all the others. 'Tis true, there is one place where the Sentence declares the Dauphin guilty, *viz.* That, where 'tis ſaid, that the Duke of *Burgundy* was kill'd by *him* and *his* Accomplices; which word *Him* refers to the Dauphin, named a great deal higher. 'Tis not unlikely that this Expreſſion was inſerted there, to the end that no body might make a Doubt of the Dauphin's being one of the Murderers. But however that be, if they had been diſpos'd to have paſs'd a Sentence directly againſt him, they would have worded it after quite another manner. Beſides, there's no ſuch Clauſe in it, as the *French* Hiſtorians have put in, namely, *from the Succeſſion to the Crown.* Therefore 'tis certain, that either they had never ſeen the Sentence it ſelf, or that there was another, *particular* and *direct* againſt the Dauphin. But in this Caſe it would be aſtoniſhing, that *Henry* V. ſhould take care to have the leaſt important Sentence committed to his Archives, and neglect the principal one.

Henry V.

After this Sentence, we find an Agreement betwixt *Henry* V. and the Houſe of *Albret* in *Guyenne*, dated *January* the 16th 1421*. In the Reign of *Edward* III. the Lord of *Albret*, with ſome other Noblemen of *Guyenne*, had exhibited an Appeal to the Court of Peers in *France* againſt the Prince of *Wales*, who was then Prince of *Aquitain*. This Appeal being receiv'd, tho' directly contrary to the Treaty of *Bretigny*, in which *Guyenne* had been declar'd independent of the Crown of *France*, caus'd the Renewing of the War. From that time the Families of *Albret*, *Armagnac*, and ſome others of the ſame Country, had conſtantly adher'd to the Intereſt of *France*, till the Death of the Conſtable *d'Armagnac*. As ſoon as he was kill'd, the Lord of *Albret*, and the other *Gaſcoigne* Nobility of the ſame Party, deſir'd a Truce, and obtain'd it. At laſt, after the Peace of *Troyes*, the Lords of the Houſe of *Albret*, and ſome others, thought fit to beg the King's pardon, and to return to their Duty. The Act above-mention'd ſettles the Conditions of their Accommodation. It is follow'd with a Pardon of the ſame date, which the King granted them for the Crime they had committed in adhering to the Appeal of their Anceſtors. It was a cunning Fetch in *Henry* to detach thoſe Lords from his Enemy's Intereſt; for by that means he had no more of thoſe Diverſions in *Guyenne*, which had been very troubleſome to him.

Henry's *Agreement with the Lord of* Albret. 31.

Henry's *Pardon of the Nobility of* Guyenne 41. *and* 45.

These Affairs being over, *Henry* ſet out for *England*, whither he was call'd by three important Affairs: The firſt was to crown Queen *Catherine* his Wife, whom he carry'd over with him for that purpoſe: The ſecond

He returns to England.

was

* At *Roan*.

FOEDERA Tom. X.

was to call a Parliament, which was to confirm the Peace of *Troyes* according to the Tenor of the Treaty. Moreover, his Intention was to desire a Subsidy to carry on the War against the Dauphin. The third Affair related to *Scotland*. When he set out from *France*, he left the Command of his Troops to his Brother the Duke of *Clarence* [a].

His Commission to his Brother. 49.

THE Ceremony of the Queen's Coronation was perform'd upon the third *Sunday* in *Lent* [b].

Queen's Coronation. 63.

THE Parliament met on the 21st of *May*, and readily confirm'd the Peace of *Troyes*, so glorious to *England*.

Parliament's Ratification of the Peace of Troyes. 110.

AS to the Supply, there was some Difficulty in obtaining it. At least, the House of Commons presented an Address to the King, complaining that *England* was ruin'd by the Conquest of *France*. Nevertheless, they at last granted him what he desir'd.

They give him a Supply.

Estimate of the Revenues and Disbursements of the Crown. 113.

We have here a Fragment of an Estimate, or Abstract of the publick Revenues, and of the Expences to which the Crown was liable. It appears by this Memorandum that the ordinary Revenues and Perquisites amounted but to 55,743 *l.* Sterling, and that the Disbursements were 52,235 *l.* besides some extraordinary Articles for which no Provision was yet made. 'Tis not improbable that this Estimate, which is dated *May* the 6th [c], was drawn up to be laid by the Treasury before the House of Commons [d].

Passp. for the Countesses of Hainault. *P.* 67.

DURING the Interval betwixt the Arrival of the King and the Session of the Parliament, we find two Pieces in this Tome which may be of some use. The first is a Passport for *Margaret* of *Bavaria* and *Jaqueline* her Daughter, Countesses of *Hainault*, *Holland*, *Zealand*, and *Friseland*, dated at *Westminster*, *March* the 1st, 1421. It must be observ'd, that tho' *Margaret* the Mother came of the House of *Burgundy*, yet *Henry*, according to the Custom of *England*, gives her in this Passport the Name of *Bavaria*, because she was Dowager of the Earl of *Hainault*, of the *Bavarian* Family. Her Daughter *Jaqueline*, who was left a Widow by the Dauphin *John*, second Son to *Charles* VI. took to her second Husband *John* Duke of *Brabant*, her Cousin of the House of *Burgundy*; but he not having the Talent to please her, she elop'd with some Gentlemen to *England*. There is room to suspect that the Passport we were speaking of, was design'd to facilitate her Escape; and that by consequence *Henry* was not ignorant of her Intentions. What seems to support this second Conjecture, is the Honours which were paid to her in *England*, and an Act in this Tome, dated at *Westminster*, *July* the 10th, 1421, wherein the King grants her a Pension of 100 *l.* Sterling *per* Month for her Subsistence. Moreover, the Tenor of this Passport was for her travelling into the County of *Ponthieu*, *belonging*, says the King, *to the said* Jaqueline. This may serve as another Proof that *Henry* was no Stranger to this Princess's Intention. The County of *Ponthieu* belong'd to the King of *England* after the Reign of *Edward* I. but upon the Breach of the Treaty of *Bretigny*, the King of *France* had confiscated it, and *Charles* VI. had given it to *John* his Son, when he married him to *Jaqueline*, with whom it probably remain'd as her Dowry. Nevertheless, this Confiscation we have just mention'd was no sufficient reason to oblige *Henry* to own that the County of *Ponthieu* belonged to *Jaqueline*. It was an Inheritance of his Ancestors, to which he had a Right far more indisputable than to the Crown of *France*, the Title to which he had disputed with the King his Father-in-law; consequently 'tis not to be imagin'd what could oblige him to own that the County of *Ponthieu* belong'd to *Jaqueline*, unless it was to shew that he only gave a Passport to that Princess to go to her own Country, and that he might have by that means an excuse ready, in case he should be upbraided with having favour'd her Elopement. But at the same time, this Excuse shews that he knew her Design; and the Sequel of *Jaqueline*'s History entirely explains it. When she arriv'd in *England*, she caus'd her Marriage with the Duke of *Brabant* to be dissolv'd by Pope *Benedict* XIII. tho' he had been depos'd in the Council of *Pisa*. She afterwards marry'd the Duke of *Gloucester*, *Henry*'s Brother, not indeed during the King's Life, but immediately after. Therefore there's scarce any room to doubt but the Elopement of this Princess was concerted before-hand with *Henry*, and the Duke of *Gloucester*, in a view to this Marriage. 'Tis true that some Precaution was us'd, and that at first they did not act openly, because the King was loth to disoblige the Duke of *Burgundy*, who was Cousin-German to the Duke of *Brabant*. No wonder that the rich Dominions, of which *Jaqueline* was in possession, fir'd the Ambition of the *English* Prince. We shall have occasion hereafter to make a Remark, that this fatal Marriage was the chief Cause of the Decay of the *English* Power in *France*. When *Henry* V. thought to aggrandise his Family by establishing the Duke his Brother in the *Netherlands* thro' this Marriage, he little thought that this unjust Project would one day be the Ruin of his Son's Affairs.

Ponthieu *County settled on her by the* French *King.*

The Daughter elopes from her Husband.

A fatal Marriage to Engl.

THE second Piece which we have during the Interval we are speaking of, is a Convention betwixt the King and the Duke of *Bourbon*, whereby the said Duke, who had been a Prisoner in *England* ever since the Battle of *Agincourt*, was to have his liberty upon certain Conditions; the first of which was, that he should swear to the Peace of *Troyes*. But this Convention [e] did not take place, because the King died before it was executed by the Duke.

Convention for the Release of the D. of Bourbon. 85.

She gets a Divorce, and marries again.

Henry gives her a Pension. 134.

WHILE

[a] By a Commission dated at *Roan Castle*, *January* the 18th, 1421. [b] This was according to *Goodwin*, the 24th of *February* 1421. [c] 1421. [d] As it was before the King at *Lambeth*. [e] Which was dated at *Roan Castle* the 17th of *March* 1421.

FOEDERA Tom. X.

WHILE *Henry* was in *England*, the Duke of *Clarence* his Brother was killed at *Bauge* in *Anjou*[a], in a Battel with the Earl of *Buchan*, who had brought 7000 *Scotſmen* out of his Country to aſſiſt the Dauphin. This Battel was fought upon *Eaſter-Eve* in 1421. The Dauphin gave the Earl of *Buchan* the Conſtable's Sword as a Reward for this Service.

Duke of Clarence *kill'd in the Battel of* Bauge. P. 95.

Dauphin's Reward to the Earl of Buchan.

THIS Supply from *Scotland* was the third Affair which call'd over *Henry* to *England*. The State of the Caſe in ſhort was this. The firſt *James* that ever was King of *Scotland*, became ſo during his Confinement in *England*, where he had been a Priſoner ever ſince the Year 1406, when he was arreſted as going to *France* from the King his Father. But tho' he was very unjuſtly detain'd after his Acceſſion to the Regal Title, *Henry* IV. would never let him go. And *Henry* V. when he aſcended the Throne, being reſolv'd on a War with *France*, thought it his beſt way to keep this Prince as a Hoſtage, in caſe the *Scots* ſhould happen to give him any Diverſion upon his Frontiers. He had been alſo prevail'd on to detain him by the perſuaſion of the Duke of *Albany*, Regent of *Scotland*, who was King *James*'s Uncle. This Prince fearing that the King his Nephew would be ſet at liberty, had made a ſecret Agreement with *Henry*, ſays *Buchanan*, whereby he engag'd himſelf not to diſturb his Expedition to *France*, on condition that he would keep his Priſoner. Which Agreement had been perform'd on both ſides 'till the Year 1419. But after the Death of the Conſtable *d'Armagnac*, the Dauphin being expell'd from *Paris*, and the Duke of *Burgundy* having ſeiz'd the Government of *France*, the Dauphin deſir'd Succours of the *Scots*; whoſe Regent was ſo importun'd by the great Men of his Country, that he could not avoid ſending him 7000 Men, under the Command of his Son the Earl of *Buchan*.

Hiſtory of James I. *King of* Scotland's *Releaſe from his Impriſonment.*

HENRY perceiving that the *Scots* began to ſtir in favour of *France*, reſolv'd to enter into a perſonal Negotiation with the King of *Scotland* his Priſoner, with a view of inclining him to make uſe of his Authority for depriving the Dauphin of any Benefit from thoſe Succours. We have an Act in this Tome of the *Fœdera*, which mentions an Agreement made between the two Kings, whereby *Henry* engag'd to give the King of *Scotland* a limited Furlough to go to his Kingdom, on condition that he ſhould firſt of all accompany him to *France*; and that he ſhould deliver up certain Hoſtages to him three Months after their Return. This Act is dated the 31ſt of *May*, 1421[b]; and by conſequence after the Defeat and Death of the Duke of *Clarence* at *Bauge*. *Henry*'s View in taking *James* along with him to *France*, was to incline him to order the *Scotch* Troops in the Dauphin's Service to return to their own Country; and we find in Hiſtory, that *James* actually gave ſuch an Order to his Troops: But the Earl of *Buchan* did not think himſelf oblig'd to obey his Sovereign, while he was in the hands of the *Engliſh*. So that *Henry*'s Policy prov'd abortive.

Agreement betwixt Henry *and his Priſoner the King of* Scotland. P. 125.

THERE's a Treaty of Alliance here[c], betwixt *Henry* and the Republick of *Genoa*. But 'tis of no great Importance, becauſe it did not bind the Parties to give each other mutual Aſſiſtance when there was occaſion. Nevertheleſs it ſhews the King's great Care to deprive the Dauphin of all manner of Aſſiſtance from the Allies of *France*, of which he had ſo much need; for we don't find that any Foreign Prince or State meddled in the War which was carried on in *France*, tho' it laſted above thirty Years after it was renew'd by *Henry*.

Henry's *League with the* Genoeſe. P. 117.

AFTER *Henry* V. had diſpatch'd all his Affairs in his own Kingdom, he return'd to *France* about the middle of *June*, leaving his Queen at home big with child; and he conferr'd the Dignity of Guardian or Regent upon the Duke of *Bedford* his Brother[d]. His Preſence was neceſſary in *France*, where the Dauphin began to make great progreſs, inſomuch that he kept the City of *Paris* in a manner block'd up. That Metropolis being ſet free by his Arrival, he made a pompous Entry into it, but did not ſtay there long; for about the Beginning of *Auguſt*, he ſet out with a deſign to give Battel to the Dauphin, who had then beſieg'd *Chartres*. The Dauphin retiring upon his approach, *Henry* purſued; but not being able to overtake him, he ſell at laſt upon *Dreux*, and made himſelf Maſter of it. He was before that Place on the 20th of *Auguſt*. His Forces being afflicted with a Dyſentery, he was oblig'd to put them into Quarters of Refreſhment, and himſelf return'd to *Paris*. Towards the middle of *October* he ſet out to beſiege *Meaux*. *Mezeray* places this Siege before that of *Dreux*, and even before King *Henry*'s Voyage to *England*[e]. His Chronology is ſo confus'd in the Events of the Years 1420, 1421, and 1422, that it would be endleſs almoſt to correct all his Errors. The Siege of *Meaux* commenc'd the 25th of *October*, according to *Monſtrelet*, and laſted above ſeven Months; for according to the publick Acts it did not capitulate 'till the 2d of *May*, 1422, tho' *Mezeray* ſays that it held out but three Months. This miſtake was owing to

He returns to France.

Duke of Bedford *made Guardian of the Kingdom.* P. 129.

Henry *raiſes the Blockade of* Paris.

Dauphin beſieges Chartres.

Henry *takes* Dreux. P. 150.

Sickneſs in his Army.

Mezeray's *Miſtakes about the Siege of* Meaux, *&c.*

It ſurrenders. P. 212.

[a] In this Battel above 2000 of the *Engliſh* were kill'd, according to *Buchanan*; but the *French* Writers ſay only 1500. The Loſs of the Enemy was computed at above 1000. *Goodwin* ſays, that *John Swinton* a *Scotch* Trooper firſt wounded the Duke of *Clarence*, but that the Earl of *Buchan* kill'd him. [b] At *Weſtminſter*.

[c] Dated the 29th of *May*, 1421. [d] By an Inſtrument dated at *Dover* on the 10th of *June*, 1421.

[e] 'Tis certain that the Siege did not commence 'till four Months after the King's Return. Mr. *Rapin* obſerves in his Hiſtory of *England*, Vol. III. of the *French* Edition, that *Mezeray* was led into this Miſtake by *Juvenal des Urſins* in his Reign of *Charles* VI.

to the Division of *Meaux* into two Parts, *viz.* the Town and the Market-place. The Town indeed was taken during the Winter, after which they were oblig'd to lay fresh Siege to the Market-place. The Capitulation of this Place, which is inserted at length in the *Fœdera*, may serve to vindicate *Henry* from certain Acts of Cruelty charg'd upon him, as if he had caus'd some of the Officers of the Garrison to be hang'd. 'Tis plain from the Articles, that he had expressly stipulated for the Delivery of certain Persons therein mention'd into the hands of Justice, for some Crimes of which they were guilty. For example, *Vaurus* was there hang'd upon a Tree which was call'd by his Name, because he had hang'd on it all the *Burgundians* that fell into his hands[a].

The Governor hang'd.

AMONG the Acts of the Year 1421, there are two of the King's Commissions to the Ambassadors whom he sent to the Emperor *Sigismond*[b]. The first was to treat with him for the Purchase of the Dutchy of *Luxemburg*. The second related to the Purchase of all that Prince's Rights in *Dauphiny* and *Languedoc*.

Henry's Negotiations with the Emperor for the Sale of Luxemburg, *&c.* P. 143, 144.

THERE's another Commission[c] to treat with the Marquis of *Baden* for the Ransom of *Olivier de Blois*, who was his Prisoner. This *Olivier de Blois* was the very same Count *de Ponthieure* who had carried off the Duke of *Bretagne*; after whose Deliverance he was oblig'd to fly his Country, and he design'd to retire to his Estate at *Avesnes* in *Hainault*; but fearing to take the direct Road thither, lest he should be apprehended by the way; he went thro' *Switzerland* and *Germany*, where the Marquis of *Baden* arrested him, on account of some Pretensions, which, as *Argentre* reports it, he had form'd upon *Avesnes*. 'Tis hard to conjecture what *Henry* could mean by wishing to have the Count *de Ponthieure* in his own hands; whether it was to do a Pleasure to the Duke of *Bretagne*, by giving up his Enemy to him, or rather to oblige him forthwith to sign the Peace of *Troyes*, for fear he should make a Tool of the Count to molest him in the Possession of the Dutchy; or finally, whether he had a Design to make use of the Name of *Olivier de Blois* to invade *Bretagne* for himself, just as *Edward* III. formerly made use of the name of *Edward Baliol* to render himself Master of *Scotland*.

His Treaty with the Marquis of Baden *for the Ransom of* Olivier de Blois. P. 145.

AMONG the Acts of this Year we likewise find certain Instructions given by *Henry* to his Ambassadors, whom he sent to *Germany* to desire Succours of the Emperor and the Electors[d]. What is particularly observable in these Instructions, is, that after he had guarded them against all Objections that might be made, by furnishing them with proper Answers, he ordains them, in case the Electors were very obstinate, to open a certain seal'd Commission which he had put into their hands. This is a Demonstration that he did not trust even the Ambassadors themselves with the real Secret of their Embassies, except in cases of great necessity. But this Instance of his precaution came to nothing, by reason of the religious Quarrels in *Bohemia*, mention'd in a Letter from one of the Envoys to the King[e].

Instructions to the Ambassadors he sent to Germany. P. 161.

Religious Quarrels in Bohemia. P. 208.

ON the 6th of *December* 1421, the Queen was deliver'd of a Prince, who was christen'd by the name of *Henry*. *Jaqueline* of *Hainault* was his Godmother.

Birth of Prince Henry.

AMONG the Acts of the Year 1422, there are several Patents from King *Charles*, whereby he confers the Government of *Languedoc* and *Bigorre* upon *John* Count *de Foix*. But it was a Government from which there was a necessity to remove the Count *de Clermont*, whom the Dauphin had establish'd there, while *Henry* was employed at the Siege of *Melun*. At the bottom of these Patents we find this Subscription, *By the King, on the Report of his Grand Council, held by the King of* England, *Heir and Regent of* France.

Patents for constituting the Count de Foix *Governor of* Languedoc *and* Bigorre. P. 176, 194.

TOWARDS the middle of *April*, Queen *Catherine* went over from *England* to *France*, accompanied by the Duke of *Bedford*, who left the Regency of the Kingdom to his Brother the Duke of *Gloucester*.

Queen returns to France.

Duke of Gloucester *left Regent.*

THE Duke of *Bretagne* seeming at length inclin'd to swear to the Peace of *Troyes*, *Henry* sent him a Safe-Conduct to repair to *Paris* with a Retinue of 1000 Persons. 'Tis dated *April* the 24th, 1422[f].

A Safe-Conduct for the Duke of Bretagne *to go to* Paris. P. 206, 207.

THIS Safe-Conduct was immediately follow'd by another of the same Date, wherein 'tis said, that the Duke of *Bretagne* not being in a condition to repair to King *Charles* in Person, *Henry* grants Protection to his Envoys, on condition that they have a power to swear to the Peace of *Troyes*, and to engage their Master to do the same. Nevertheless this Prince started several other difficulties to hinder his taking this Step: He had been Neuter ever since the beginning of the War, and was loth to declare himself of either side 'till it was ended, for fear of making his Country the Seat of the War. In short, he acted so warily, that he never swore to the Peace as long as the two Kings liv'd.

He shuffles it off.

THE Dauphin having laid Siege to *Cosne* upon the *Loire*, in the Month of *July*, the Besieged agreed to surrender the Place if the Duke of *Burgundy* did not relieve it by the 18th of *August*. The Duke being inform'd of this Agreement, desired Succours from King *Henry*, in order to go and raise the Siege. *Henry* made answer, that he would go upon that Enterprize himself; and he

Siege of Cosne.

[a] To revenge the Death of the Count *d'Armagnac**.

* Goodwin *says, this* Vaurus *was the chief Commander in the Town.*

[b] They are both dated at *Westminster* the 17th of *July*.

[c] Of the same Date.

[d] They are dated from the Army near *Meaux*, the 18th of *December* 1421.

[e] Dated from *Swynes* the latter end of *April*, 1422.

[f] At the Castle of *Roan*.

FOEDERA Tom. X. he march'd accordingly at the Head of his Army. But being overtaken with a Dyſentery by the way, he was oblig'd to ſtop, and to give the Command of his Troops to the Duke of *Bedford* his Brother, who went and join'd the Duke of *Burgundy*; on whoſe Approach the Dauphin return'd the Hoſtages which were ſent him from the Town, and retir'd.

Henry's Sickneſs and Death. P. 253. MEAN time, *Henry* perceiving that his Diſtemper grew worſe and worſe, caus'd himſelf to be carried to *Bois de Vincennes*, whither the Duke of *Bedford* poſted immediately, and ſaw him reſign his laſt Breath. Thus died this great Prince on the 31ſt of *Auguſt* 1422, after a glorious Reign of nine Years and odd Months. By his Will he order'd that the Duke of *Bedford* ſhould be Regent in *France*, and the Duke of *Glouceſter* in *England*, during the Minority of the Prince his Son, who was hardly yet nine Months old. Moreover, he very earneſtly preſs'd it, that the *French* Princes, who were Priſoners in *England*, might not be ſet at liberty 'till young *Henry* was of Age to govern his Dominions himſelf, unleſs it might be a means for procuring Peace. *Mezeray* was miſtaken a few Days, in placing *Henry* the Fifth's Death on the 28th of *Auguſt*; for there's a Memorandum in this Tenth Tome of the *Fœdera*, which ſays poſitively, that he died on the 31ſt of *Auguſt*, 1422 *.

Mezeray's Miſtake of the Day of his Death.

His Laſt Will.

* There are various Accounts of the Diſtemper which carried him off. The *French* Hiſtorians (as Mr. *Rymer* obſerves in his Dedication of this Tome) ſay, 'twas the Diſeaſe *de St. Fiacre*, which is a Flux accompanied with the Hemorrhoids. *Monſtrelet* ſays, he died of St. *Anthony*'s Fire. According to *Walſingham*, the King, by the Hardſhips he endur'd in the War, had brought on himſelf an acute Fever, attended with a violent Dyſentery. But *Peter Baſſet* Eſq; who was of his Bedchamber at the time of his Death, as well as his Attendant in all his Triumphs, and who 'tis ſaid carefully recorded his Exploits, affirm'd that he died of a Pleuriſy.

Before we paſs to the next Reign, we are tempted to give the General Character of this Great Prince, from the before-mentioned Third Volume of Mr. Rapin's *Hiſtory, wherein the Author, by judiciouſly connecting his Actions with their Circumſtances, has diſcovered the falſe Colourings thrown upon his Character by the* Engliſh *Hiſtorians, who will not allow that he had any one Defect, and renov'd ſome Shades caſt over it by the* French *Writers, on purpoſe to ſully the bright Parts of it.*

" In the firſt place, ſays he, as to the Government of his Kingdom of *England*, it muſt be own'd that he " ſteer'd wide of the Paths of *Richard* II. and even his own Father *Henry* IV. and never invaded the Liberties and Pri- " vileges of the People, of whoſe Happineſs he always ſhewed his Tenderneſs, by never refuſing his Aſſent to any " Bill of Parliament for the Publick Good. Yet in this reſpect he was facile to a Fault, when againſt his own " Inclination and Judgment too, he conſented to the Perſecution of the *Lollards*, out of pure Complaiſance to " the Clergy; for conſidering his excellent Senſe, he could not but ſee that there was little or no ground for the " Accuſation brought againſt them in the beginning of his Reign: But rather than he would openly retract his " Opinion, he always pretended as if he thought the Accuſation juſt, and at that very time too, when he pardon'd " ſuch of the condemn'd Perſons as pleaded not Guilty of the ſuppos'd Crime.

" Then as to his Military Atchievements, this part of his Conduct is perhaps, modeſtly ſpeaking, not ſo much " to his Credit as ſome have cried it up, notwithſtanding the glorious Succeſſes of his Arms. Indeed the Con- " queſt of *France*, conſider'd in itſelf, had ſomething in it which was great and wonderful: But upon a par- " ticular View of the then State of Affairs in that Kingdom, the thing cannot appear quite ſo extraordinary as it " ſeems to be, when taken apart from all its Circumſtances. He form'd his Enterprize at a time when the Di- " viſions of the *French* render'd them too weak to defend themſelves againſt him; for the very Places he took, " were only defended by the Beſieged, without any appearance of Troops to relieve them; and yet ſome of " thoſe Places held out ſeveral Months, 'till they were even ſtarv'd into a Surrender.

" The Battel of *Agincourt* therefore is the greateſt, and almoſt the only warlike Exploit for which he was juſtly " extoll'd; for in that celebrated Action he gave ſuch Proofs of Conduct, Courage and Valour, as are not com- " mon. But even this Battle, which to him prov'd ſo glorious, ſeems to call his Prudence very much in " queſtion. It may be ſaid, that tho' he conquer'd, it was becauſe he had put himſelf under an abſolute ne- " ceſſity either of vanquiſhing or periſhing, which is a Dilemma that a General never expoſes himſelf to, without " being liable to ſevere Reflections on his Conduct, whatever be the Succeſs. His Retreat to *Calais*, without " conſidering the Difficulties that attended it, and without ſecuring a Paſſage over the *Soame*; his Obſtinacy in " paſſing that River, and forcing his Retreat thro' an Enemy's Army ſo ſuperior in number to his own, ſeem " only excuſable by the Succeſs of the Battel of *Agincourt*, which was a ſort of Miracle; for if he had been " beat, than which nothing ſeem'd more probable, the World would not have fail'd to reproach him with Folly " and Raſhneſs. The Extremity to which he was reduc'd during his March (if the *French* Authors may be be- " liev'd) in being forc'd to offer the Reſtitution of *Harfleur*, and Reparation of the Damages he had caus'd in " *France*, ſhews how much he was convinc'd in his own mind that he had taken a raſh Step. Conſequently, " this Battel was owing more to his Perſonal Valour, than his Skill in the Art of War; for it muſt be confeſs'd, " that never Prince expos'd himſelf more in Battel, or gave more ſignal Proofs of true Valour, than *Henry* did " in this Action.

" As to his other Tranſactions in *France*, a Perſon may ſafely commend him for his fine Genius and his ſolid " Judgment. He manag'd the great Deſign he had form'd with wonderful Addreſs, by making a cunning Uſe of " the ſeveral Revolutions which happen'd in *France*, and turning them all to his own advantage. Few Princes " would have had the Temper he had, to halt after ſo glorious a Victory as that of *Agincourt*, and to prefer In- " action, which tho' not ſo glorious in appearance as if he had carried on the War, was in the main moſt to his " advantage. I cannot help thinking this Maſter-ſtroke of Policy one of the fineſt Paſſages of his Life, and one " of thoſe which give the cleareſt Evidence of the Soundneſs of his Judgment. The Negotiations which he " carried on at one and the ſame time with the Dauphin and the Duke of *Burgundy*, and the Inſtructions he gave " to his Ambaſſadors, plainly diſcover his Abilities, and how difficult it was to over-reach him. Some Writers " have been ſo laviſh in their Panegyric upon this great King, as to compare, nay, prefer him to *David*, " *Alexander* and *Caeſar*, forgetting a Parallel much nearer to their own Times and Country, which I think " would have been more juſt, namely, *Edward* III. his Great Grandfather, tho' for my own part I ſhould be " inclin'd to grant *Edward* the Preference; for he had to do with all *France* united againſt him; and the Diffi- " culties he met with in his Conqueſts were incomparably greater, and requir'd more Skill to ſurmount than thoſe " did which thwarted the Progreſs of *Henry* V.

" As for this King's Perſonal Qualities, both of Body and Mind, he had all that could make up the Character of " a great Man: He was robuſt, nimble, chaſte, temperate, could bear the Extremity of Hunger, Thirſt and " Weather, was a great Lover of Juſtice, devout without Guile, conſtant in Piety, ſerious in his Devotions, a " great Patron of the Church and Clergy, prudent in Council, daring in Enterprizes, and reſolute in their Execution. " He gave new Vigor to Military Diſcipline, which had been in a manner loſt in *England* ſince the Reign of

" *Edward*

" *Edward* III. Never did the *Engliſh* Nation ſhine with ſo much Luſtre as under this illuſtrious Prince, who was " moreover ſo happy as to end his Life in the middle of his Proſperities, and not to ſee, as *Edward* did, the Fruits " of all his Labour blaſted.

" After having mention'd what the *Engliſh* have ſaid to the Advantage of this Prince, the Impartiality of Hiſtory " demands that we ſhould not paſs over in ſilence ſome Faults with which the *French* have tax'd him, perhaps either " out of Ill-nature or Envy. Firſt of all they have charg'd him with Cruelty and Barbarity in his Management of the " War. This Accuſation they have founded not only upon the Maſſacre of the Priſoners at the Battle of *Agincourt*, " but on his putting to death ſome of the Officers who had ſignaliz'd themſelves in the Defence of *Caen*, *Melun* " and *Meaux*. But as to the Priſoners taken at *Agincourt*, there is no doubt that the Maxims of War, and the " Neceſſity of his own Security, might be an Excuſe for the Order he gave upon that Head, ſuppoſing that it was " not too precipitant. As to his Treatment of the Burghers and Garriſons of the Places he took, 'tis not impoſ- " ſible but there might be a Mixture of Revenge in it, on account of the Time which thoſe brave People had made " him loſe; but this I can only ſpeak by Conjecture. 'Tis certain that he was ſevere to ſome, but the Reaſons " are altogether unknown. And to clear up ſuch things, one ſhould know more Circumſtances than have as yet " come to light. Nevertheleſs, with reſpect to the People of *Meaux*, 'tis known that they had render'd them- " ſelves guilty of ſeveral Murders, for which without doubt they deſerv'd to be puniſh'd. It was neither Injuſtice " nor Barbarity to hang up the Baſtard *de Vaurus*, upon the very ſame Tree where he himſelf hung up all the Duke of " *Burgundy*'s Creatures that he could lay his hands on. I know nothing of the three others that were executed at " the ſame time, but 'tis not likely that they were ſingled out of all the reſt of the Garriſon, to make them feel the " Conqueror's Severity. As to the *Engliſh* and *Iriſh* Subjects of the King, who ſerv'd his Enemies, no wonder if " they were excepted out of the Capitulation. And it were only to be wiſh'd for *Henry*'s Reputation, that it were " as eaſy to apologize for his refuſing to give Quarter to the *Scots*, becauſe they would not yield Obedience to " their King at the time when he was actually his Priſoner.

" The *French* alſo accuſe this Prince of exceſſive Pride, to ſuch a degree, that, as they ſay, he ſent the Mar- " ſhal *de L'Iſle Adam* to the *Baſtile*, for having preſum'd to look him in the Face when he ſpoke to him. 'Tis " true, that if the King had no other reaſon for committing him, this was carrying an Air too ſtately and auſtere. " But who will ſay that a Look or a bare Geſture is not ſometimes very provoking? And who knows whether " there was not ſomething in the Marſhal's Addreſs, ſome aggravating Circumſtance, or ſome unguarded Ex- " preſſion which might intitle him juſtly to that Puniſhment, tho' they have taken care to conceal it?

" Avarice is another Fault, with which they charge him home. They ſay, that after he was declar'd Regent " and Heir of *France*, he never did a generous Action to the *Burgundians*, who had ſerv'd him, nor to the Dau- " phin's Party who made their voluntary Submiſſion to him. I will not undertake to juſtify him upon this " Head, the rather becauſe it does not appear that he was very liberal to the *Engliſh* themſelves that ſerv'd him, " either for want of Ability or Inclination. Tho' he had a great number of good Officers and excellent Generals, " we don't find that he rewarded them according to their Merit and Services, excepting only the Earl of " *Dorſet*, whom he created Duke of *Exeter*, with a Penſion of 1000 *l.* a Year; *Falſtaff*, to whom he gave a " conſiderable Eſtate in the Neighbourhood of *Harfleur*; and the Earl of *Salisbury*, whom he put in poſſeſſion " of the County of *Perche*. But however it be, perhaps the Want of Liberality in this Prince was an Argument of " his Wiſdom. I have already mention'd that the whole Revenue of the Crown amounted but to 56,000 *l.* " Sterling, and that he was oblig'd to pawn his Jewels to make up the Deficiency of what ſcanty Supplies the " Parliament granted him, to ſupport the Expences of the War. Was it proper for him to be laviſh under " ſuch Circumſtances? It were to be wiſh'd that on many occaſions Sovereigns would be more ſparing of their " Bounties, which are but too often a Burden upon their poor Subjects.

" Laſtly, another Fault which the *French* think fit to charge him with, is an unbounded Ambition. In order " to come at the truth of this Accuſation, one ſhould examine into the reaſon he had for renewing, or rather " continuing a War againſt *France*, which ſhe herſelf not only gave occaſion for, by the Violation of the " Treaty of *Bretigny*, but which *France* itſelf actually begun; tho' ſuch an Enquiry would be altogether needleſs, " after what has been ſaid in the Reign of *Edward* III. Mean time it cannot be denied, but *Henry* V. was " very ambitious. His firſt Aim at ſetting out was only to reſtore the Treaty of *Bretigny*; but as ſoon as he " had a Proſpect of aſcending the Throne of *France*, his Ambition did not ſuffer him to keep within thoſe Bounds " which he preſcrib'd to himſelf at the beginning of the War, as has been made appear by his Deſign of making " one of his Brothers King of *Naples*, and the other King of *Sicily*, of procuring four Provinces in the *Nether-* " *lands* for the Duke of *Glouceſter*, of purchaſing the Duchy of *Luxemburg*, and of treating for *Dauphiny* and the " Duchy of *Bretagne*."

Some of the *French* Writers have been ſo juſt indeed as to give this Prince that due Praiſe, which others of their Countrymen had not Good-nature enough to beſtow upon their Conqueror. " Never any Prince, ſays *Juvenal des Urſins*, " knew better how to conquer, or to keep what he had gain'd by his Victories: And his noble " Soul had deſign'd greater and more glorious Enterprizes, but he did not live to accompliſh them. He was " exact and impartial in his Adminiſtration of Juſtice, which made him rever'd by all, ſo that his Death was not " only lamented by the *Engliſh* his natural Subjects, but by the *French* too, who when they had felt the mild In- " fluences of his moderate Government, no longer regarded him as their Conqueror, but as their Father and Pro- " tector: For, ſays *Peter de Fenin*, he diſtributed Juſtice without Partiality or Favour, by which he entirely gain'd " the Affections of the People; for he protected 'em from the intolerable Violences and Oppreſſions which the " Nobles and Gentlemen caus'd them to ſuffer in all Parts of *France*. He made himſelf be exactly obey'd, ſay " *Monſtrelet* and *Fevre*, inſomuch that the ſtricteſt Order imaginable was obſerv'd in his Army; and he ſeem'd " to have reviv'd that antient martial Diſcipline of the *Romans*, by which they conquer'd the World. And to theſe " natural Endowments, ſays our *Goodwin*, were added the Advantages of Learning, for his firſt Youth was ſpent in " the Univerſity of *Oxford*, where his Father had plac'd him under the Tuition of his Uncle *Henry Beauford*, " Chancellor of that Univerſity, Biſhop firſt of *Lincoln*, then of *Wincheſter*, and afterwards a Cardinal, with the " Title of *Euſebius*."

Another *Engliſh* Writer, *viz.* the anonymous Author of the Hiſtory of *England*, which was firſt printed in two Volumes *Octavo*, above 20 Years ago, has mentioned ſome Peculiarities in his Character, with which we ſhall conclude.

" He was ſo nimble-footed, that with two of his Lords, without Bow or other Engine, he could take a wild " Buck or Doe in a large Park. He was a great Lover of Muſick both Inſtrumental and Vocal; and in his " Chapel, among his other private Devotions, he uſed certain Pſalms of *David*, tranſlated into *Engliſh* Verſe by " *John Lydgate* a Monk of *Bury*. What was ſaid of *Æneas*, may be truly affirm'd of him:

———Quo juſtior alter
Nec Pietate fuit, nec Bello major & Armis.

" For he ſeldom fought a Battle where he did not gain the Victory, and never won a Victory, where he did not " give the Glory to God by a publick Thankſgiving. He was a better Man, and a much better King than a " Subject: Till then, he was not in his proper Orb; and then no wonder that his Motion was irregular. He " was merciful in his Nature, but not to the prejudice of Wiſdom or Juſtice; and therefore eſteem'd wiſe Se- " verity better than fooliſh Pity. He was ſo temperate in his Diet, and ſo free from Affectation or Vain-Glory, " that it might be truly ſaid he had ſomething in him of *Cæſar* that *Alexander* the Great wanted, Sobriety; and " ſomething of *Alexander* that *Cæſar* had not, and that was, he would not be flatter'd. He was indeed a great " lover of Glory, but not that empty Bubble made up of popular Breath, but what was real and ſubſtantial, and " would laſt till Time be no more."

The

The Reign of *HENRY* VI.

FOEDERA Tom. X.

Having done with thoſe Acts in the Tenth Tome of the Fœdera, *which relate to the two laſt Years of the Reign of* Henry V. *I proceed to the Remaining Acts, which take in the nineteen firſt Years of* Henry VI. *from the firſt of* September 1422, *to the latter end of* October, 1441.

THE Affairs of *France*, and the Domeſtick Tranſactions being the principal Subject of the Hiſtory of theſe nineteen Years, one muſt have a juſt Idea of both theſe Branches in particular, to be able to comprehend the Motives of the Acts contain'd in this Tome: Not but there are a great many other things, ſome of which naturally depend on theſe; but to treat of ſuch in particular, would run out our Extract to an exceſſive length.

BEFORE I ſpeak of the Acts in this Tenth Tome, which are uſeful for the explaining of Hiſtory, 'tis abſolutely neceſſary to ſhew what was the State of the *Engliſh* Affairs at the time of *Henry* the Fifth's Death, and what turn they took afterwards, during the nineteen firſt Years of *Henry* VI.

State of Affairs at the Death of Henry V.

HENRY V. had put his Affairs both in *England* and *France* into a very advantageous Situation. In *England* he was belov'd, fear'd, and eſteem'd by all his Subjects. There was not the Appearance of any one Seed of Rebellion lurking amongſt them. The Crown ſeem'd to be eſtabliſh'd for ever in the Houſe of *Lancaſter*. As to *France*, every thing ſucceeded to that Monarch's Wiſhes, and even far beyond his Hopes. After the Battel of *Agincourt*, moſt of the Princes of the Blood Royal of *France*, or the chief at leaſt of thoſe whom he included in the number of his Enemies, were his Priſoners in *England*. By the Peace of *Troyes* he had acquir'd the Titles of Regent and Heir of *France*, with the Right of ſucceeding to the Crown after the Death of *Charles* VI. his Father-in-law. And it may be ſaid, that during the two laſt Years of his life he was really King of *France*, tho' he had not the Royal Style and Title, becauſe he abſolutely govern'd in the Name of *Charles*, who was no more than the ſhadow of a King. But in order to have a right Idea of the Extent of this Prince's Dominion in *France*, it muſt be remember'd, that immediately after the late Duke of *Burgundy* had made himſelf Maſter of *Paris*, and of the Perſon of King *Charles*, the Dauphin, who had a wonderful Eſcape, aſſum'd the Title of Regent, and that ſeveral Cities and Provinces rang'd themſelves under his Obedience. Conſequently, *Henry* V's Authority as Regent, extended no farther than the Iſle of *France*, *la Brie*, *Champagne* and *Picardy*. And even in thoſe Provinces there were ſeveral good Towns which ſided with the Dauphin. *Henry* alſo poſſeſs'd *Guyenne* and *Normandy*; not as Fiefs of the Crown of *France*, but in full Propriety and Sovereignty; at leaſt he claim'd it as ſuch. The firſt of thoſe two Provinces had been in his Family for almoſt 300 Years, and he had reconquer'd the ſecond ſince the renewing of the War. He alſo reckon'd the two *Burgundys* with *Flanders* and *Artois*, to be his Dependencies, becauſe they belong'd to the Duke of *Burgundy*, who own'd him for Regent and Heir of *France*, and was moreover his firm Friend.

HENRY VI.

Diviſion of France under Henry V. and the Dauphin.

THE Dauphin had under his Obedience *Languedoc*, *Dauphiny*, *Poictou*, *Saintonge*, the *Angouleſme*, *Limouſin*, *Perigord*, *Auvergne*, *Lionois*, *Berry*, *la Touraine*, *la Beauſſe*, and all the other Countries in general along the *Loire*. He was alſo own'd in *Provence*, *Anjou* and *Maine*, which belong'd to his Brother-in-law *Lewis* of *Anjou*, King of *Sicily*. And *Bretagne* was the only Province in all *France* that obſerv'd a Neutrality. By this Diviſion of the Provinces in the Intereſt of each of the Parties, 'tis eaſy to gueſs that their Forces would not have been unequal, if *England* which continually ſupply'd *Henry* with Troops and Money, had not made the Balance turn on his ſide.

IT was no eaſy Task for *Henry* to eject the Dauphin out of the Provinces of which he was in poſſeſſion, or which own'd him for lawful Heir to the King his Father: notwithſtanding the Peace of *Troyes* which excluded him from the Succeſſion. To ſucceed in this Deſign, it was abſolutely neceſſary, in the firſt place, to make himſelf Maſter of the Towns which the Dauphin retain'd in the Iſle of *France*, and the neighbouring Provinces: And this was *Henry's* principal Care during the two laſt Years of his Life. If he had liv'd longer, 'tis very probable that he would not only have put that Project in execution, but that he would alſo have carry'd his Arms into the Southern Provinces, beyond which his Enemy could have had no ſhelter.

THIS Monarch had another Care upon him too, and that was to oblige the Duke of *Bretagne* to ſwear to the Peace of *Troyes*.

SINCE the War was renew'd, the Duke had obſerv'd an exact Neutrality: But as ſoon as the Peace was proclaim'd, he ſaw himſelf neceſſarily oblig'd either to ſubmit himſelf to it, or to take part with the Dauphin. He was very ſenſible that *Henry*, being become Regent, would not ſuffer a Vaſſal of the Crown to remain in a ſtate of Neutrality. For the Neutrality of the Duke of *Bretagne* which was advantageous to the King of *England* while he diſputed the Crown of *France*, was no longer ſo after the

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Quarrel was decided in his Favour. Conſequently, the Duke of *Bretagne* could neither remain neuter, nor take part with the Dauphin who was not in a Condition to protect him, without bringing the War into his Country. Theſe Conſiderations made him determine to ſend Ambaſſadors to *Henry*, to give him to underſtand that he was diſpos'd to ſwear to the Peace of *Troyes*. *Henry* accepted his Offer; but the Duke made ſo many Delays, that before he did it he heard of *Henry*'s Death; ſo that contrary to his Expectation he ſaw himſelf at liberty, either to continue neuter, or to eſpouſe that Party which beſt ſuited with his Intereſts.

Duke of Bretagne *dallies with* Henry V.

HENRY V. died the 31ſt of *Auguſt*, 1422, at a time when he was employ'd in the Conqueſt of thoſe Places which the Dauphin was poſſeſs'd of near *Paris*, and in negotiating with the Duke of *Bretagne* for his Acceptance of the Peace of *Troyes*. His Father-in-law *Charles* VI. ſurviv'd him but 50 Days, or 'till the 21ſt of *October*. The Death of thoſe two Princes, which happen'd ſo near each other, entirely chang'd the face of Affairs. As ſoon as the Eyes of *Charles* VI. were clos'd, the Duke of *Bedford*, Brother to the late King *Henry* V. caus'd *Henry* VI. his Nephew, tho' but ten or eleven Months of Age, to be proclaim'd King of *France*. At the ſame time, the Dauphin caus'd himſelf to be crown'd at *Poictiers*, by the Name of *Charles* VII. Thus the ſame Reaſon which *Edward* III. formerly had for beginning the War, and *Henry* V. for renewing it, after a very long Interruption, ſtill ſubſiſted to incline *Henry* VI. or his Council to continue it, tho' with a better Foundation than his two Illuſtrious Predeceſſors. For *Edward* III. and *Henry* V. began it on Pretenſions which were never determin'd; but *Henry* VI. had the Treaty of *Troyes* in his favour, which adjudg'd the Crown of *France* to him, after the Death of *Charles* VI. his Grandfather by the Mother-ſide. On the other hand, *Charles* VII. far from owning the Authority or Validity of the Peace of *Troyes*, alledg'd on the contrary, that it was purely owing to the Malice and Preſumption of the Queen his Mother, and the Duke of *Burgundy*, who had impos'd on the Weakneſs of the King his Father, known to the whole World. He inferr'd from thence, that this pretended Peace made by an infirm King, and which had been only ratified by a few of the States of *France*, could not be regarded as a Fundamental Law, the rather becauſe it ſapp'd the real Foundations of the Succeſſion to the Throne. This is the Ground of that War which was carried on for above 30 Years longer, 'till mere Force of Arms decided the Quarrel in favour of *Charles* VII. And this is the Subject of the Acts of this Tenth Tome, which relate to the Affairs of *France*. The major part of thoſe Acts are of no great uſe for explaining the Military Actions, which are particularly reported in all the Hiſtories of that Period. But ſome of them are very uſeful, with regard to State-Affairs and Negotiations. Mean time, as they ſuppoſe ſuch Conſequences as were produc'd by the War during the 19 Years included in this Tome, 'tis abſolutely neceſſary to give a general Account of what paſs'd in that Interval, becauſe thoſe Acts are founded thereupon. And afterwards it will be altogether as neceſſary to mention a Word of the Domeſtick Affairs of *England*; theſe two Branches having ſo near a Correſpondence with one another, that to ſeparate them would be leaving them in ſome Obſcurity.

HENRY VI.

Death of Henry V. *and of* Charles VI.

Henry VI. *of* England *proclaim'd King of* France, *but the Dauphin crown'd.*

Pretenſions of Henry VI. *excepted againſt by* Charles VII.

I. *Affairs of* France.

THE Duke of *Bedford*, the eldeſt of *Henry* the Fifth's Brothers, who had been appointed Regent of *France* by the King his Brother on his Death-bed, directed all Affairs, both Military and Political, 'till his Death, which happen'd in 1435. He was a Prince endow'd with very excellent Qualities: To compleat his Praiſe in one word, 'tis ſufficient to obſerve that he perfectly reſembled the late King his Brother. Under his Conduct the Affairs of the King his Nephew proſper'd every day more and more 'till the fatal Siege of *Orleans*, of which we ſhall take notice hereafter.

Character of the Duke of Bedford, *Regent of* France.

IN 1423, the Earl of *Salisbury* won the Battel of *Crevant*, and in 1424 the Duke of *Bedford* gain'd a great and ſignal Victory at *Verneuil* *. Theſe two Shocks which *Charles* receiv'd one upon the back of another, would have put him out of a Capacity to have ſtood his ground any longer, if ſeveral unforeſeen Events had not contributed to re-eſtabliſh his Affairs on a better Footing.

Battles of Crevant *and* Verneuil.

THE firſt of theſe Events was a Quarrel which happen'd between the Duke of *Burgundy* and the Duke of *Glouceſter* (who was Brother to the Duke of *Bedford*, and Regent in *England*) upon account of *Jaqueline* of *Hainault*. This Princeſs, who was Widow of Dauphin *John*, ſecond Son of *Charles* VI. having married the Duke of *Brabant*, was ſo unhappy with this ſecond Husband,

Quarrel betwixt the Dukes of Burgundy *and* Glouceſter, *on account of* Jaqueline *of* Hainault.

* This Battel was fought the 28th of *Auguſt*, according to the *Compleat Hiſtory of* England, which, in a Note from *Hollingſhead*, ſays, that *Mountjoy* King at Arms, and the other *Engliſh* Heralds there preſent, reported that there were 9,700 *French* and *Scots* kill'd, and 2,100 *Engliſh*; the number ſlain on the ſide of the Enemy being as great as that of the *Engliſh* Army, which conſiſted but of 1,800 Horſe, and 8000 Foot. The *Compleat Hiſtory* adds, that the Duke of *Alenſon*, the Lords *Tajeſt* and *Hermit*, Sir *Pierce Harriſon*, and above 300 other Gentlemen, beſides common Soldiers, were taken Priſoners: And that the Viſcount *Narbon*, tho' ſlain in the Fight, was afterwards hang'd on a Gibbet, becauſe he had been one of the Murtherers of the Duke of *Burgundy*. And that the Enemy alſo loſt moſt of their beſt Commanders, as well *Scots* as *French*, viz. The Earls of *Aumerl*, *Douglas*, *Buchan*, *Ventadour*, *Foreſt* and *Marie*, the Lords *Gravile*, *Fountains*, *Ambois*, *Gaules*, *Touars* and *Poiſy*.

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Husband, that at length she resolv'd to retire to *England*. As soon as she was there, she sent to Pope *Benedict* XIII. tho' he had been depos'd by the Council of *Pisa*, to dissolve her Marriage; which Divorce she no sooner obtain'd, but she married the Duke of *Glouceſter*, who put himself in possession of *Hainault*. That was the real Cause of the Rupture betwixt him and the Duke of *Burgundy*, who adher'd to the Cause of his Cousin-German the Duke of *Brabant*; and their Quarrel rose to such a height, that they agreed to decide it by single Combat; but they did not stand to their Agreement. Whatever was the matter, the Duke of *Glouceſter* minding only his private Affairs, and the Acquisition of *Hainault*, *Holland*, *Zealand* and *Friseland*, which were *Jaqueline*'s Inheritance, neglected to send to the Regent of *France* his Brother those Succours, by the help of which he would probably have compleated the Conquest of *France*, considering the then desperate Condition of *Charles*'s Affairs.

Duke of Gloucester marries her.

THE second Event which made well for King *Charles*, was the Defection of the Duke of *Bretagne* from his late Attachment to *England*. In 1423, the Dukes of *Bedford* and *Burgundy* had gain'd over the Count *de Richemont*, who carried the Duke of *Bretagne* his Brother to *Amiens*, where he sign'd a Treaty of Alliance with those two Princes. At the same time they concluded a Marriage between the Duke of *Bedford*, and *Anne* Sister to the Duke of *Burgundy*, and another between the Count de *Richemont*, and *Margaret* another of the Duke of *Burgundy*'s Sisters, and Widow of the Dauphin *Lewis*. Some time after, the Count *de Richemont* quarrelling with the Duke of *Bedford*, prevail'd on his Brother the Duke of *Bretagne* to side with King *Charles*, and receiv'd the Sword of the Constable of *France* as a Reward of his Service. Consequently, the Duke of *Bretagne*, being now become an Enemy to the *English*, suffer'd the Constable his Brother to raise an Army of 20,000 Men in his Country to act against them.

Duke of Bretagne's Defection from the English Interest.

Marriages of the Duke of Bedford and the Count de Richemont to the Duke of Burgundy's Sisters.

AT the same time a very warm Quarrel betwixt the Duke of *Glouceſter* and his Uncle *Henry Beaufort* Bishop of *Wincheſter*, so embroil'd the Court of *England*, that the War with *France* was entirely neglected. It was carried to such a heighth on both sides, that the Duke of *Bedford* was oblig'd to hasten over to *England*, to endeavour to accommodate it, at the very time when the Constable *de Richemont* was preparing to invade *Normandy* with an Army of 20,000 Men. These three Events which I have just mention'd, gave King *Charles* time to recover breath, and robb'd the *English* of a fair Opportunity to push him beyond the *Loire*, and perhaps to drive him out of the Kingdom.

Quarrel betwixt the Duke of Gloucester and the Bishop of Wincheſter.

Duke of Bedford goes over to England to pacify it.

THE Duke of *Bedford* stay'd in *England* all the Year 1426. And the Constable *de Richemont* taking advantage of his Absence, and of the Disturbances at the Court of *England*, enter'd into *Normandy*, and made himself Master of *Pontorson*; but afterwards going to besiege *St. James de Beuvron*, he there lost his Baggage and Artillery, by means of a Panic Terror which seiz'd the Troops as they were making an Attack: And not long after, his Army disbanded themselves, because he had no Money to pay them. On the other hand, the Earl of *Warwick*, who commanded in *France* in the Regent's absence, receiv'd a terrible Shock at the Blockade of *Montargis*, where the Bastard *d'Orleans* beat two of the three Bodies into which the *English* Army was divided the better to block up the Place. The weak Condition which the *English* were in at that time, might have been of vast advantage to King *Charles*, if it had not been for the Troubles at his own Court, owing to the high Spirit of the Constable.

The Count de Richemont's Progress.

His Army leaves him for want of Pay.

Earl of Warwick defeated at Montargis.

IN 1427, the Duke of *Bedford* return'd to *France* with a great Reinforcement of Troops; and therewith oblig'd the Duke of *Bretagne* to renounce his Treaty with King *Charles*, and to promise that he would do Homage to *Henry*, according to the Peace of *Troyes*.

Duke of Bedford returns to France.

He reduces the Duke of Bretagne.

BY the Duke of *Bedford*'s Return, the Face of Affairs was quite alter'd. In 1428, the *English* had 20,000 Men on foot in *France*, besides their Garrisons, while King *Charles* had not an Army to take the Field with. Moreover, the Earl of *Salisbury* arriv'd from *England* in *July* with a Reinforcement of 5000 Men.

Earl of Salisbury carries over more Forces from England.

THE Regent finding himself vastly superior, resolv'd upon the Execution of that Design, which he had long form'd, of carrying the War into the Heart of the Provinces which own'd King *Charles*. For this end he put 16,000 Men under the Command of the Earl of *Salisbury*, and order'd him to advance towards the *Loire*. This General being Master of the Country without any danger of Opposition from *Charles*, held a great Council of War, in which they resolv'd upon the Siege of *Orleans*; but before he commenc'd it, he thought fit to take in several little Places in the Neighbourhood, which might have incommoded him. While he spent time in these trifling Conquests, the *French* provided *Orleans* with all manner of Necessaries for its Defence; and at the same time a great number of Generals and other Officers threw themselves into the Place. The *English* Army did not come before it 'till the 12th of *October*.

Siege of Orleans.

IT would be spending time to no purpose to give a particular account of this famous Siege, the Circumstances of which are related in all the Histories both of *France* and *England*;

Mr. *Rapin*, who dates this Battle on the 16th of *August*, says, that the *French* and *Scots* left above 5000 Men kill'd in the Field of Battle, besides a great number of Wounded, and Prisoners, among the latter the Marshals *de la Fayette* and *Gaucour*; and that the *English*, who lost about 16 or 1700 of their bravest Soldiers, found all the Baggage of the *French*, *Scots*, and *Italian* Officers in *Verneuil*, with the Money design'd to pay their Army.

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and such a Detail would be yet more unnecessary here, because there are but few Acts in this Tome which mention it. However, since the Success of this Siege serves as the Basis and Foundation of what is to follow hereafter, 'tis impossible to avoid giving some account of it.

Earl of Salisbury *kill'd before it, and the Earl of* Suffolk *commands in his room.*

THE Earl of *Salisbury*, General of the *English* Army, was kill'd with a Cannon-Ball at the beginning of the Siege, and the Earl of *Suffolk* took on him the Command of the Forces. During the Lent Season of the Year 1429, the Duke of *Bedford* sent a Convoy of Salt-Fish from *Paris*; which was attack'd by the *French*, but they were repuls'd with great Loss. This Action was call'd the *Herring Battle*[a].

Herring Battle.

HITHERTO every thing fell out as the *English* would have it. As King *Charles* was not able to bring an Army into the Field, there were no Hopes of his saving *Orleans*. But one of the most extraordinary Incidents that ever happen'd, procur'd him what in the nature of the thing he could never have expected. While he was at *Chinon* in *Poictou*, despairing of being ever able to maintain himself longer in the Northern Provinces, and contriving how to make a Retreat to *Dauphiny*, a Country-woman of *Lorrain*, who was 28 Years old, and call'd *Joan* of *Arc*, came to his Court and told him, that she had an express Order from Heaven to raise the Siege of *Orleans*, and to have him crown'd at *Rheims*. This Story is so well known, that it would be superfluous to enter into the further Particulars of it. And it would be still more unnecessary in this Place to examine from what Motive this young Woman acted, who they said was rais'd up by a Miracle for the saving of *France*, and to whom they afterwards gave the Name of *The Maid of* Orleans. It shall suffice to say in a few words, that *Charles* having resolv'd, as the last Remedy, to attempt the throwing of a Convoy into *Orleans*, *Joan* of *Arc* desir'd to be one of the Party: That the Convoy enter'd the City in spite of all the Besiegers could do to hinder it: That two Days after, the *Maid* putting herself at the head of a great Detachment of the Garrison, attack'd the chief Forts which the *English* had rais'd about the Place, and carried them Sword in hand. And finally, that this vigorous Action forc'd the Besiegers to raise the Siege in Disorder, after having been seven entire Months before it.

Story of Joan *of* Arc, *call'd* the Maid of *Orleans, from her raising the Siege of that City.*

Duke of Bedford's *Letter about her to the King. P.* 408.

THE following is the Fragment of a Letter from the Duke of *Bedford* to the King his Nephew, after the raising of the Siege; which shews how much he and all the *English* were astonish'd at this unexpected Event. 'Tis without Date, and is improperly inserted among the Acts of 1428, tho' 'tis plain it could not be wrote before the raising of the Siege of *Orleans*, which was in *May* 1429.

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"ALL things here prosper'd for you 'till "the time of the Siege of *Orleans*, under- "taken by whose Advice God only knows. "Since the Death of my Cousin of *Salis-* "*bury*, whom God absolve, there fell by "the Hand of God, as it seemeth, a great "Stroke upon your People, that was as- "sembled there in great number, caus'd in "great part, as we trow, by the Confidence "they had in a Disciple and Limb of the "Devil, call'd *Pucelle*, (i. e. Maid or Vir- "gin) that us'd false Inchantments and "Sorcery.

"THE which Stroke and Discomfiture "not only lessen'd in great part the number "of your People here, but also sunk the "Courage of the Remainder in a wonder- "ful manner, and encourag'd your Enemies "to assemble themselves forthwith in great "numbers."

Decay of the English *Affairs in* France.

AFTER that time, the *English* Affairs fell into such a State of Decay, as was perfectly astonishing. They soon lost all the Places which they had taken about *Orleans*, and the Earl of *Suffolk* was made Prisoner in *Gergeau*. And in this very Year of 1429, they were defeated at *Patay*, and their General *Talbot* was left a Prisoner in the hands of the *French*. In fine, King *Charles* in a little time went to *Rheims*, where he was crown'd, after having travell'd through 50 Leagues of the Enemy's Country, and taken possession of many Places upon the Road, which voluntarily surrender'd to him.

Earl of Suffolk *taken Prisoner.*

Charles's Coronation at Rheims.

THE Duke of *Bedford* being without an Army, stay'd at *Paris* expecting fresh Troops that were to come from *England*; during which *Charles* did not fail to improve his Advantage, and, without striking a Stroke, took possession of a great many Places which voluntarily fell off from the *English*. At last, Succours arriving from *England*, the Regent made considerable Draughts from his Garrisons; and having therewith form'd an Army, march'd directly against the Enemy: but no Battel ensued that bout, because each of them was willing to fight with advantage, and without running a Risque. Mean time, the Duke of *Bedford* had the mortification to see himself robb'd of his Towns without being in a Condition to hinder it, because having been compell'd to draw out some entire Garrisons, and to weaken others, they were only left to the Guard of the Inhabitants. Thus pass'd the Year 1429, which was so fatal to *England*.

English Conquests surrender to him.

IN *April* 1430, King *Henry* being nine Years of Age, went over to *France*, and was crown'd at *Paris*[b].

Henry's Coronation at Paris.

THE same Year the Duke of *Burgundy* took the Field with a powerful Army, and sent

[a] The Convoy was conducted by the gallant Sir *John Falstaff* with 1700 Men, who was attack'd on the 12th of *February*, 1429, by the Earl of *Clermont* at the Head of 3000, whom he repuls'd with such a Slaughter, that 120 of their Noblemen and Officers of Distinction were kill'd, besides a great number of common Soldiers.

[b] On the 17th of *December*.

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sent the Count *de Ligni* of the *Luxemburg* Family, to beſiege *Compiegne*. The Maid of *Orleans*, who had thrown her ſelf into the Place, was taken Priſoner in a Salley, and deliver'd up to the *Engliſh*.

Maid of Orleans taken Priſoner at Compiegne.

IN 1431, this famous Maid being tried by an Eccleſiaſtical Court, was declar'd a Witch, a Heretic, and a Schiſmatic, and condemn'd to be burnt; which Execution was perform'd accordingly at *Roan*, upon the 30th of *May*.

Her Trial, Sentence, and Execution.

ABOUT the beginning of the Year 1432, King *Henry* return'd to *England*, while thro' the Weakneſs of both Parties the War in *France* was carry'd on but faintly.

Henry's Return to England.

THE Years 1433, 1434 and 1435, were almoſt entirely ſpent in a Negotiation, wherein the *Engliſh* were always bubbled. As this has a reference to one of the moſt curious Pieces in this Tenth Tome of the *Fœdera*, which contains ſuch Particulars as are not to be met with in Hiſtory, it will not be improper to give the Key of it in this place, for the better underſtanding of the Act it ſelf, the Subſtance of which ſhall be given hereafter.

UPON the Decline of the *Engliſh* Affairs, the Duke of *Burgundy* thought of making his ſeparate Peace with King *Charles*. 'Tis true, that in 1430, he ſent, or rather brought an Army himſelf into *France* to the aſſiſtance of the *Engliſh*. But this was becauſe he was not yet fully determin'd which way to ſteer. Beſides, his third Marriage with *Iſabel* of *Portugal*, *Henry*'s near Relation, contributed not a little to continue him for a while in his Alliance with *England*. Be this as it will, in 1433 he reſum'd his firſt deſign. King *Charles* being inform'd how his Pulſe beat, caus'd this Affair to be negotiated with him ſo ſecretly, that the *Engliſh* had no knowledge of it. In fine, their Accommodation was concluded by the means of the Conſtable *de Richemont*, who took an opportunity to go and confer with the Duke about an Affair relating to the Count *de Clermont*. There only remain'd one difficulty to get over, and that was to furniſh the Duke of *Burgundy* with a fair Pretext for making his ſeparate Peace, that his Reputation might ſtand clear with the Publick. For this purpoſe it was agreed, that ſome third Perſon ſhould propoſe to the *Engliſh* Council a Congreſs of Ambaſſadors for treating of a Peace; and that *Henry* ſhould be put in hopes of ſuch conſiderable Advantages, that whether the Peace was concluded, or whether the Conference ſhould break up *re infecta*, he might be ſure of being a very great Gainer. The View of this Propoſal was to engage the *Engliſh* to enter into a Negotiation upon theſe Hopes, to the end that afterwards when they ſaw nothing came of it, they might be provok'd to break off the Conference abruptly. And from thence the Duke of *Burgundy* was to take an occaſion to ſay, that it was plain the *Engliſh* had no deſire for Peace, and that he was not oblig'd to carry on the War eternally for their ſakes. This is not the only time that this ſame trick has been play'd, as might be prov'd from Examples of a much later date.

Duke of Burgundy negotiates with King Charles.

THE Duke of *Orleans*, who had been a Priſoner in *England* ever ſince the Battle of *Agincourt*, was reckon'd the fitteſt Tool to decoy the *Engliſh* into the intended Snare. That Prince, notwithſtanding the Character of Probity, and even of Sanctity, for which the *French* Hiſtorians have ſo much celebrated him, proſtituted himſelf without ſcruple to act his Part in the Fraud. In 1433, he ſignify'd to the Council of *England*, that the Queen of *Sicily* Mother-in-law to K. *Charles*; *Charles* of *Anjou*, his Son, who was at that time the ſaid King's Favourite; and many other Grandees had acquainted him that all *France* was ſo weary of the War, that it was a proper time to think ſeriouſly of a Peace; and that for the obtaining ſo great a Bleſſing he had a Commiſſion to make the ſaid Propoſal to the King of *England* and his Council. Having thus broke the Ice, he offer'd to uſe all his Intereſt for promoting the Work, in hopes that if it had the good ſucceſs which he expected from it, he ſhould gain his Deliverance, which he could not poſſibly obtain without a Peace; for *Henry* V. had poſitively recommended it on his Death-bed, not to releaſe this Priſoner, unleſs his Liberty might be a means for procuring Peace. Mean time, as the Duke of *Orleans* was very ſenſible that ſo general a Propoſal would not come to much, he made other particular Overtures, by which he demonſtrated, that whether a Peace was concluded or not, great Advantages would nevertheleſs ſtill redound to the King of *England* from the Conference which the *French* deſired. Thoſe Advantages were of this nature.

IN the firſt place, he made believe that he did not queſtion but a Peace might be concluded, provided an honourable Appannage was granted to the Dauphin; and he inſinuated that the Queen of *Sicily*, *Charles* of *Anjou*, and the other Grandees were of the ſame Opinion: by which he left it to be inferr'd, that this was alſo the Sentiment of King *Charles*, becauſe the Perſons he named were ſuch as had the largeſt ſhare of his Confidence. In the ſecond place, in caſe that there ſhould not be a Peace, he offer'd to own *Henry* for King of *France*, to pay him Homage, to deliver him up *Orleans*, *Blois*, and in general all the Places in his Domain, with many others which did not belong to him, as *Rochel* and *Mount St. Michael*. To this he alſo added other Offers very advantageous to the King, as may be ſeen in the Piece it ſelf, which I juſt now mention'd. The Council of *England* being dazzled with theſe fair Offers, which they believ'd would really take place, whether there was a Peace, or whether the Negotiation miſcarry'd, conſented to enter into a Treaty. The City of *Calais* was immediately

pitch'd on for the place of Congreſs, in order to ſhew the *Engliſh* that they were in earneſt: But afterwards, the Duke of *Burgundy*, who had his particular Views, manag'd ſo dexterouſly, that he obtain'd that the Conference ſhould be held at *Arras*.

Congreſs at Arras.

THIS Affair ſpun out a long time before it could be adjuſted; for the Congreſs was not open'd at *Arras* till the 6th of *Auguſt* 1435. At firſt, the Plenipotentiaries of *Charles*, as if they had ſtrain'd a great Point of Generoſity, offer'd to leave *Guyenne* and *Normandy* to *Henry*, on condition that he would do Homage for them to King *Charles*, and reſign the Title of King of *France:* which was the ſame thing as if they had ſaid that they were willing to let *Henry* have a couple of Provinces, of which he was actually in poſſeſſion, and where King *Charles* had not one Foot of Land, except *Mount St. Michael* in *Normandy*; and that the purchaſe of this mighty Favour muſt be the Reſignation of all his other Poſſeſſions in the Kingdom, and of the Title of King of *France*. The *Engliſh* being ſurpriz'd with a Propoſal ſo wide from the Hopes which the Duke *Orleans* had made them conceive, would hear no more, and retir'd very much diſguſted. Then it was that their ſudden Departure was loudly proclaim'd, as an evident Proof that they were not for Peace, ſince they refus'd ſuch reaſonable Offers. From thence alſo the Duke of *Burgundy* took occaſion to make his ſeparate Peace, or at leaſt toſign it in publick, for it was all concluded before. Never did any King of *France* make ſo ſcandalous a Peace; but Neceſſity, which has no Law, was his Excuſe. On the other hand, the Duke of *Orleans* did not perform a tittle of what he had promis'd.

Charles's Peace with the Duke of Burgundy.

WE obſerve in this Tenth Tome of the *Fœdera*, that the Council of *England* was ſo far from ſuſpecting the Duke of *Burgundy* of Treachery, that he was nominated by the King to be chief of the Embaſſy on the part of *England*, and that nothing ſhould be concluded without him [a].

Duke of Burgundy's *Commiſſion from* Henry *as Chief of his Embaſſy. P.* 611.

WE find likewiſe in the ſame Tome, that they had had ſecret Advice in *England*, that this Duke had deſir'd the Pope's Diſpenſation for the Oaths which he had taken to the late and preſent Kings of *England*. Upon this Intelligence, an Ambaſſador was ſent to the Pope, to know the Truth of it. *Eugene* IV. anſwer'd in ambiguous Terms, that no *French* Prince had deſir'd ſuch a Diſpenſation from him. And in his Letter to the King [b], he adds, *In futurum autem, credere debes, nos, in ea parte & reliquis, honorem & deſiderium tuum concernentibus, ita diſpoſituros, ut de nobis merito contentus debebis remanere:* i. e. And for the futere thou mayſt be aſſur'd, that in that or other things wherein thy Honour or Requeſt may be concern'd, we ſhall ſo order it that thou ſhalt have reaſon to reſt ſatisfy'd with us. Theſe laſt Words were ſo general, that they ſignify'd nothing, but left the Pope at his liberty to do what he pleas'd. And his Legates, who aſſiſted at the Congreſs of *Arras*, made no ſcruple to ſet the Duke of *Burgundy* looſe from his Oaths.

Pope's Letter about him to Henry. *P.* 620.

THE Offers which the *French* had made at *Arras*, and the Negotiation which the Duke of *Burgundy* continued with them, having convinc'd the Duke of *Bedford* that the King his Nephew, the Council, and himſelf had been impos'd on, he took pet and died at *Roan*, a few days before the Duke of *Burgundy* ſign'd his Peace.

Duke of Bedford's *Death.*

IN 1436 the Duke of *Burgundy* openly took part with King *Charles* againſt *England*, and ſent a Body of Troops to the Conſtable *de Richemont*, who with thoſe Succours made himſelf Maſter of *Paris*.

Duke of Burgundy *ſides with* Charles *againſt* England.

THE Duke of *York* went over to *France* ſoon after, with the Title of Regent. By his Valour and Conduct, and the Aſſiſtance of the brave *Talbot*, who had been exchang'd with *Xaintrailles*, this Prince ſettled the *Engliſh* Affairs upon a better Footing than they had been ever ſince the Duke of *Bedford's* Death.

Duke of York *goes over to* France *as Regent.*

THE Duke of *Burgundy* perceiving the Progreſs of the Duke of *York*, and that King *Charles* was too much addicted to his Pleaſures, and groſſly negligent of his Affairs, was apprehenſive of ſome fatal Revolution: And in order to prevent the worſt, he reſolv'd to make a conſiderable Effort againſt the *Engliſh*, by beſieging *Calais* with an Army of 40,000 Men. But the Duke of *Gloceſter* going over from *England* to *France*, with a Reinforcement of 15,000 Men, made him raiſe the Siege with diſgrace, and purſu'd him as far as the *Netherlands*, from whence he carry'd off a great Booty.

Calais *beſieg'd.*

IN 1437, the Pope having ſtrongly ſolicited the two Kings to a Peace, it was reſolv'd on both ſides to make a new Attempt for obtaining an End ſo neceſſary for both Kingdoms. The Council of *England* zealouſly wiſh'd it, contrary to the Opinion of the Duke of *Gloceſter*; but he had no longer any Credit at Court, his Uncle the Cardinal of *Wincheſter* having entirely ſupplanted him: So that notwithſtanding the Trick which the Duke of *Orleans* had play'd in the Affair of the Congreſs at *Arras*, that Prince was look'd upon as an impartial Mediator, and choſen to act in that Quality jointly with the Duke of *Bretagne*.

Duke of Orleans *choſen Mediator of a Peace.*

IN 1438, the Duke of *Burgundy* endeavour'd to ſurprize *Calais*. But miſſing his Aim, he ſat down before *Guiſnes*, from whence the Earl of *Huntingdon* oblig'd him to retire in Confuſion.

Attempts upon Calais *and* Guiſnes *fruſtrated.*

IN

[a] As appears by the Commiſſion dated at *Weſtminſter*, *June* the 20th, 1435.

[b] Which was dated at *Florence* the 17th of the Calend of *Auguſt* 1435.

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IN 1439, a Place was agreed on between *Calais* and *Gravelin* for holding a new Congreſs. We ſhall find in the Sequel, by the Inſtructions which were given to the Plenipotentiaries of *England*, how deſirous the *Engliſh* Council was of Peace. But the few Advances which the *French* made on their part, render'd this Conference of no effect.

A new Congreſs appointed.

IN 1440, the Duke of *Orleans* did at laſt obtain his liberty, after an Impriſonment of 25 Years. He had ſo firmly ſecur'd the Cardinal of *Wincheſter*, and the whole Council of *England* in his Intereſts, that he was releas'd without being requir'd to perform any one Offer he had made before the Congreſs at *Arras*. 'Tis true, he enter'd into new Engagements to pay 200,000 Crowns for his Ranſom; but 'tis highly probable, that the ſaid Sum, or at leaſt the beſt part of it, was never actually paid. The Duke of *Gloceſter* ſtrenuouſly oppos'd the Vote of the Council in favour of this Captive Prince, and actually enter'd his Proteſt in form againſt it; but no Regard was had to it.

Duke of Orleans ſet at liberty, after being 25 Years a Captive.

Duke of Gloceſter oppos'd it.

THAT ſame Year a new Congreſs for the Peace was agreed on to be held at *St. Omer:* But the Duke of *Burgundy* expecting no good from it, provided for his own Safety by a particular Truce which he made with the King of *England*.

A new Congreſs appointed.

Duke of Burgundy's Truce with Henry.

IN 1441 the Plenipotentiaries of the two Kings repair'd to *St. Omer*; but the Count *de Vendome*, Chief of the *French* Embaſſy, who 'tis probable had ſecret Inſtructions, refus'd to open the Conferences, on pretence that the Ambaſſadors of *England* were not Perſons of ſufficient Diſtinction.

AFTER having thus in general repreſented the Situation of Affairs in *France* during the 19 firſt Years of the Reign of *Henry* VI. 'tis neceſſary briefly to remark the then State of the Court of *England*; that being a thing altogether as neceſſary for underſtanding a great many Pieces in this Tome.

II. *Domeſtick Affairs.*

Regents of France and England.

HENRY V. had order'd on his Death-bed, that during the Minority of his Succeſſor, the Duke of *Bedford* ſhould be Regent of *France*, and the Duke of *Gloceſter* Regent or Protector of *England:* But the Parliament did not think fit to ratify this Order without ſome Reſtriction. The Duke of *Bedford* was the eldeſt of the two Brothers, and by conſequence had a Right to the Adminiſtration of the Affairs of *England*, preferably to his younger Brother. Therefore the Parliament made an Order, that the Duke of *Bedford* ſhould be Protector in *England* as long as he was actually reſiding in the Kingdom; and that in his Abſence the Duke of *Gloceſter* ſhould enjoy all the Prerogatives annex'd to that Dignity as his own Right, and not as Deputy or Lieutenant.

HENRY VI.

Thomas Beaufort Duke of *Exeter*, and *Henry Beaufort* his Brother, Biſhop of *Wincheſter*, who were the King's Great Uncles, were made his Governors. They were the Sons of *John* of *Gaunt* Duke of *Lancaſter*, by his third Wife *Catherine Roet*. But as they were born before their Father and Mother were married, the Parliament had legitimated them by the Name of *Beaufort*. *John* Duke of *Somerſet* their elder Brother was dead, having left four Sons, who were too young to have a Share in the Government of the Kingdom, or of the Perſon of the King.

The King's Governors.

BESIDES theſe Princes of the Houſe of *Lancaſter*, there were many others in *England* who were deſcended from *Edward* III. by other Branches. But here it ſhall ſuffice to ſpeak only of two: *Edmund Mortimer* Earl of *March* was the firſt, as being a Deſcendant of a Daughter of *Lionel* Duke of *Clarence*, ſecond Son to *Edward* III. He muſt have ſucceeded to the Crown after the Depoſition of *Richard* II. if the Parliament had not thought fit to tranſfer the Succeſſion to the Houſe of *Lancaſter*.

Pedigree of Edmund Mortimer *Earl of* March.

RICHARD Duke of *York* was the ſecond, whom I propoſe to treat of. He was Son to *Richard* Earl of *Cambridge*, who was executed at *Southampton* in 1415, for the Crime of High-Treaſon. This Prince, who came to ſo tragical an end, was the Son of *Edmund de Langley* Duke of *York*, and Brother to *Edward* Duke of that Name, who died not many Months after at the Battel of *Agincourt* without Iſſue. If his younger Brother had ſurviv'd him, he would have enjoy'd the Title of Duke of *York*. Upon his deceaſe *Richard* his Son had that Title, whether it devolv'd to him by Right, notwithſtanding the Attainder of the Earl his Father, or whether it came to him by Grant from *Henry* V. All Hiſtorians affirm nevertheleſs, that he did not receive this Title 'till the Parliament which was held at *Leiceſter* under *Henry* VI. in 1426; but by and by we ſhall find a Proof to the contrary.

Of the Duke of York.

HOWEVER that be, this Prince, who was as yet a Minor at the beginning of this Reign, was the more to be regarded, not ſo much becauſe he was the only Male of the *York* Family, but chiefly becauſe he was preſumptive Heir to the Earl of *March* his Uncle, as being the Son of *Anne Mortimer* that Earl's Siſter. By conſequence, after the Death of his Uncle by the Mother's ſide, he had a Right of admiſſion to all the Prerogatives of the Family of *March*; and we ſhall ſee hereafter how well he aſſerted it.

THE Parliament having conſtituted the Duke of *Gloceſter* Protector of the Kingdom in the abſence of the Duke of *Bedford*, and appointed the King's Governors, took care afterwards to form a Council of the wiſeſt and moſt able Perſons in the Kingdom; particularly

The young King's Council appointed by Parliament.

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ticularly the Princes of the Royal Family. Never was there a Council better compos'd; but it afterwards happen'd that an unhappy Misunderstanding between the Duke of *Gloceſter* and his Uncle the Biſhop of *Wincheſter*, caus'd a fatal Diviſion among the Members of this Council, which ruin'd the Affairs of the young King. This Miſunderſtanding broke out at laſt into an open Rupture; which oblig'd the Duke of *Bedford* to leave the Affairs of *France* in a very bad ſtate, in order to come over and try what he could do towards paciſying the Broils at Court, which were like to be attended with fatal Conſequences. He had no ſooner ſet his Foot on *Engliſh* Ground, than he was own'd as Protector, and perform'd all the Functions of that Dignity, purſuant to an Act of Parliament, *An.* 1422. He immediately ſet about the Accommodation of the Quarrel, which was the cauſe of his Voyage; but it was not poſſible for him to ſucceed. In fine, he was oblig'd to call a Parliament at *Leiceſter*, in order to put an end to the Diſpute by his Authority. The Duke of *Gloceſter* then and there exhibited ſeveral Articles of Impeachment againſt his Uncle; but not being able to make due proof of 'em, the Prelate was declar'd innocent. Mean time, the Duke of *Bedford*, to give ſome ſatisfaction to the Duke his Brother, took away the Great Seal from the Biſhop, and carry'd it with him to *France*; but on the other hand, to ſweeten that bitter Pill, he permitted him to accept of the Dignity of Cardinal, which the Pope had often offer'd him, but for which he had never been able to obtain the Conſent of the late King, who knew him to be of too intriguing a Diſpoſition. I ſhall hereafter call him the Cardinal of *Wincheſter*, in compliance with the *Engliſh* Hiſtorians, who give him no other Title; tho' in the *Fœdera* he is every where ſtiled Cardinal of *England*, without doubt becauſe he was of the Royal Family.

The Duke of Bedford *comes over from* France *to reconcile the D. of* Gloceſter, *and the Bp of* Wincheſter.

The Bp impeach'd by the Duke, but declar'd innocent.

He is forc'd to part with the Great Seal, but is made a Cardinal.

THIS freſh Dignity, which the Biſhop of *Wincheſter* had now obtain'd, furniſh'd his Enemy, the Duke of *Gloceſter*, with a Pretext to attack him. As he had not taken the Precaution to provide himſelf with an expreſs Licence from the King, by Letters Patent under the Great Seal, to qualify him for receiving the Cardinal's Hat, the Duke of *Gloceſter* pretended, that by the Statute of *Ed.* I. againſt Proviſors, he ought to be depriv'd of his Biſhoprick of *Wincheſter*. He attack'd him ſeveral times on this head, but the Prelate always got off; for being immenſely rich, he often lent Money to the King to ſupply the Exigences of the State: which was no inconſiderable Service at a time when the publick Treaſure was exhauſted by the War of *France*. And as a Reward of his Zeal, he obtain'd frequent Pardons, which broke all his Enemy's Meaſures.

Duke of Gloc. *attacks him on that account.*

IN 1429, the Cardinal receiv'd a Bull from the Pope, conſtituting him his Legate in *Germany* and *Bohemia*, and General of the Croiſade againſt the *Huſſites*. As ſoon as he had receiv'd this Bull, he petition'd the Council for leave to publiſh the Croiſade in *England*, and to raiſe in that Kingdom 500 Men at Arms, and 5000 Archers, beſides ſuch as would engage to ſerve without Pay. The Council granted him part of his Requeſt under certain Reſtrictions, which ſhall be mention'd hereafter. But News arriving in *England*, not many days after, of the Defeat of the *Engliſh* at *Patay*, the Council engag'd the Cardinal to go to *France* with his Croiſes, and ſerve there under the Duke of *Bedford* till the end of *December*.

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He is made the Pope's Legate in Germany, and General of the Croiſade againſt the Huſſites.

THIS ſame Year, *Henry* being eight Years of Age, was crown'd in *England*: And in a few days after, the Parliament ſuppreſs'd the Office of Protector, as ſuppoſing it inconſiſtent with a Crown'd Head. In all appearance the Cardinal by his Intrigues contributed not a little to the mortifying of the Duke of *Gloceſter* in this Inſtance; for in the Sequel of this very Reign the Parliament did not always nicely follow the Maxim which they had now eſtabliſh'd, with reſpect to the Office of Protector.

Henry's Coronation in England.

Protector's Office ſuppreſs'd.

IN *April* 1430, *Henry* ſet out to be crown'd in *France*, leaving his Uncle the Duke of *Gloceſter* in *England* with the Title of Guardian. He was accompany'd by the Cardinal of *Wincheſter*, who had the Title of the King's Chief Counſellor, with a very great Salary. This was an Expedient made choice of to ſeparate the two Antagoniſts, for fear in the King's abſence their Diviſions might breed new Combuſtions.

The K. ſets out to be crown'd in France, *accompanied by the Cardinal.*

WHILE the Cardinal was in *France*, the Duke of *Gloceſter* had ſeveral flings at him, but could never trip up his heels.

D. of Gloc. *attacks him in his Abſence.*

IN 1431, he ſtirr'd up the King's Attorney General to demand of the Council that the Cardinal might be depriv'd of his Biſhoprick, purſuant to the Laws of the Realm. But the Council did not think fit to determine this Point during the Prelate's abſence.

'TIS natural to ſuppoſe that the Cardinal in the mean time watch'd all Opportunities to be reveng'd on his Enemy; but he went about it after a more cunning and ſure way, tho' not ſo open. As ſoon as the King was of Age to take ſome Cognizance of his own Affairs, the Prelate began by degrees to poſſeſs him with Suſpicions againſt that ſame Uncle, as if he had form'd a Deſign to keep his Majeſty in perpetual Bondage: And ſuch Hints as theſe, by being often repeated, did not fail in time of producing their Effects. Mean while, till the King was of Age to act for himſelf, the Cardinal by good Management effectually ſecur'd the Lower-Houſe of Parliament in his Intereſt, which gain'd him vaſt Credit: And afterwards by his Intrigues, he got ſeveral of the Duke of *Gloceſter*'s Creatures to be remov'd from the Council, and his own Friends to be call'd into their Places.

The Cardinal requites him in his turn.

By

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By this means the Duke's Credit dwindled to nothing, while the Cardinal's grew every day more powerful.

THE Duke of *Bedford*'s Death did in a great measure hasten the Downfal of the Duke his Brother. While the former was alive, no body durst attack the latter except indirectly. But as soon as the Duke of *Gloceſter* loſt his powerful Supporter, his Enemies gave him no quarter. Nevertheleſs, ſince by his elder Brother's Death he was become preſumptive Heir of the Crown, in caſe the King died without Iſſue, many of the great Men ſtill adhered to him, thinking that as the King was of a very tender Conſtitution, he might one day or other come to the Crown. For this cauſe his Enemies were not able to compleat his Ruin all at once, but by ſlow degrees. Now though this was reaſon ſufficient for the Council to have carried it exceeding fair to him, yet they teaz'd him every day, in order to provoke him to take ſome falſe Step which might embroil him. But this was no longer that Council which the Parliament had eſtabliſhed at the beginning of this Reign: For in the Year 1437, it was already full of the Cardinal's Creatures.

Henry's Council againſt purſuing the War in Fr.

AFTER the Duke of *Burgundy* had deſerted the *Engliſh* Intereſt, the Duke of *Gloceſter* was for making the greater Efforts, in order to carry on the War with Vigour. The Council, on the other hand, pleaded that his Deſertion was a ſtrong Argument for the Neceſſity of a Peace. But this, properly ſpeaking, was no more than a Pretext; for the true reaſon was, that the Council being full of Clergymen, War was a thing quite out of their way.

BESIDES, as the *Engliſh* Affairs in *France* were already on a very bad footing, they ſuppoſed it would be very difficult to prevent greater Loſſes; and that ſuch Loſſes would be charg'd all at their door, becauſe they had the Direction of all Affairs. This was the Maxim by which they regulated all their Steps. And we ſhall find by the Inſtructions which were given to the *Engliſh* Plenipotentiaries in 1439, that for the ſake of Peace, the Council went ſo far as to perſuade the King to offer to drop his Title of King of *France*, the only thing for which the War had been carry'd on. *Henry* was already 18 Years of Age; but to ſay no worſe of him, he had not Penetration enough to diſcern good Advice from bad. Conſequently, being negligent of his own Affairs, he ſuffer'd his Council, and thoſe that were about him to lead him blindfold.

P. 732.

He is led Captive by his Council, &c.

The Cardinal procures the Liberty of the Duke of Orleans.

THE Conference for Peace having been held to no purpoſe, the Cardinal did not fail to cry up the Zeal and Services of the Duke of *Orleans*, and to procure a Reſolution for his being ſet at liberty, notwithſtanding the Proteſt of the Duke of *Gloceſter*. And perhaps too his Deliverance was principally owing to the Duke of *Gloceſter*'s obſtinately inſiſting that he ſhould remain a Priſoner.

AT length the King being arriv'd at twenty Years of Age, and having a very mean Genius for Buſineſs, the Cardinal ſo effectually prejudic'd him againſt the Duke his Uncle, that he imagin'd that all his Counſels, and every Step he took, tended to keep him in Slavery, and perhaps to rob him of the Crown. Conſequently, if the Duke did but propoſe any good thing in Council, it was ſure to be interpreted in a bad Senſe. When we come to the next Tome of the *Fœdera*, we ſhall ſee to what an Extremity this Prince was perſecuted; but we ſtop here becauſe this tenth Volume goes no farther.

He prejudices the K. againſt the Duke of Gloceſter.

WHAT has now been ſaid relating to the Affairs of *France* and *England*, is the main Subject of the Acts of that Tome, tho' there are Acts too upon various other matters, which may be of ſome ſervice; but theſe I leave behind, that I may have the more room to give the Subſtance of ſuch as ſeem to be the moſt remarkable, and the moſt proper for clearing up the Hiſtory of that Reign. In doing this I ſhall obſerve the Order of Time.

Anno 1422.

Order for ſuppreſſing Riots in Wales.

1. AN Order for ſuppreſſing certain Riots in *Wales*, and the adjacent Counties, dated *October* 3. *

'Tis very likely that theſe two Circumſtances, viz. *the Death of* Henry V. *and the Infancy of* Henry VI. *encourag'd the Adherents of the* March *or* Mortimer *Family, to take that opportunity to raiſe thoſe Tumults. This ſeems the more probable, becauſe, tho' the Order was directed to the Sheriffs, yet the Council appointed Commiſſioners to ſee it put in execution. This ſhews it was a thing of Conſequence: Moreover it was but too evident at the Cloſe of this Reign, that the People had not forgot the Right of the Houſe of* March *to the Crown.*

Bp of Durham *made Chancellor of* Eng. 259.

2. THE Delivery of the Great Seal to the Biſhop of *Durham* ‡, *November* the 16th.

This may ſerve to correct a ſmall Miſtake of Hiſtorians, who ſay that the Great Seal was firſt of all given to the Biſhop of Wincheſter †.

The Eſtabliſhment of the Protector. 261.

3. THE Patent for eſtabliſhing the Duke of *Bedford* Protector of the Kingdom and the Church of *England*, and chief Counſellor of the King as long as he continues in the Realm; and for conſtituting the Duke of *Gloceſter* Protector of the Kingdom, *&c.* in the abſence of the Duke of *Bedford* ||.

I don't believe that any Hiſtorian has taken notice of this Settlement by the Parliament in favour of the Duke of Bedford. *They all ſay that the Duke of* Gloceſter *was made Protector, without adding any Reſtriction* †. *Anno*

* At *Weſtminſter*. ‡ By an Inſtrument dated at *Weſtminſter*. † The Reader will find both theſe Miſtakes in Mr. *Echard*'s Hiſtory of *England*, for want, no doubt, of his having conſulted the *Fœdera*.

|| Dated at *Weſtminſter*, *December* the 5th, and ſubſcrib'd, *By the King and his Council in Parliament.*

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Anno 1423.

Settlement of the Protector's Salary. P. 268.

1. A GRANT under the Privy-Seal, of 8,000 Marks Sterling *per Ann.* to the Protector for his Salary, dated [a] *February* the 27th.

Henry's Demand of the French King's Place in the General Council. P. 269.

2. A COMMISSION to demand of the Pope, or whoever ſhall preſide at the next General Council, the uſual Place of the King of *France* in the Council, for King *Henry* or his Ambaſſadors, dated *March* the 4th [b].

Treaty between the Dukes of Bedford *and* Bretagne. *P. 280.*

3. THE Treaty of Alliance and Fraternity between the Dukes of *Bedford* and *Bretagne*, wherein mention is alſo made of the Marriages of the Duke of *Bedford* and the Count *de Richemont*, with the Siſters of the Duke of *Burgundy*; ſign'd at *Amiens* the 17th of *April*.

Anno 1425.

Grant of the Earl of March's *Palace to Queen* Catherine. *P. 342.*

A GRANT to Queen *Catherine*, the King's Mother, of that Palace [c] which came to the King by the Death of the Earl of *March*, for her to live in it during the Minority of the Duke of *York* [d]. 'Tis [e], dated, *February* the 26th.

This is a proof that the young Duke of York *had that Title before the Parliament of* Leiceſter, *becauſe it did not meet till above a Year after the Date of this Act, wherein he is ſtyled the Duke of* York [f].

Anno 1426.

Proclamation of War againſt the Duke of Bretagne. *P. 349.*

1. AN Order to publiſh the Declaration of War againſt the Duke of *Bretagne*, dated *January* the 15th.

This was becauſe that Prince had the Year before deſerted the Intereſt of England.

Creation of Knights in the Leiceſter *Parliament. P. 356.*

2. A LIST of the Knights made by the Duke of *Bedford* at the Parliament of *Leiceſter*, the Duke of *York* being at the Head of them; dated *May* the 4th.

I gueſs that this was what gave occaſion for the Aſſertion that this Prince receiv'd the Title of Duke of York *in the Parliament then aſſembled at* Leiceſter [g].

Order for the Protector's Salary. P. 359.

3. AN Order for the Payment of the Duke of *Bedford's* Salary as Protector, during his reſidence in *England*, dated *May* the 27th [h].

Anno 1427.

Grant to the Duke of Gloceſter *for the Support of his Dutcheſs. P. 374.*

1. A GRANT from the Privy-Seal of 5000 Marks to the Duke of *Gloceſter*, upon the Recommendation of the Houſe of Commons, for the Support of his Ducheſs, dated *July* the 9th [i].

Jaqueline *was then in* Holland, *where the Duke of* Burgundy *made War upon her.*

Duke of Bretagne's *Oath to the King. P. 378.*

2. THE Oath taken to the King by the Duke of *Bretagne*.

The Duke of Bedford *had oblig'd him to renounce his Alliance with K.* Charles.

Anno 1428.

HENRY VI.

His Homage to the King. P. 385.

1. A PROCLAMATION touching the Homage which the Duke of *Bretagne* had engag'd to perform to the King, dated *January* the 28th.

Leave to carry Cloth to the Ducheſs of Gloceſter *in* Holland. *P. 398.*

2. A PERMISSION to carry certain Quantities of Cloth and Stuffs out of the Kingdom for the Uſe of *Jaqueline* Ducheſs of *Gloceſter* and *Holland*, the King's Aunt, dated [k] *May* the 28th.

This ſhews that the Duke of Gloceſter *had not yet parted with his Ducheſs, tho' the* Flemiſh *Hiſtorians date their Separation in the Year* 1427.

Anno 1429.

Council's Reſolution againſt the Cardinal's officiating as Biſhop. P. 414.

1. A RESOLUTION of Council, by which the Cardinal of *Wincheſter* was order'd for that time not to officiate as Biſhop of *Wincheſter* at *Windſor*, upon St. *George's* Day: with the Cardinal's Remonſtrance upon that Head, and the Confirmation of the Council's Reſolution, dated the 17th of *April* [l].

His Petition to the Council for the Croiſade, and the Council's Anſwer. P. 419, 420.

2. THE Cardinal's Petition to the Council for raiſing Troops for the Croiſade [m].

3. THE Conditions upon which the Council grant the Cardinal's Petition, dated *June* the 18th [n].

THESE were the chief:

THAT the Money which the King's Subjects give for the Service of the Croiſade ſhall be rais'd by Commiſſioners to be appointed by the King.

THAT Gold and Silver ſhall not be carry'd out of the Realm, but imploy'd in Merchandiſe.

THAT the Cardinal ſhall raiſe in all but 250 Spear-men, and 2500 Bow-men, including therein all that are inclin'd to ſerve without Pay.

THAT the Pope ſhall impoſe no Tax for this Cauſe, either upon the Laity or the Clergy, but ſhall be content with every Perſon's voluntary Contribution.

THAT before the departure of the Troops, ſufficient Security be given to the Council for their Return.

THAT it ſhall be ſaid expreſſly in the Proclamation of the Croiſade, that the ſame is publiſh'd by *the Conſent of the* King.

THAT the Perſon who is to command thoſe Troops, as alſo all the Officers, ſhall have their *Commiſſions from the* King.

THAT in caſe the Croiſade does not take place, the Money receiv'd of the Subjects ſhall be converted to no Uſe *which has not the* King's *expreſs Approbation.*

All theſe Articles are ſo many Precautions againſt the Pretenſions of the Pope, and to prevent the Abuſes of former Croiſades.

Cardinal agrees to ſerve with his Croiſes in France. *P. 421.*

4. CONVENTIONS betwixt the King and the Cardinal, by which the latter engag'd to ſerve

[a] At *Weſtminſter.* [b] Ibid. [c] In *London.*
[d] On condition only of keeping it in Repair. [e] At *Weſtminſter.*
[f] *Whereas all the* Engliſh *Hiſtorians ſay that this Prince being a Minor, had not the Ducal Title till that Parliament.*
[g] Mr. *Eachard* is one of thoſe who poſitively affirms, that he was created Duke of *York* by this Parliament, and calls it their Fatal Error.
[h] At the Caſtle of *Leiceſter.* [i] At *Weſtminſter.* [k] Ibid. [l] At *Weſtminſter.*
[m] Or that call'd the Holy War, againſt the Hereticks of *Bohemia.* [n] At *Weſtminſter.*

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serve six Months in *France* with the Troops rais'd for the Croisade, under the Command of the Duke of *Bedford*, dated *July* the 1st[a].

This shews that the Cardinal did not go to Germany *till the Year* 1430, *at the soonest; tho'* Mechovius, *and after him* Sponde, *say he went thither in* 1428. *This Mistake was no doubt owing to the Date of* Martin *the Fifth's Bull, appointing the Cardinal of* Winchester *his Legate; for it was dated the* 18th *of* March 1428, *but the Cardinal did not receive it till* June 1429.

Duke of Bedford's Instructions to Garter King at Arms. P. 432.

5. INTSRUCTIONS given to *Garter* King at Arms, who was sent from *Paris* to *England* by the Duke of *Bedford*, dated *July* the 16th[b].

They were in Substance as follows.

HE shall desire the Council to hasten the Departure of the Troops that are to go to *France* under the Command of the Cardinal, as well as those which are to come with Sir——*Radcliff*, and to let the Regent know the exact time of their setting out.

HE shall represent that the Dauphin has put himself at the head of a Powerful Army, and that several good Towns, as *Troyes* and *Chalons*, have already declar'd their Submission to him. That on that same Day, *viz. July* the 16th, he is to enter *Rheims*, there to be crown'd; and that afterwards he designs to march to *Paris*, where he hopes to be receiv'd; but that he will find more Difficulty there than he is aware of.

THAT all this Week the Regent and the Duke of *Burgundy* have been employ'd in giving the necessary Orders for the Preservation of Places, and particularly of *Paris*.

THAT the Duke of *Burgundy* has honourably discharg'd his Duty, and shewn himself upon all Occasions a true Kinsman, Friend and Vassal of the King; that were it not for him, the City of *Paris* would be lost, and that he set out that Day for *Artois* to bring up the Troops.

THAT in two Days the Regent will set forward to draw out the Garisons of *Normandy* and *Picardy*, in order to join the Troops which he expects from *England*.

THAT the Council of *France* earnestly intreat the King to come and be crown'd at *Paris*; for if it had pleas'd God to have put it into the King's Heart to comply with the Intreaty twice made to him for that purpose, it would in all appearance have prevented the Inconveniences which have happen'd.

Henry's Coronation in England, and the Office of Protector-ship suppress'd. P. 436.

A MEMORANDUM which shews that the King having been crown'd in *England* on the 6th of *November*, the Office of Protector was suppress'd a few Days after by Act of Parliament, in which the Duke of *Gloucester* acquiesc'd, without prejudicing the Claim of the Duke of *Bedford* his Brother.

Anno 1430.

Conventions for the Duke of Bourbon's *Release.* P. 458.

CONVENTIONS for the Enlargement of the Duke of *Bourbon*, dated *January* the 15th[c].

This was the third time that the Duke of Bourbon (*who had been a Prisoner ever since the Battle of* Agincourt) *made Conventions with the King for his Deliverance; but as it was out of his power to execute the two first, so he was not able to perform this. In all three he engag'd himself to own* Henry *for King of* France, *and to pay him Homage. He died in* England *in* 1433 *or* 1434[d].

His Death.

Anno 1431.

Petition against the Cardinal of Winchester P. 497.

THE Petition of the King's Attorney General, praying that the Cardinal of *Winchester* may be depriv'd of his Bishoprick, dated *November* the 6th.

We find in this Petition that the Cardinal had obtain'd of the Court of Rome *an Exemption from the Archbishop of* Canterbury's *Jurisdiction, for himself, for the City, and for the whole Diocese of* Winchester. *This was what the Duke made a Handle of against him, in order to convince the Council of the Inconveniency there was in permitting Cardinals to enjoy Bishopricks in* England.

Anno 1432.

His Pardon. P. 516.

A PARDON granted to the Cardinal of *Winchester*, at the Request of the Commons, for all Faults committed contrary to the Statute of Provisors, and other Acts of *Præmunire*, dated *July* the 19th[e].

Anno 1433.

Offer made by the Duke of Orleans *for his Liberty.* P. 556.

CONDITIONS offer'd by the Duke of *Orleans* for his Liberty, which were accepted by the King and his Council[f].

Those Offers, which plainly shew that the Duke of Orleans *had no other Aim but to deceive the* English, *were in Substance as follows:*

"IF the King is dispos'd to have a Peace "effectually negotiated betwixt him and "the Dauphin, we engage that the Queen "of *Sicily*, *Charles of Anjou* her Son, "the Duke of *Bretagne*, with *Arthur* and "*Richard* his Brothers, the Counts *d'Armagnac*, *Foix* and *Perdriac* the Duke of "*Alençon*, the Archbishop of *Rheims*, or "the Archbishop of *Ambrun*, and the "Count *de Clermont*, shall repair to *Calais*, "or some other Place which seemeth best to "the King, there to hold a Congress with "the

[a] At *Rochester*. [b] At *Paris*. [c] At *London*.
[d] The best *English* Historians agree, that he died the beginning of *June* 1434.
[e] At *Westminster*. [f] Dated *August* the 14th.

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" the King's Plenipotentiaries. In which " Congreſs we hope that by God's Aſſiſtance " and our Diligence, a Peace will infallibly " be concluded, conſidering the earneſt " deſire which the ſaid Queen, and the " great Men abovemention'd, have mani- " feſted for the Succeſs thereof, as they " have caus'd it to be ſignify'd to us: Pro- " vided that the Dauphin may have a *no-* " *table and honourable* Portion of Lands in " the Kingdom of *France*."

There are ſeveral things worthy of Remark in this firſt Article, 1. *That the Perſons therein mention'd were the moſt entire Confidents of King* Charles, *by which the Duke of* Orleans *would have it believ'd that the Propoſal came from* Charles *himſelf.* 2. *He gave King* Charles *only the Title of Dauphin, which was what he never did before nor after.* 3. *He made as if* Charles *would be content with a ſmall part of the Kingdom of* France, *tho' it plainly appear'd at the Congreſs of* Arras, *that ſuch a Modicum was very far from his Thoughts at that time.* 4. *The Terms of* notable and honourable Portion, *left him a Back-door for his Retreat under favour of that ambiguous Expreſſion.*

" THO' a Peace ſhould be concluded by " our means, yet we offer to ſtay in *England* " a Twelvemonth after its execution; upon " the Expiration of which the King ſhall " be oblig'd to ſet us at liberty after we " have perform'd Homage, and taken the " Oath to him."

By this he would have it underſtood, that when the Peace was concluded, King Henry *would, without all manner of queſtion, remain ſole King of* France.

" IN caſe that a Peace be made, we promiſe " never to own any other King of *France* " than King *Henry*, and his Heirs, and their " Succeſſors.

" AND if a Peace be not made, we offer " and promiſe punctually to execute the " Conditions following:"

1. WE will perform Homage to King *Henry*, our Sovereign Lord, by the Title of King of *France*, and we will take the Oath of Fidelity to him.

2. WE will cauſe all our Subjects and Vaſſals to own him in the ſame Quality, and to ſubmit to his Authority; which if any one refuſe, they ſhall be puniſh'd as Rebels.

3. WE will cauſe the Duke of *Anjou*, the Count *d'Armagnac*, the Count *de Perdriac* his Brother, the Count *d'Angouleme* our Brother, and all our Friends in general, to own him as King of *France*.

4. IF the King thinks fit, we engage the ſame thing for the Dukes of *Savoy* and *Milan*.

5. WE will put *Orleans*, *Blois*, *Chateaudun*, *La Ferté*, *Melun*, and all the Towns and Caſtles of our Dominion in general, into the hands of King *Henry*.

6. ALSO as to thoſe Places which do not belong to us, we will cauſe to be deliver'd up to him *Rochel*, *Mont St. Michael*, *Limoges*, *Bourges*, *Xaintes*, *Chinon*, *Poictiers*, *Tournay*, *Tonneins*, *Beziers* and *Loches*. And if any thing hinders our giving up ſome of thoſe Towns to him, we will give him others in their room to his ſatisfaction, except *Rochel* and *Mont St. Michael*, which may not be chang'd for others.

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'Tis evident, that it was not in the power of the Duke of Orleans *to perform thoſe Conditions, eſpecially if the War continued, becauſe* Charles *had Garriſons in all thoſe places.*

7. IF the King our Sovereign Lord is pleas'd of his Royal Bounty and Munificence to give us any Lands in *England*, we will perform Homage to him as a Subject of the Crown of *England*.

8. WE will endeavour with all our power to put him in poſſeſſion of the whole Monarchy of *France*, and its Dependencies; and will ſerve him at our own Expence, and at the Expence alſo of our Vaſſals.

9. WE will remain Priſoner in *England* till all theſe Conditions are fully perform'd, and will not depart from thence without the King's expreſs Licence under the Great Seal.

'Tis not eaſy to imagine how the Duke of Orleans *could remain a Priſoner in* England, *and at the ſame time perform all the Conditions he offer'd.*

IN conſideration of the Conditions abovemention'd, the King promiſes to receive us, both us and our Vaſſals, into his Obedience, and to take us under his Protection; thoſe only excepted who are guilty of the Murder of the Duke of *Burgundy*. Moreover, he promiſes to reſtore to our Vaſſals and Subjects their Lands and Poſſeſſions, or at leaſt an Equivalent, after having taken the Oath of Fidelity from them. But he ſhall not be oblig'd to reſtore either in kind, or in equivalent, thoſe that the King his Father or he himſelf have already diſpos'd of, which are expreſſly excepted.

'Tis to be obſerv'd upon this Article, that as to all the foregoing Conditions, which are very advantageous to the King of England, *the Duke of* Orleans *demands nothing but that the King ſhould receive him with his Vaſſals under his Obedience. As to the Reſtitution mention'd in the ſaid Article, 'tis a mere Chimæra, becauſe* Henry *had nothing left in thoſe Provinces where the Domains of the Duke of* Orleans *were ſituated. Nothing is a ſtronger Proof of a form'd Deſign to deceive the King.*

ON the performance of the Conditions above-ſaid, the King ſhall cauſe us to be ſet at liberty without any Ranſom, and ſhall admit us to Allegiance and Homage.

This, properly ſpeaking, is the only Condition which the Duke of Orleans *demands for himſelf, a Condition which is abundantly counterballanc'd by all thoſe which he offers to the King. If we compare the value of all the Places which he promiſes to deliver up to the King, with the*

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the Ranſom of three Millions of Crowns which King John *oblig'd himſelf to pay to* Edward III. *we ſhall find that this of the Duke of* Orleans *is not leſs. This is a clear Proof that there was a ſiniſter Deſign in his Promiſes.*

All theſe Articles, which I have very much contracted, are ſet down at length in the Paper of the Duke of Orleans, *which is in Latin in form of Letters Patent; the Language of which from the beginning to the end is expreſs'd in the moſt ſubmiſſive, or rather creeping Terms. He never names* Henry, *but he adds to it* King of *France*, my Lord, my King, *or* my Sovereign: *and when he ſpeaks of King* Charles, *he calls him the* Dauphin, who ſtiles himſelf King of *France. All this was to carry on his own Ends.*

Anno 1435.

Full Powers for the Engl. Ambaſſad. at Arras. 611.

1. THE full Powers granted to the *Engliſh* Plenipotentiaries at the Congreſs of *Arras*, dated *June* the 20th [a].

The Duke of Burgundy *is at the Head of thoſe Plenipotentiaries, and one of the ten, without whoſe Concurrence nothing could be concluded. The* Engliſh *Council was very far from imagining that this Prince had a ſecret Underſtanding with King* Charles.

Pope's Letter to the King. 620.

2. A Letter from Pope *Eugene* IV. to *Henry*, wherein he aſſures him, that no *French* Prince had deſir'd him to be abſolv'd from his Oaths, *&c.* dated at *Florence* the 11th of the Calends of *Auguſt*.

King's atteſted Copy of it. 625.

3. AN Exemplification, or authentic Copy of the Letter from Pope *Eugene*, atteſted by the King, dated the 12th of *November*, at *Weſtminſter*.

The end of publiſhing this Letter was either to ſcandalize the Pope, or to make the Public believe that the Duke of Burgundy *was not abſolv'd of his Oaths, and that conſequently the particular Peace which he had ſign'd at* Arras, *was a manifeſt Violation of them.*

Anno 1436.

His Grants to the Lord de Beaumont, and the D. of Glocest. 652.

1. A Grant to the Lord *de Beaumont* of the County of *Boulogne*, of which the Duke of *Burgundy* was in poſſeſſion, dated *July* the 27th [b].

2. A Grant of the Earldom of *Flanders* to the Duke of *Gloceſter* [c].

THESE Patents were paſs'd while the Duke of *Burgundy* was beſieging *Calais*.

Anno 1437.

Pardon of the Card. of Winchester. 670.

A general Pardon for the Cardinal of *Wincheſter*, dated *June* the 26th [d].

THIS was to ſtop the Duke of *Gloceſter*'s Proſecution of him.

Anno 1439.

Inſtructions to the Engl. Ambaſſadors. 724.

1. INSTRUCTIONS for the *Engliſh* Ambaſſadors who were to meet thoſe of *France* between *Calais* and *Gravelin*, there to treat of Peace; dated *May* the 21ſt [e].

THESE Inſtructions, which are very long, and circumſtantially ſet down in the Original, were in Subſtance as follows:

"THE Ambaſſadors ſhall demand the whole Kingdom of *France*, and ſhall ſupport the ſaid Demand with all the proper Arguments; but without ſo much as making a queſtion of the King's original Title.

"IF the *French* are diſturb'd at this Demand, our Ambaſſadors, after a previous Proteſtation, ſhall offer the Dauphin Lands on the other ſide of the *Loire*, particularly *Languedoc*, to the value of 20,000 *l.* a Year.

"IF the Adverſaries are not therewith content, the Cardinal of *Wincheſter*, as a Clergyman, ſhall ſet forth to them the Horrors of ſo tedious a War, which has conſum'd more Men than there are to be found at this Day in the two Kingdoms. He ſhall add, amongſt other Conſiderations, that *God did not make the People for Kings, but Kings for the People*, &c. That before and after *Charlemain*, there were in *France* two, three, and ſometimes four Kings together: and from thence he ſhall take occaſion to make the following Offer, That the King will yield to the Dauphin all the Country beyond the *Loire*, except *Guyenne* and *Poictou*, and every thing that the Kings of *England* were in poſſeſſion of on the other ſide of that River, before the Crown of *France* devolv'd to them.

"THE Ambaſſadors may extend this Offer to ſuch a degree, that the King will reſerve nothing to himſelf on the other ſide of the *Loire*, but what he is actually in poſſeſſion of, or what he ſhall be poſſeſs'd of on the Day that the Treaty is ſign'd.

"IF this Offer does not ſatisfy, they may go farther, and even declare that the King will be content with what his Anceſtors enjoy'd in *France* by Hereditary Right, not as Kings of *France*, but under the ſame Title as their Predeceſſors, before any of them came to the Crown of *France*, on condition that *Calais*, *Guiſnes*, and the adjacent Marches be thereunto added; the whole according to the Treaty of *Bretigny*, and without Dependance upon any but God alone.

"AND if it pleaſe God that the Treaty ſhould proceed ſo far that no manner of Objection ſhould remain, but as to the Title of King of *France*; in that caſe the Ambaſſadors ſhall refer themſelves to the Cardinal of *Wincheſter*, to whom the King has made known his Intentions."

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THE reſt of theſe Inſtructions, which I paſs over for brevity ſake, relate to the Overture of a Marriage between King *Henry* and a Daughter of King *Charles*; and to a Truce for concluding, on failure of a Peace, the Exchange of ſome Places, and for negotiating the Deliverance of the Duke of *Orleans*.

Power granted to the Cardinal. P. 732.

2. A POWER to the Cardinal of *Wincheſter* to treat and conclude with the Ambaſſadors of King *Charles*, touching the Title of King of *France*, dated *May* the 25th [f].

'Tis

[a] At *Weſtminſter*. [b] At *Canterbury*. [c] Dated the 30th of the ſame Month. [d] At the King's Manor of *Kennington*. [e] At *Kennington*. [f] At the King's Manor of *Kennington*.

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'Tis manifeſt that the Cardinal had a Power to conſent to the King's dropping the Title of King of France, *for otherwiſe the Secret would not have been worth keeping.*

Anno 1440.

Duke of Gloceſter's Proteſt againſt the Liberty of the Duke of Orleans. *P.* 764.

1. THE Duke of *Gloceſter*'s Proteſt againſt the Vote of the Council for releaſing the Duke of *Orleans*.

This Proteſt contains ſeveral Arguments, of which I will juſt mention a few.

THE firſt is deduc'd from the Incapacity both of King *Charles*, and the Dauphin his Son, known to the whole World. Upon this Suppoſition the Duke of *Gloceſter* ſaid, that it was to be fear'd the States of *France*, in their general Aſſembly, would give the Adminiſtration to the Duke of *Orleans*; than which he ſhew'd, that, conſidering this Prince's vaſt Learning and Parts, nothing could be more diſadvantageous to *England*, the rather becauſe by his having ſtaid here 25 Years, he was thoroughly acquainted with the State of the Kingdom.

The Duke of Gloceſter *might with reaſon enough ſet forth the Incapacity of King* Charles, *who certainly was a Prince of a very mean Genius. But he was undoubtedly miſtaken with reſpect to the Dauphin, who plainly ſhew'd that he had ſufficient Qualities to govern the State, when he reign'd with the Title of* Lewis XI.

HE deduced another Argument from the Diſagreement there had been betwixt King *Charles* and the Dauphin his Son, and the reaſon there was to fear the Duke of *Orleans* would be a proper Inſtrument to reconcile them.

IN another place he ſhew'd how little it ſignify'd to take an Oath from the Duke of *Orleans*, becauſe it being notorious to all the World that he own'd King *Charles* for his Sovereign, the Oath which he took againſt him while he was actually a Priſoner would always be look'd upon as invalid.

HE alſo alledg'd the Reconciliation which the Ducheſs of *Burgundy* had brought about in the laſt Conference between the Duke her Husband and the Duke of *Orleans*, as a juſt reaſon to fear that thoſe two Princes would unite together againſt *England*, inſtead of renewing the old Quarrels in *France*, as the Council ſeem'd to hope.

IN fine, he inſiſted ſtrenuouſly upon the laſt Orders which the King his Brother had given about the Duke of *Orleans* on his Death-Bed.

Articles for the Duke of Orleans's *Liberty. P.* 776.

2. THE Conventions for ſetting the Duke of *Orleans* at liberty, dated *July* the 2d[b].

IN theſe Conventions the Duke of *Orleans* was not requir'd to recognize *Henry* for King of *France*, nor any thing like it. In this Paper he does not call him, as he did in the former, *King of* France, *his Lord, or his Sovereign*, but only plain King of *England*. No Places nor Hoſtages were demanded of him, nor was he oblig'd to take an Oath that he would never ſerve againſt the King. He only engag'd to pay 80,000 Crowns for his Ranſom before he left *England*, and 120,000 in ſix Months after; the whole amounting to 200,000 Crowns. But as to the ſecond Payment, they were content to take ſuch Securities for it as they could not come upon for the Money. Theſe were the Princes and Great Men of *France* under the Obedience of King *Charles*, among whom the Dauphin was his Bail for 30,000 Crowns. On the other hand they were content with King *Charles*'s Letters Patent approving thoſe Conventions. All this gives cauſe to ſuſpect that the Duke of *Orleans* did not pay his whole Ranſom, and that the Price was rais'd up to 200,000 Crowns only to caſt a Miſt before he Eyes of the Publick, and to confute the Reaſons brought by the Duke of *Gloceſter* in his Proteſt. For we find in the *Fœdera* the King's Acquittance[c] for 80,000 Crowns, the firſt Payment; but there's nothing in the whole Collection which ſhews that the Duke or his Bail paid any part of the Sum of 120,000 Crowns, which ought to have been depoſited ſix Months after his Releaſe. If this Sum had really been paid, 'tis very probable we ſhould have found ſome Acquittance for that, as well as for the former Sum, in the *Fœdera*, where there are Receipts for much ſmaller Sums. I own, however, that this is only a Conjecture founded on negative Proof, and on the Diſpoſition of the Council to do a Service to the Duke of *Orleans*, tho' it was to the prejudice of the King and Kingdom. The Cardinal of *Wincheſter* acted with a world of Zeal upon this Occaſion to ſerve the Duke of *Orleans*, who was at length ſet at liberty the beginning of *November* 1440, after having been 25 Years a Priſoner.

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King's Receipt for part of the Duke of Orleans's *Ranſom. P.* 821.

Duke of Orleans *ſet at liberty. P.* 829.

THE *French* Hiſtorians have done the Duke of *Burgundy* the Honour to ſay, that he lent his Enemy, to whom he was ſo lately reconcil'd, Money to help pay his Ranſom; but I know not what Ground there is for it. In the firſt place, 'tis certain that the Duke of *Burgundy* was not one of the Duke of *Orleans*'s Bail for the Sum of 120,000 Crowns. Secondly, we find in this Tome a Piece which might perhaps have given occaſion for what the Hiſtorians have advanc'd, but yet is far from proving any ſuch thing, *viz.* That the Dauphin having engag'd to give his Bond for 30,000 Crowns, the Duke of *Burgundy* conſented that his Ducheſs ſhould engage by an expreſs Act to deliver up the ſaid Dauphin's Bond to the King of *England*, or to make her ſelf liable to pay the whole Sum[d]. But as the Dauphin made no difficulty to ſend his Bond, neither the Duke nor Ducheſs of *Burgundy* ſtood engag'd for the Money.

Duke of Burgundy's *Order about the Dauphin's Bond. P.* 787, 791.

3. THE Letters Patent for the Duke of *York*'s reſuming the Regency of *France*, dated *July* the 2d, 1440[e]. The Earl of *Warwick*, who had ſucceeded the Duke of *York* in that Regency, dying this Year, the Duke

Duke of York's *Commiſſion as Regent of* France. *P.* 786.

[b] At *Weſtminſter*. [c] Dated at *Weſtminſter*, *November* the 3d 1440.
[d] The Duke's Licence for this purpoſe is dated at the Caſtle of *Heſdin*, *July* the 8th, 1440. [e] At *Weſtminſter*.

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Henry's *Truce with the Duke of* Burgundy. *P.* 791.

4. A TRUCE betwixt the King of *England* and the Duke of *Burgundy*, for all their Countries reſpectively [a].

I SHALL conclude my Account of the tenth Tome of this Collection with a word or two concerning thoſe Affairs of *Scotland*, which are the Subject of ſeveral Articles in that Tome.

JAMES I. King of *Scotland*, had been a Priſoner in *England* ever ſince the Reign of *Henry* IV. His Uncle, the Duke of *Albany*, to ſecure the Regency of the Kingdom to himſelf, had made a ſecret Treaty with *Henry* V. whereby the King engag'd on the one hand to keep his Priſoner, and the Duke on the other to give no manner of Aſſiſtance to *France*. *Henry* V. and the Duke of *Albany* being both dead, the *Scots* began to take vigorous Reſolutions for the Support of King *Charles* VII. which was the Cauſe that the Council of *England* was determin'd at laſt to ſet the captive King at liberty, upon certain Conditions. This Negotiation was begun and ended in the three or four laſt Months of the Year 1423, when it was agreed that King *James* ſhould be releas'd on paying 40,000 Marks Sterling towards his Maintenance in *England* during his Impriſonment [b]. Moreover, a Truce was concluded betwixt *England* and *Scotland* at *Durham*, *March* the 28th, 1424, by which each of the two Kings engag'd to give no Aſſiſtance to the Enemies of the other; which was the grand View of the *Engliſh* Council in the whole Negotiation. The better to attach the King of *Scotland* to the Intereſts of *England*, it was contriv'd to marry him to *Jane Beaufort*, Siſter to the Duke of *Somerſet*, and Niece to the Duke of *Exeter*, and the Biſhop of *Wincheſter*.

Henry's *Agreement with* James I. *King of* Scotland *for his Liberty.* *P.* 299. *A Truce betwixt the two Nations.* *P.* 318.

A *Miſtake of the* Engliſh *Hiſtorians about the Homage of the Kings of* Scotland *to* England.

ALL the *Engliſh* Hiſtorians are unanimous that *James*, before he left *England*, did Homage to young *Henry* at *Windſor* for the whole Kingdom of *Scotland*, and that he took an Oath of Fidelity to him; nay, they go ſo far as to report the very Expreſſions both of the Homage and the Oath: But 'tis proper to obſerve upon this Head, that in the Light which the Affair of the Homage betwixt *England* and *Scotland* then ſtood, *James* could not perform ſuch Homage, but in conſequence of ſome new Treaty. From the time that *Robert Bruce* aſcended the Throne of *Scotland*, all his Succeſſors had refus'd this Homage to the Kings of *England*, excepting only *Edward Baliol*, whom *Edward* III. plac'd upon the Throne by force, and who did not ſit there long. And it was but lately that *Robert* III. Father of *James* I. peremptorily refus'd ſuch Homage to *Henry* IV. and ſince that time no Regulation had been made about it. Conſequently *James* had not a power to perform this Homage, but by virtue of ſome new Agreement; yet we find no Treaty or Convention to this purpoſe in Mr. *Rymer's Fœdera*. There's not the leaſt Hint of it, either in the Conventions for the liberty of *James* I. nor in the Treaty of Truce, nor in above 30 Acts of this Tome relating to the Affairs of *Scotland*; nor is there ſo much as one ſingle Word that can allude to it. And if there had been a Treaty of ſuch conſequence, would it not be very aſtoniſhing if it ſhould not be found in this Tome, where there's ſuch a Multitude of Acts of much leſs Importance? But this gives cauſe to ſuſpect, that what the *Engliſh* Hiſtorians have advanc'd relating to the pretended Homage perform'd at *Windſor* by *James* I. might perhaps be owing to the Prejudice of *Hollingſhed* the Hiſtorian, who was the firſt that mentioned it, and has been follow'd by all the other Writers.

* THE Eleventh Tome of the *Fœdera* contains the Acts of the reſt of *Henry* VI's Reign, from *Nov.* 1441, to the end of that Reign, and the 14 firſt Years of *Edward* the Fourth. But I ſhall firſt give an account of what relates to *Henry* VI. by purſuing the two principal Subjects of this Reign, *viz.* the Affairs of *France*, and Affairs Domeſtick.

I. *The Affairs of* France.

The ill Effects of the Quarrel betwixt the Duke of Gloceſter *and the Cardinal.*

THE Quarrel betwixt the Duke of *Gloceſter* and the Cardinal of *Wincheſter* was the principal Cauſe of the ill Succeſs of the *Engliſh* Affairs in *France*, to the very end of the War. The Cardinal, who thought of nothing

[a] Dated at *Windſor-Caſtle*, *July* the 12th, 1440.

[b] The Agreement is dated *September* the 10th, 1423, at the Chapter-Houſe of *York-Minſter*.

* *Having done with the Tenth Tome of the* Fœdera, *we proceed to the next, which Mr.* Rymer *thus dedicates to the Queen, in the Year* 1710.

" May it pleaſe your moſt Excellent Majeſty,

" In this Eleventh Tome you give the Tranſactions from 1440 to 1474.

" Beſides what in common you give to other Nations, your Allies in the *North* receive a great Light; and, in " a more ſpecial manner, your *antient Kingdom*, by this your Royal Bounty, is pull'd out of the dark, and brought " to a new Life and Luſtre: you give them their Share in the publick Treaties, even their Language you authen- " ticate, and give it a Currency.

" Whether Peace, War, Marriages, or Commerce is to be negotiated, who make a more goodly Appearance, " who ſhew a more numerous Train and Equipage than the Ambaſſadors of *Scotland*?

" Within this Compaſs of Time, Negotiations were always upon the Carpet: *England* and *France* were much- " what about the ſame diſtance as they are at this Day; no Wind could blow, no Ship paſs without ſome Pleni- " potentiary.

" The Burden of the Song was *PEACE*, a *FINAL PEACE*, a *PERPETUAL PEACE*.

" In thoſe Days alſo roſe up great plenty of Philoſophers; no Lord Chancellor, or Keeper of the Great Seal, " but did paſs ſome Patent out of the King's ſpecial Grace, granting a Licence to exerciſe their Skill, to make " Elixir of Life, or to tranſubſtantiate Metals, to turn Copper and Iron into Gold and Silver, any Act, Law or " Statute to the contrary notwithſtanding.

" But there were ſhewn no Miracles in thoſe Days; ſplendid Embaſſies, Negotiations, Communications and " Appunctuations without end, but no ſolid Peace, nor yet any memorable Atchievement of War.

" No *Blenheim*, no *Ramillies*, no *Audenard*, no *Blaregnies* Battles and Victories, by the Divine Providence ap- " propriated to crown with Glory the Beginning of your ſo happy and auſpicious Reign. " This,

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thing but how to ruin his Enemy, found means to fill the King's Council with his Creatures, who were for moſt part Clergymen, and Perſons of no Experience in the Affairs of War. From thence proceeded that mighty Fondneſs which the Council ſhew'd for Peace, and that Indifferency of theirs when the Point under conſideration was to endeavour the retrieving of former Loſſes. Beſides, many other Motives induc'd the Cardinal and the Majority of the Council to wiſh for a ſpeedy end of the War. In the firſt place, they were afraid leſt that while the War continued, ſome things would fall out which might render the Duke of *Gloceſter* neceſſary. Secondly, they could not endure to hear themſelves perpetually reproach'd for the Errors which were committed every day, with reſpect to the Affairs of *France*, either by neglecting to ſend timely Succours to the Regent, or by giving him ſuch confus'd or ambiguous Orders as diſcover'd their Ignorance in the Affairs of War. And laſtly, as all things grew worſe and worſe every day, they were very ſenſible that a Day of Reckoning would come, when they muſt be anſwerable for all Events, eſpecially when they had ſo watchful an Eye over them as the Duke of *Gloceſter*. All theſe Reaſons made them heartily wiſh for a Peace. And it was with this View that the Duke of *Orleans* was careſs'd, and even ſet at liberty, as a proper Tool to bring the Project to bear. The Council being thus diſpos'd, 'tis eaſy to judge that the War was but faintly carried on in *France*; ſince whatſoever Progreſs the *Engliſh* Arms might have made there, would only have put the Peace farther back inſtead of procuring it.

Reaſons of the Engliſh *Council's being for a Peace with* France.

THO' *Henry* VI. was now about 20 Years of Age, yet ſo unfit was he to take the Reins of the Government into his own hands, that he only lent his Name to what his Council thought fit to order. As he had a Genius even far below the middling Claſs, he blindly receiv'd all Impreſſions which thoſe who had acceſs to him were pleas'd to give him; and the Cardinal of *Wincheſter* was cunning enough to make his Advantage of ſuch a Poverty of Spirit, for he had no ſooner began to diſcard the Duke of *Gloceſter*, than he made the King believe that this Uncle of his had form'd a Deſign to keep him in perpetual Bondage, if not to deprive him of the Crown. And by degrees the Duke loſt all his Credit with the King, who valued his Counſels no longer.

Henry's Unfitneſs for Government.

NOTWITHSTANDING the Impatience which the Court of *England* diſcover'd for Peace, the War was carried on during the Years 1442 and 1443, under the Conduct of the Duke of *York*, who was Regent in *France* for *Henry* VI. The Duke was a Man of Wiſdom and Valour, and ſo thoroughly underſtood the nature of the War, that if he had been but duly ſupported, he would have given K. *Charles* a world of Trouble: But for the Reaſons already mention'd he receiv'd very ſmall Aſſiſtance from *England*.

Duke of York's *Character.*

IN 1442, King *Charles* VII. having a Deſign to relieve *Tartas* (a Place in *Guyenne* which had capitulated to ſurrender on certain Conditions, in *June* 1443, if not reliev'd by that time) ſpent the Winter at *Tholouſe*, where he diſpoſſeſs'd the Count *d'Armagnac* of a part of the County of *Cominges* which he had uſurp'd. The Count *d'Armagnac*, who had always been attach'd to the ſervice of *France*, was ſo exaſperated by the King's ſevere Treatment of him, that he made an Offer to King *Henry* of one of his Daughters in Marriage, together with the beſt part of his Dominions, which included *Gaſcoigne*, properly ſo call'd, *Auvergne*, *Rouergne*, and ſeveral other Domains. *Henry* accepting the Propoſal, ſent Ambaſſadors to him with full Power to betroth one of his Daughters in his Name, which was done accordingly. But the Count being not long after entirely ſtript of his Dominions, *Henry* thought no more of the Match.

Capitulation of Tartas.

Count d'Armagnac *turn'd out of* Cominges.

He offers one of his Daughters in Marriage to Henry.

AT laſt, in 1444, *Charles* VII. and *Henry* VI. concluded a Truce of two Years at *Tours*, that they might be at leiſure to negotiate a Peace. This Truce was often prolong'd and renew'd, 'till 1448, that it was broke by the ſeizing of *Fougeres*, a Town belonging to the Duke of *Bretagne*, which the then Governor of the lower *Normandy* for the *Engliſh* * ſurpriz'd, and took in the midſt of the Truce, with a very great Booty. *Charles* VII. who had caus'd the Duke of *Bretagne* to be included in the Truce, took this Affair very much to heart. He demanded 1,600,000 Crowns Damages for the Duke of *Bretagne*, even before it was poſſible to compute what the Damage was; and in ſhort, becauſe his Demand was not complied with ſo ſoon as he deſir'd, he caus'd ſeveral Places belonging to the *Engliſh* to be ſurpriz'd, and enter'd *Normandy* with four Armies. The War being now renew'd, the Affairs of the *Engliſh* ſucceeded ſo ill in *France*, that in the very firſt Campaign they loſt half of *Normandy*, together with *Roan* the Capital of that Province. And in the ſecond Year, which was 1450, *Charles* took the reſt of that Province, together with all the Conqueſts of the *Engliſh* in *France*; after which he carried his Army into *Guyenne*, where he made ſome

Truce with France.

Fougeres ſurpriz'd and taken, and the War renew'd.

Ill Succeſs of the Engliſh *Affairs in* France.

"This Book ends with the Fourteenth Year of your moſt noble Progenitor King *Edward* the *Fourth*; when,

"He, tir'd with tedious and fruitleſs Treaties, carries a Royal Army into *France* againſt *Lewis* XI. who being "a very wiſe Prince and *PHILOSOPHER*, above the common ſort, immediately capitulates; and without much "of *PRELIMINARIES*, 'tis agreed that King *Lewis* pay Coſts, and defray the Charges of the Expedition, that "King *Edward* is to abſtain from War, and to carry back into *England* his Army and his Navy.

"And as for his Hereditary Right to the Crown of *France*, King *Lewis* offers an *EQUIVALENT* in Gold, and "gives Security to pay the Sum agreed upon in *London*, yearly, during the Lives of the two Kings, and the long"eſt Liver of them, and to his Succeſſors, Kings of *England*, for an hundred Years after."

* This was Sir *Francis Surienne*, whom Mr. *Rapin* in his other Hiſtory calls a Knight of the Garter, and Mr. *Eachard* a Knight of *Arragon*.

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some Progress; and in 1451, he finish'd the Conquest of that Province. In 1452, the *Gascons* revolted from their Obedience to him, and brought the *English* into *Bourdeaux*. But next Year they were again drove out of every Corner of the Province. And thus ended this long War, when of all the Conquests which the *English* had made in *France*, they had nothing left but *Calais*, *Guisnes*, and some little Places in the Neighbourhood. Above all they lost *Guyenne*, the ancient Inheritance of their Kings.

It happens that this Tome is very barren of Acts relating to these Events: At least I don't find any material Piece in it, which can be of any great service to the clearing up of the History, excepting only in the Dates, which may really prove of some advantage.

Henry's full Power to treat of the Match with the Count d'Armagnac's Daughter. P. 7.

The most important Pieces here, are, 1. The full Power from *Henry* VI. to his Ambassadors, to conclude his Marriage with one of the Daughters of the Count *d'Armagnac*, dated the 28th of *May*, 1442 [a].

2. Treaties of Truce between *Henry* and *Isabel* of *Portugal*, Dutchess of *Burgundy*, acting for the Duke her Husband [b].

Truce at Tours. P. 59.

3. The Truce concluded at *Tours*, *May* the 28th, 1444; together with the several Prolongations of it, and Conventions for an Interview betwixt the two Kings, which nevertheless came to nothing in the end.

Earl of Shrewsbury's Commission as Lieutenant of Guyenne. P. 313.

4. The Commission granted to *Talbot* Earl of *Shrewsbury*, to be the King's Lieutenant in *Guyenne*, upon the promise of the *Gascons* to introduce the *English* into *Bourdeaux*, dated *September* the 2d, 1452 [c].

II. *Domestic Affairs.*

The Cardinal's Enmity against the Duke of Gloucester.

The Cardinal of *Winchester*'s only View being to ruin the Duke of *Gloucester*, he had for this end brought to Court the Earl of *Suffolk*, who became the King's Favourite, and *John Kemp* Archbishop of *York*, for whom he procur'd a Cardinal's Cap. These three Ministers, who directed all Affairs, were the Duke of *Gloucester*'s mortal Enemies. As this Duke made a great Clamour against the Ministry for releasing the Duke of *Orleans*, contrary to the late King's express Orders, they contriv'd a way to stop his Mouth, by one of the most cruel Mortifications that Flesh and Blood could suffer. In 1442, the Dutchess his Wife was accus'd of a design to take away the King's Life by Witchcraft; and she was condemn'd to Imprisonment all the rest of her days, after having publickly done Penance in St. *Paul's* Church. Some time after, the Duke impeach'd the Cardinal of High-Treason; but he got off by a fresh Pardon, which he obtain'd from the King.

His Dutchess accus'd of Witchcraft.

The Cardinal impeach'd of High-Treason, and pardon'd.

Marriage propos'd betwixt the King and the Daughter of Anjou.

I have already observ'd, that the Ministry wish'd to make a Peace with *France* upon any Terms, and I gave their Reasons for it. To carry their Point with the more ease, they contriv'd to marry the King to *Margaret* of *Anjou*, Daughter to *Rene* of *Anjou*, and Niece to the Queen of *France* and the Count *du Maine*, who was a Favourite of *Charles* VII. But the bare desire of Peace was not the only Motive that put them upon this Marriage, for they had another which was equally pressing: The King might die, and in that case the Crown would devolve indisputably to the Duke of *Gloucester* their Enemy. Besides, as *Henry* was but an infirm Prince, they thought it would be better for them to have a Queen to undertake the Government of the Realm, for fear the Parliament should commit the Regency to the Duke of *Gloucester*. *Margaret* of *Anjou* was a Princess perfectly qualified for this purpose; for she was witty, bold and enterprising, and at the same time had so poor an Estate, that she could not but be highly oblig'd to them for the change of her Fortune. They propos'd therefore to place her at the Head of Affairs, and to support her with their joint Credit, that they might be protected by her in their turn; by which means they hoped to keep their Posts, and effectually ruin the Duke of *Gloucester*, not in the least doubting that the new Queen would unite with them for the same purpose.

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Ambassadors sent to treat about it.

This Affair was secretly negotiated during the whole Year of 1443; and at last in 1444 it was agreed, that the King should send Ambassadors to *Tours*, where King *Charles* then resided, there to conclude a Truce, and at the same time to settle the Articles of his Marriage. The Earl of *Suffolk* was appointed Chief of the Embassy, and he receiv'd his Instructions in Writing. Tho' 'tis probable he was the very Man that drew them up, yet as he plainly perceiv'd that for the Step he was going to take he might some day or other be call'd to a severe Account, he petition'd the King, that he would please to excuse him from the said Embassy, or at least to give him the necessary Security. The King granted him the latter part of his Petition by a Commission, wherein he enjoin'd him punctually to observe his Instructions, not only those relating to the Good of the State, but to his own Person and Marriage.

Sign the Truce.

Propose the King's Marriage with Margaret *of* Anjou.

The Ambassadors meeting at *Tours*, there sign'd the Truce which I have already mention'd. Afterwards the Earl of *Suffolk* propos'd, or caus'd to be propos'd, the Marriage of the King his Master to *Margaret* of *Anjou*; and instead of stipulating a Portion, he engag'd in the King's Name, to restore the City of *Mans*, and the whole County of *Maine* to *Lewis* of *Anjou* King of *Sicily*, on condition that this Prince should make a Present of it to the Count *du Maine* his Brother.

Which is approv'd by the King and Council.

'Tis uncertain whether the Earl of *Suffolk* had it in his Instructions to restore *Maine*, or whether he did it of himself, tho' I think the latter most probable. Be it as it will, he return'd to *England* in order to get the Conditions, which had been agreed to for the King's Marriage, approv'd by the King and Council. The Duke of *Gloucester* oppos'd it to the utmost of his power, by shewing that *Maine* was the Key of *Normandy*. But do what he could, every thing that the Earl of

[a] At *Westminster*. [b] Dated at *Diron*, *April* the 23d, 1443. [c] At *Westminster*.

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Suffolk had done was approv'd of; and in a few days after, the Earl return'd to *France* with a Proxy from the King to marry *Margaret*, and with the Title of Marquiſs, with which the King honour'd him before he ſet out.

And ſolemniz'd by Proxy.

IN *November* 1444, the Marriage was ſolemniz'd at *Tours*, where the King of *France*, as is ſaid above, then reſided. And not many Months after, in 1445, the new Queen arriv'd in *England*, and according to the Scheme already concerted, took the Government upon her in the name of the King her Husband, the Miniſters affecting to receive thoſe Orders from her in public, which ſhe before-hand concerted with them in private; for as to the King, all that he did was to ſet his hand to every thing they brought him, without informing himſelf what it was about, tho' every thing was tranſacted in his Name. This Beginning promis'd a happy Regency to the Queen and the Miniſtry; and the rather, becauſe the Parliament which met in 1446, thank'd the Marquiſs of *Suffolk* for the great Service which he had done to the Kingdom, and made him amends for the Expences he had been at in his Embaſſy. Yet there were two Perſons ſtill remaining, who hung very heavy upon the Adminiſtration of the Queen and the Miniſtry, *viz.* the Dukes of *Gloceſter* and *York*. As to the former, there was ſo little probability of ever gaining him over, that his Ruin was reſolv'd on: but as for the Duke of *York*, who was lately arriv'd from *France*, they endeavour'd to ſecure him in the Intereſts of the Court, by heaping Careſſes on him, and the King continued the Regency of *France* to him for five Years longer. Nevertheleſs the Duke being not ſo pliable afterwards as the Miniſtry would have had him, the Regency was taken from him before the Expiration of that Term, and given to the Duke of *Somerſet*.

The new Queen arrives, and manages all Affairs.

The Earl, now Marquiſs of Suffolk, *thank'd by the Parliament for negotiating the Marriage.*

Duke of York *continued in the Regency of* France.

Diſmiſs'd and ſucceeded by Somerſet.

THE Duke of *Gloceſter's* Enemies perceiving themſelves ſo well fix'd, and having a Parliament at their Devotion, reſolv'd at laſt to execute the Project they had contriv'd to ruin him. Firſt of all they got him remov'd from the Seat which he held in Council, as firſt Prince of the Blood. Afterwards they caus'd him to be impeach'd of ſeveral Crimes, which it was pretended he had been guilty of during his Regency. But he defended himſelf ſo well, that the Council did not think fit to refer the Affair to the deciſion of the Peers: conſequently the Duke was for this time acquitted, but in ſuch a manner that he could get no Satisfaction from thoſe who had accus'd him. This Affair made a mighty Noiſe at *London*, where the Duke was extreamly belov'd, and the People ſeem'd one and all reſolv'd to protect him openly againſt all his Enemies. But this Affection of the Populace to him only ſerv'd to haſten his Ruin; for not long after, when the Parliament was aſſembled at *St. Edmundsbury* in 1447, the Duke of *Gloceſter* was there arreſted on the firſt day of their Seſſion *, committed to a cloſe Priſon, without any of his Domeſticks to attend him; and next day he was found dead in his Bed. It was then given out that he had contriv'd to murder the King; and ſeveral of his Domeſtics being apprehended, were all condemn'd to die as his Accomplices in this pretended Crime; but the King pardon'd every one of them. There was no body that made the leaſt doubt that the Queen, and the three Miniſters had put this Duke to ſome violent death; which drew that public Hatred upon them, of which they all afterwards felt ſevere Effects, excepting only the Cardinal of *Wincheſter*, who eſcap'd the Puniſhment he deſerv'd by his death, which overtook him ſoon after.

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Acquits himſelf, to the great Joy of London, *and the Populace.*

But is not long after arreſted, impriſon'd and murder'd.

His Accomplices condemn'd to die but pardon'd.

Cardinal of Wincheſter's *Death.*

THEN it was that the People's Eyes began to be open'd; they plainly ſaw what the Marquiſs of *Suffolk* was driving at, and accus'd him publickly of having betray'd the King and Kingdom, as well in reſpect to the King's Marriage, as to the Truce which he had ſign'd at *Tours*. The Marquiſs being no Stranger to theſe Complaints, obtain'd the King's Letters Patent, which fully juſtify'd him as a Perſon that had done no more than what he had been expreſſly order'd. But as the Subjects knew very well that the King did nothing of his own head, this was not enough to cancel the Impreſſions they had already receiv'd. At the ſame time, in 1448, the Queen, on purpoſe as it were to brave the People, and to ſhew that ſhe valued not their Murmurings, created the Marquiſs of *Suffolk* Duke of that Name.

Marquiſs of Suffolk *cenſur'd by the People.*

Juſtify'd by the King.

And makes Duke by the Queen.

THIS very Year the Truce with *France* happen'd to be broke by the Surprize of *Fougeres*, of which *Surienne*, already mention'd, made himſelf Maſter, while the Duke of *Somerſet* Regent in *France*, was at *Roan*. Whoever ſeriouſly conſiders *Surienne's* Action, cannot help being of opinion that he had ſecret Orders to ſurprize this Place, in order to give *Charles* VII. an Opportunity to regain all that the *Engliſh* poſſeſs'd in *France*, as actually happen'd. There are many Reaſons to ſupport this Suſpicion; I will but juſt mention them, becauſe 'tis needleſs to enlarge upon them. 1. There was no apparent Reaſon for taking away the Regency of *France* from the Duke of *York* during the Truce, if there had not been ſome Deſign carrying on, for which he was not thought a fit Tool. For this Prince had thoroughly diſcharg'd his Duty during the War, and hitherto there had been no reaſon to complain of him. 2. There is no probability that *Surienne* durſt have undertaken to ſurprize *Fougeres*, as it were under the Regent's Noſe, and at a time when the Truce was juſt renew'd, if he had not been ſure of doing it with Impunity. 3. The Heat *Charles* VII. diſcover'd in this Affair, which did not affect him in particular, ſhews that it was a far-fetch'd Pretence for breaking the Truce.

Truce with France *broke by the Surprize of Fougeres.*

Remarks on Surienne's *Undertaking.*

* This was the 24th of *February*, according to the *Compleat Hiſtory of* England.

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Truce. 4. His Obſtinacy in inſiſting upon 1,600,000 Crowns Damages for the Duke of *Bretagne*, without any Deduction, before a juſt Eſtimate could be made of the Damages, is a plain Sign that he intended to put *England* out of a condition to accommodate this Affair. 5. It appear'd that, in a little time after, he had no leſs than four Armies on foot to invade *Normandy*, for which ſome Preparation muſt neceſſarily have been made before the taking of *Fougeres*. 6. The Duke of *Somerſet* and the Court of *England* did indeed diſown *Surienne*, but they never made any poſitive Offer to the Duke of *Bretagne* by way of Amends: They did not reſtore *Fougeres* to him, and gave him no Satisfaction by puniſhing the Author of that Undertaking. 7. When King *Charles* enter'd *Normandy*, the Places of that Dutchy had neither Proviſions, Ammunition, nor ſufficient Garriſons; and moſt of the Governors were in *England*, by leave either from the Court or the Regent. 8. There was no manner of Preparation made in *England* to carry on the War, which was juſt broke out again. 9. The Duke of *Somerſet*, who did not want Bravery, made but a wretched Defence, and even ſurrender'd the City of *Caen* contrary to the Advice of the principal Officers of the Gariſon. 10. Laſtly, the Duke of *Suffolk* was afterwards impeached by the Houſe of Commons, for having held a Correſpondence with the King's Enemies, to make a Sacrifice to them of *Normandy*, and all his Poſſeſſions in *France*.

Diſcontents of the People, who talk of the D. of York's Right to the Crown.

KING *Charles* having made ſo great a Progreſs in *Normandy* in 1449, as to be Maſter of *Roan*, the People's Diſſatisfaction with the Court grew to a very great height; and they began to talk of the Right which the Duke of *York* had to the Crown, as Heir of the Family of *March*. This coming to the Ears of the Queen and the Miniſtry, they thought fit to ſend the Duke of *York* into *Ireland*, on pretence of appeaſing ſome Diſorders there.

He is therefore ſent to Ireland.

D. of Suffolk impeach'd of High Treaſon, and committed to the Tower.

THE Parliament being aſſembled in 1450, the Commons ſent up an Impeachment of High Treaſon to the Houſe of Peers againſt the Duke of *Suffolk*, which imported, that he had held a Correſpondence with the *French*, and betray'd the Intereſts of his King and Country; whereupon the Duke was ſent to the Tower. But to prevent this matter from being puſh'd too far, the Queen thought fit to adjourn the Parliament to *Leiceſter*; and immediately after, the Duke of *Suffolk* was releas'd out of the Tower, and reſtor'd to his old Station at Court: And when the Parliament was actually re-aſſembled at *Leiceſter*, the King and Queen went thither, being accompany'd by the Duke of *Suffolk*. This ſo diſguſted the Commons, that they preſented an Addreſs to the King, praying him to ſend the Duke back to the Tower. The Queen forſeeing by this Puſh that it would be a hard matter to ſave him, prevailed on the King to baniſh him out of the Realm for five Years. But as the Duke was going to retire to *France*, he was met at Sea by an *Engliſh* Man of War, whoſe Captain caus'd his Head to be cut off without any Form of Tryal.

Releas'd and reſtored to his Place at Court.

Commons addreſs the K. to recommit him to the Tower, whereupon the D. gets him baniſh'd.

But he was met at Sea by a Man of War, whoſe Captain beheaded him.

MEAN time, the Duke of *York*, who was in *Ireland*, imagining that the Diſguſt of the People of *England* againſt the Queen and Miniſtry might make well for him, reſolv'd to improve the Opportunity. For this purpoſe he choſe a fit Tool, one *Jack Cade* an *Iriſhman*, who taking the Name of *John Mortimer*, Brother to the late E. of *March*, went into the County of *Kent*, where he aſſembled a vaſt number of People: And when he thought himſelf ſtrong enough, he march'd towards *London*, which open'd its Gates to him; and he caus'd the Head of the Lord High Treaſurer to be ſtruck off, while the Court was retir'd to *Kenilworth*. But the Rebels miſcarry'd thro' the Imprudence of *Cade*, who being abandon'd by his Troops, was kill'd in a place to which he went to hide himſelf. Probably the Duke of *York* only ſet up this Man to ſound the Inclinations of the People in favour of the *Mortimer* or *March* Family, to which he was Heir by his Mother.

Cade's Rebellion.

He enters London, and takes off the Lord High Treaſurer's Head.

He abſconds, is taken, and kill'd.

THIS ſame Year *Charles* VII. finiſh'd the Conqueſt of *Normandy*, and caus'd his Army to march into *Guyenne*, by which means the Duke of *Somerſet* loſing the Regency, return'd to *England*, and arrived there while the Parliament was ſitting. The Clamours againſt him were ſo loud, that the Lower Houſe could not avoid addreſſing the King to ſend him to the Tower; but the Parliament was no ſooner broke up than the Duke return'd to the Court, where he had the Poſt of the Duke of *Suffolk*.

D. of Somerſet diſmiſs'd from the Regency.

Clamours againſt the D. of Somerſet.

IN the Year 1451, *Guyenne* was entirely loſt; which occaſion'd ſuch ſevere Murmurings in *England*, that the Duke of *York* thought it high time for Action, but took care nevertheleſs to conceal his Aim at the Crown. He repair'd to *England*, notwithſtanding the Orders which the King had iſſued to hinder his landing: and retiring to his Seat at *Wigmore*, he there took Meaſures to have an Army ready in caſe of need. Then he wrote to the King, complaining of the ill State which the Kingdom was fallen into by the Miſconduct of his Miniſters, and demanding that the Duke of *Somerſet* might be puniſh'd as he deſerv'd. Tho' the King return'd him a very mild Anſwer, yet in 1452, he march'd towards *London*, where he had hopes of being admitted; but he found the Gates ſhut, and therefore went and poſted himſelf on the other ſide the *Thames*. The King, who was already prepar'd, purſu'd him, and paſs'd the River at *London*. When the two Armies were near each other, they came to a Parley, in which the Duke promis'd to lay down his Arms, provided the Duke of *Somerſet* might be ſent to the Tower. The King taking him at his word, the Duke diſbanded his Troops, and went to Court without any manner of Precaution, where, as he was ſailing to the King againſt the

Murmurs of the People for the loſs of Guyenne.

D. of York returns to England.

Marches up to London.

Inſiſts on the Commitment of the D. of Somerſet, but is arreſted himſelf.

the

the Duke of *Somerſet*, he was very much ſurpriz'd to ſee his Grace come out from behind the Tapeſtry, where he conceal'd himſelf, and to hear him not only to make his own Defence, but alſo to accuſe him (the Duke of *York*) of having enter'd into dangerous Deſigns againſt the King. Upon this, the Duke of *York* was arreſted as he was going out of the Room; and 'tis probable he would have paid very dear for his Indiſcretion, if ſeveral Reaſons, too long to mention here, had not ſav'd his Life. The Court only requir'd an Oath of him, that he would never take Arms againſt the King, provided he were ſet at liberty; upon which he retir'd to his Eſtate at *Wigmore*, waiting for a better opportunity to put his Deſigns in execution. Mean while the Queen and the Duke of *Somerſet* ſtill govern'd all in the King's Name.

He is ſet at liberty, and retires to his Eſtate in the Country.

Rights of the Houſes of Lanc. *and* York *to the Crown.*

IF we only conſider the common Laws and Cuſtoms of the Realm, the Duke of *York*'s Right to the Crown was indiſputable; for he was Heir to the Houſe of *March*, which deſcended from the ſecond Son of *Edward* III. whereas the *Lancaſter* Family was only deſcended from the third Son. But then the latter had the Crown ſettled on it by an Act of Parliament, and had been above 50 Years in poſſeſſion of it. The Duke of *York* did not dare to diſpute the Parliament's Settlement; but on the contrary, propos'd to come at the Crown by their means. For this end he was under an abſolute Neceſſity of ſtarting ſuch Pretences, as might give him an Opportunity of puſhing Things to the end he had in view. The Queen and the Duke of *Somerſet*, by their manner of governing, furniſh'd him with a plauſible Motive for acting under the ſole pretence of the public Welfare, while he was prepar'd to make his advantage of the Conſequences which this Quarrel might produce. With this View, he procur'd to himſelf the Friendſhip of two Noblemen, who were the ableſt Heads in the Kingdom, *viz.* the Earl of *Salisbury* of the *Nevil* Family, Son-in-Law to the Earl of the ſame Name, who was kill'd at the Siege of *Orleans*, and the Earl of *Warwick* his Son. He had alſo other Friends at Court, who pretending to be devoted to the Queen and the Duke of *Somerſet*, only waited for an opportunity to do him ſome conſiderable Service.

Duke of York *ſtruggles for it.*

He makes the Earls of Saliſbury *and* Warwick *his Friends.*

TOWARDS the cloſe of the Year 1453, an Occaſion naturally preſented. The King falling into a Conſumption, which endanger'd his Life, and the Queen being brought to bed of a Prince, the Duke of *York*, by the Advice of his Friends, pretended an extraordinary Submiſſion to the King, and did not ſhew the leaſt Inclination to ſtir. The Affairs of the Nation requir'd the Calling of a Parliament; but by reaſon of the King's Sickneſs, it had been adjourn'd to the Month of *Febr.* 1454. During this Adjournment, the Duke of *York*'s Friends at Court repreſented to the Queen and the Duke of *Somerſet*, "That

His Friends make a Repreſentation to the Q. and the D. of Somerſet.

"while the King continued in Health, it "was lawful for them to govern in his Name, "becauſe it was ſuppos'd that the King "would have it ſo, and that all Orders "came from him; but that as he was now "not in a Capacity to take cognizance of "Affairs, their Authority had no longer "any good Foundation to ſtand upon. "That as there were too many Malecontents "in the Kingdom, it was to be fear'd that "the Parliament would appoint other Go-"vernors. For this reaſon they adviſ'd "them to do ſomething which might con-"vince the World that they did not pretend "to the Uſurpation of all Authority; and "that for this end it would be proper to "call to Council the Duke of *York*, the Earls "of *Salisbury* and *Warwick*, and ſome "other Noblemen of the greateſt Diſtinc-"tion." The Queen and the Duke of *Somerſet* cloſing with this fatal Advice, the Duke of *York* and his Friends gain'd ſuch an Aſcendant in the Privy Council, that the Queen and the Duke her Miniſter loſt all ground there: And the firſt Step of the new Privy Counſellors was to ſend the Duke of *Somerſet* to the Tower.

HENRY VI.

Duke of Som. *ſent to the Tower.*

THE Parliament aſſembling in 1454, the Commons impeach'd the Duke of *Somerſet* of High Treaſon; and the Duke of *York* was declar'd Protector during the King's Sickneſs. Not long after, the Government of *Calais* was taken from the Duke of *Somerſet*, and the Duke *York* ſeiz'd it into his own hands, or rather got a Patent in the King's Name inveſting him with it.

Impeach'd of High Treaſon.

Duke of York *declar'd Protector, and Governor of* Calais.

THE Regency of the Duke of *York* continued no longer than the Remainder of this Year; for the King recovering his Health in the beginning of the next Year, reſum'd the Government into his own hands, or rather the Queen govern'd as before in the King's Name; and in a very little time ſhe diſcharg'd the Duke of *Somerſet* from the Tower, and put him in the ſame Poſt which he held before his Impriſonment.

The Q. governs again, and releaſes and reſtores the Duke of Somerſet.

MEAN time ſome of the moſt moderate Lords, fearing that theſe Broils would at laſt produce ſome fatal Revolution, laid their Heads together in 1455, to accommodate the two Dukes, and at length inclin'd them to refer their Differences to Arbitrators. But this Precaution had not its Effect, becauſe of the Duke of *Somerſet*'s Impatience to have the Duke of *York* remov'd from the Government of *Calais*. The King under colour of obſerving a Neutrality between theſe two Dukes, who diſputed for that Government, depriv'd the Duke of *York* of it, and declar'd himſelf Governor of the Place. The Duke of *York* feign'd a Submiſſion with a good Grace, but he ſoon after retir'd to *Wales*, where he rais'd an Army; and the King having aſſembled a Body of Troops on his part, march'd to give the Duke Battle.

D. of York *removed from the Government of* Calais.

He goes to Wales, *and raiſes an Army.*

The K. marches to fight him, but is defeated in the Battle of St. Albans, *wounded and taken Priſoner.*

THE two Armies met very near *St. Albans*, where happen'd the firſt of the thirteen Battles that was fought in this Quarrel.

Quarrel. The Duke of *Somerſet* was there kill'd, and the King being defeated, and wounded in the Neck with an Arrow, fell into the Hands of the Duke of *York*, who conducted him to *London* with all the Reſpect poſſible, and always carry'd it to him as his Sovereign; for he did not as yet think it time to make known his Intentions.

THE Parliament aſſembling not long after, cenſur'd the Conduct of the Queen and the Duke of *Somerſet*, and deſir'd the King to appoint a Protector. But the Duke of *York*, for fear it might be ſuſpected that the King was forc'd to it, caus'd the Nomination to be put off, and the Parliament was prorogued to the 12th of *November*.

Duke of York *is again choſe Protector.*

THE ſame Day that the Parliament met again, the King appointed the Duke of *York* Protector of the Realm, with this Clauſe, that he ſhould enjoy all the Prerogatives of the ſaid Dignity, till the Parliament ſhould diſcharge him of it. The new Protector relying altogether upon this Clauſe, liv'd in a State of perfect Security, leaving the King and Queen at as full liberty as they could wiſh. Mean time, the Queen having concerted Meaſures with *Henry* the new Duke of *Somerſet*, the Son of him who was kill'd at *St. Albans*, found means to put a Period to this Regency, which the Duke of *York* hop'd to enjoy as long as the King liv'd. The Parliament meeting again in 1456, the King went thither unexpected, and declar'd that being thro' the Grace of God in good Health, he did not think the Realm had need of a Protector, and deſir'd the Parliament to diſcharge the Duke of *York* from that Employ. The Queen had ſo well link'd her Party, that the Parliament immediately order'd the Protector's Dignity to be ſuppreſs'd; and not long after, the Duke of *York*, with the Earls of *Salisbury* and *Warwick* left the Court, and retir'd into *Yorkſhire*. A Tumult that was rais'd at *London* on a very trifling occaſion, giving the Queen cauſe to ſuſpect that the Duke of *York*'s Friends were the ſecret Authors of it, ſhe carry'd the King to *Coventry*, on pretence of giving him change of Air. She had laid ſuch a Trap for the Duke and the two Earls, that ſhe narrowly miſs'd drawing them to Court; but as they were forewarned of their danger, they had time to eſcape it; and the Earl of *Warwick* went to *Calais*, the Government of which was given to him after the Battle of *St. Albans*.

And again removed.

The Q. ſuſpects him, and endeavours to ſurprize him with the two Earls, but they eſcape.

THE whole Year 1457 paſſed away without any domeſtic Commotion, becauſe People were only intent upon the Invaſions which the *French* made upon the Southern Coaſts, and the *Scots* in the North.

French and Scotch Invaſions.

THO' the Duke of *York* was far enough from Court, yet the Queen and the Duke of *Somerſet* could not be eaſy. On the other hand, the Duke of *York* ſaw well enough, that it would be no hard Task for him to dethrone the King by force. Whſle both Parties were thus diſpos'd, certain Lords who met in 1458, on purpoſe, found it very eaſy to reconcile them, which they did accordingly at *London*, in the beginning of *April* 1458; and on the 5th of the ſame Month there was a Proceſſion to *St. Paul's*, in which the Lords walk'd in Pairs, *viz.* one of each Party by the other, and the Duke of *York* led the Queen. By the Agreement it was ſtipulated, that the Duke of *York*, the Earl of *Salisbury*, the Earl of *Warwick*, and ſome others of their Friends, ſhould be admitted into the King's Council. But whether they were afraid to truſt the Queen, or whatever elſe was the Motive, they left the Court upon various Pretexts. The Earl of *Warwick* departing for *Calais*, had a Skirmiſh with ſome Ships from *Genoa* and *Lubeck*, which he thought fit to carry off; and Complaints being made thereof to Court, he return'd thither to juſtify his Conduct. One day while he was in Council, it happen'd that one of his Domeſtics quarrell'd with one of the King's Domeſtics, and wounded him; and, as he was going out, he was immediately ſurrounded by all the loweſt Order of the King's and Queen's Domeſtics, who pretended to revenge their Comrade's Quarrel, but went about it in ſuch a manner that the Earl plainly perceiv'd they had a deſign upon his Perſon. However he eſcap'd, tho' he was ſoon after confirm'd in his Thought by the Intelligence given him, that there was an Order from the King to carry him to the Tower. Then he no longer doubted but it was a Contrivance of the Queen to get him diſpatch'd without her ſeeming to have any hand in it, or at leaſt to accuſe him of having rais'd this Tumult in the King's Palace. This made him reſolve to go and find out the Duke of *York* and the Earl his Father, in order to concert with them the neceſſary Precautions to be taken againſt ſuch Snares.

Proceſſion thereupon to Paul's.

Duke of York *and his Friends leave the Court.*

Earl of Warwick *attacks ſome Ships of* Genoa *and* Lubeck.

Quarrel between his and the King's and Queen's Domeſtics.

King deſigns to commit him to the Tower, but he eſcapes.

And goes to conſult with the Duke of York, *and the Earl of* Saliſbury.

IMMEDIATELY after, in the Year 1459, the Earl of *Warwick* repair'd to *Calais*, and the Duke of *York* and the Earl of *Salisbury* went to raiſe Troops, the Duke in *Wales*, and the Earl in *Yorkſhire*. On the other hand, the Queen and the Duke of *Somerſet* aſſembled an Army without loſs of time. Mean while, the Queen being inform'd that the Earl of *Salisbury* had a deſign to march to *London*, detach'd Lord *Audley* to ſtop his March, and bid him make all poſſible haſte, in order to hinder the Earl of *Salisbury* from joining the Duke of *York*. *Audley* being advanc'd as far as *Shropſhire*, met the Earl there upon *Boreheath*, where a Battle enſued, in which the King's Toops were defeated, and their General kill'd. Nevertheleſs, the Earl of *Salisbury*, as victorious as he was, did not care to force his way to *London*; but contented himſelf with joining the Duke of *York* in *Wales*, where they ſtaid for the Earl of *Warwick*, who brought them a Detachment from the Garriſon of *Calais*.

The ſecond Battle between York *and* Lancaſter.

Reconciliation between the Duke of York *and the Court.*

FEODERA Tom. XI.

THE King could not march into the Field againſt the Malecontents till *October*. As ſoon as he came near them he offer'd 'em an Amneſty, but they demanded Securities which the Court was not in a humour to grant them. At the ſame time, the King gave the Government of *Calais* to the Duke of *Somerſet*, but the Earl of *Warwick* would not eaſily part with it.

Duke of Somerſet *made Governor of* Calais.

THE Duke of *York* and his Friends finding that the King was reſolv'd to give them Battle, wrote a very ſubmiſſive Letter to him, to which he return'd no anſwer; but caus'd a Proclamation to be diſpers'd in their Army, whereby he promis'd an abſolute Pardon to all thoſe who ſhould abandon the Rebels Party. This Proclamation had ſuch an effect that the Malecontent Lords were that very Night abandon'd by the greateſt part of their Troops, and oblig'd to retire with all poſſible diligence, for fear of being deliver'd up to the King. The Duke of *York* fled to *Ireland*, and the two Earls of *Salisbury* and *Warwick* poſted to *Calais* whither they carried with them the Earl of *March*, who was the Duke of *York*'s eldeſt Son.

Duke of York &c. *abandon'd by their Forces, and take flight.*

The Parliament's Sentence againſt them.

THE Parliament which met ſoon after declar'd the Duke of *York* and his Adherents guilty of High Treaſon, and incapable of ſucceeding to any Inheritance to the fourth Generation, and confiſcated all their Eſtates. As ſoon as the Parliament was broke up, the Duke of *Somerſet* ſet out to take poſſeſſion of his Government of *Calais*, but was repuls'd by the Cannon of the Forts, *&c.* and obliged to retire to *Guiſnes*. Some time after, in the Year 1460, the Queen having ſent him Troops and Shipping, the Earl of *Warwick* found means to take them out of the Port of *Sandwich*, where they were waiting for a Wind. The Earl made uſe of this ſame Fleet to go to *Ireland*, and conſult with the Duke of *York* about the proper Meaſures for their common defence. And as he return'd from thence, he met the King's Fleet, commanded by the Duke of *Exeter*, which did not dare to attack him.

Earl of Warwick *takes the King's Ships in* Sandwich *and ſails with them to* Ireland.

THE Court naturally ſuppoſing that the Malecontents would not ſtay long before they took Arms again, reſolv'd to weaken them by making away with all thoſe that were moſt attach'd to their Party. For this end the King gave a Commiſſion to the Earl of *Wiltſhire* and the Lord *Scales* to make a Circuit over the whole Kingdom, in order to proſecute all thoſe who had taken part with the Duke of *York*. The Severity with which theſe Commiſſioners acted in ſome places, ſo affrighted the Inhabitants of the County of *Kent*, who knew themſelves more guilty than the others, that they implor'd the Protection of the Earls of *March*, *Salisbury* and *Warwick*, and invited them to come into their County, where they promis'd to live and die with them. This Invitation being joyfully accepted, thoſe Lords march'd ſoon after to *Sandwich*, where they found 4,000 Men arm'd, all ready to follow them. In a few days this Army increas'd to the number of 40,000 Men, with whom the Lords march'd to *London*, which open'd its Gates to them, after having refus'd admittance to the Troops that had been ſent by the Queen.

Commiſſioners ſent all over England *to proſecute the Rebels.*

The Kentiſh *Men invite the Rebel Lords to their County.*

HENRY VI.

MEAN time the Court having loſt no time in Preparations, the King and Queen were at *Coventry* at the Head of a Powerful Army, and march'd towards *London*. On the other hand, the Earls of *March* and *Warwick* having left the Earl of *Salisbury* at *London*, advanc'd towards the King, and both Armies met very near *Northampton*, where a bloody Battle was fought, in which the Royal Army was entirely defeated, and the King himſelf taken Priſoner. The Queen and the D. of *Somerſet* had the good fortune to get ſafe to the North. The victorious Lords paid the King all the Honours that he could poſſibly have deſir'd in his greateſt Proſperity, and conducted him to *London*, where the Parliament was call'd. Mean time the Queen and the Duke of *Somerſet* retired to *Scotland*. The King being in the power of the Lords, did every thing they would have him, and put forth Proclamations to juſtify their Conduct.

The third Battle betwixt York *and* Lancaſter *in which the King is taken Priſoner, and carry'd to* London.

WHILE theſe things paſs'd in *England*, the Duke of *York*, who little expected this happy Revolution, had engag'd *James* II. King of *Scotland*, to make an Incurſion into *England*, in order to harraſs the Court: And not many days after the Battle of *Northampton*, *James* went and beſieg'd *Roxburgh*, which was in the Hands of the *Engliſh*; but he was unhappily kill'd at this Siege by the burſting of one of his own great Guns. *James* III. his Son, who was about ſeven Years of Age, ſucceeded him, and his Mother carry'd on the Siege till the Place was taken.

James II. *King of* Scotland *kill'd at the Siege of* Roxburgh.

CHARLES VII. King of *France* died ſome Days before, leaving his Son *Lewis* XI. his Succeſſor.

THE Duke of *York* could not be at *London* till a Day or two after the opening of the Parliament. Then he landed at *Weſtminſter*, and going into the Houſe of Lords, he ſtood upright for ſome time hard by the Throne, with his Hand upon it, as if he waited for being intreated to place himſelf in it. But the Silence of the Lords convincing him that it was in vain for him to expect it, he withdrew in the greateſt Confuſion imaginable. Next day he ſent a Memorial to the Parliament, containing his Claim to the Crown. After many Days Debate upon this Queſtion, the Parliament came at laſt to a Reſolution, to which they gave the form of an Act, declaring, that notwithſtanding the undeniable Right which the Duke of *York* had to the Crown, they were willing to conſent that *Henry*

Duke of York *comes to the Houſe of Lords, expecting to be plac'd in the Throne.*

Sends his Claim to it to the Parliament Houſe. Reſolution of the Parliament about it.

Henry ſhould enjoy it during his Life; but that after his Death it ſhould devolve to the Duke, or his Heirs; and that if the King ſhould in any manner whatſoever violate this Agreement, he ſhould thereby loſe all his Rights.

JUST as the Duke of *York* was arriv'd at the very height of all his Wiſhes, he heard that the Queen was raiſing Troops in the North. As it was of the utmoſt Importance to nip her Deſigns in the Bud, he ſet out from *London* with no more than 5000 Men, and ſent the reſt of the Army to *Wales*, under his Son the Earl of *March*, juſt to refreſh themſelves there, and then to come and join him. The farther he advanc'd into the North, the worſe News he receiv'd every day of the Queen's Succeſs in her Levies. At laſt, when he entered *Yorkſhire*, he heard that the Queen was marching towards him, at the head of 18000 Men. This News made him reſolve to throw himſelf into the Caſtle of *Sandal*, where the Queen, who had no Artillery, would never have been able to have forced him, if he had had the Patience to have ſtay'd for the Earl of *March*, whom he had ſent for. But ſhe ſo provok'd him by her Bravadoes, that at laſt he went out, and put himſelf in a poſture of Battle in the Plain of *Wakefield*, where about the End of *December* 1460, a Battle was fought, in which the Duke of *York*'s Army was routed, and himſelf kill'd on the ſpot, with his ſecond Son the Earl of *Rutland*. The Queen caus'd the Duke's Head to be put upon the Walls of *York*, together with that of the Earl of *Salisbury*, who had the Misfortune to be taken Priſoner.

The fourth Battle, in which the D. of York is killed.

THE Earl of *March*, who was not above 20 Years of Age, was not diſcourag'd by the Death of the Duke his Father. He had 23,000 Men with him, beſides what Forces ſtay'd at *London* with the Earl of *Warwick*; and theſe were enough in all conſcience to have given Battle to the Queen, who had no more than 18,000. And hearing that ſhe was on the March towards *London*, he reſolved to make all the haſte poſſible to be there before her; but upon Intelligence that the Queen was ſending *Gaſpar Tudor* Earl of *Pembroke* againſt him, with a Detachment of her Army, he went out of his Road to go and fight him. He met him juſt by *Mortimer's-Croſs* in *Herefordſhire*, attack'd, defeated him, and kill'd 2000 of his Men; after which he turned about into the Road for *London*.

The fifth Battle.

MEAN time the Queen march'd alſo to that City in 1461, with extraordinary Diligence, not in the leaſt doubting but the Inhabitants would turn out the Earl of *Warwick*, as ſoon as they ſaw her at their Gates, with the victorious Army of the Duke of *York*. But the Earl of *Warwick*, who was undoubtedly afraid that the Citizens Minds were alter'd, thought it would be leſs dangerous for him to go and meet the Queen whom he found juſt by *St. Albans*, in a place call'd *Bernard's-Heath*, where the two Armies engag'd.

THE Earl of *Warwick*, who carried the King with him to the Field was totally routed, with the loſs of 2800 of his Men; and the Queen, beſides the pleaſure of being the Conqueror, had the Satisfaction to deliver the King her Husband: but her Imprudence, or rather Poverty robb'd her of the Fruits of this Victory; for, wanting Money to pay her Troops, ſhe gave them leave to plunder the Town of *St. Albans*, tho' perhaps it was out of her power to prevent them. This Act of Violence ſo alarmed the Citizens of *London*, that they reſolv'd to ſhut the Gates of their City againſt her. The Queen hearing of their Reſolution, ſpent ſome time in treating with the Mayor, in hopes that at laſt ſhe ſhould have Admittance into the City. During this, the Earl of *March*, who made long Journeys, being arrived near *London*, the Queen's Negotition was more unlikely to ſucceed than ever. And at laſt the Earl was received into *London* as it were in Triumph. The Queen having no hopes left of being admitted into the City, retir'd Northwards, and the Earl did not think fit to purſue her.

The ſixth Battle.

Sr. Albans *plundered.*

The Queen ſhut out of London, *and the E. of* March *admitted.*

IN a few days after, the Earl of *Warwick* having aſſembled the Army and the People, did with a loud Voice read the Act of Parliament to them, which was lately made concerning the Succeſſion, and in conſequence thereof the Earl of *March* was proclaim'd King by the Name of *Edward* IV. Thus have I given the Subſtance of the Acts in the eleventh Tome of the *Fœdera*, to the end of the Reign of *Henry* VI.

E. of Warwick *reads the Succeſſion Act to the Army and People, and E. of* March *is thereupon proclaim'd King.*

FOR the right Underſtanding of the Acts of this Eleventh Volume, it muſt be conſider'd, that *Henry* VI. was always in a State of Tutelage, from the beginning of his Reign to the end of it; one while under the Duke of *Gloceſter* his Uncle, as has been already ſeen; another while under the Cardinal of *Wincheſter*; afterwards under the Duke of *Suffolk*; then under the Queen his Wife, aſſiſted by the Duke of *Somerſet*; at laſt he was under the Government of the Duke of *York*, the Earls of *Warwick* and *Salisbury*, and again under that of the Queen. I am of opinion, that the beſt way of accounting for the Acts I am to ſpeak of, is diſtinctly to mark out thoſe ſeveral Stages of Government, becauſe by that means we ſhall be enabled to ſee at once the View and Motives of the Acts relating to domeſtic Affairs.

Henry's *Governours.*

WHILE Henry *was under the Government of the Cardinal of* Wincheſter, *Cardinal* Kemp *Archbiſhop of* York, *and the Earl of* Suffolk, *we have,*

1. AN Order to conduct *Eleanor Cobham* Dutcheſs of *Gloceſter* from *Cheſter* Caſtle to that of *Kenilworth*; dated *October* the 26th 1443 [b].

Order for the Dutcheſs of Gloceſter's *Removal to* Kenilworth *Caſtle.* 45.

2.

[b] At *Weſtminſter.*

FOEDERA Tom. XI.

2. LETTERS Patent on account of the Earl of *Suffolk*'s Scruples touching his Embaſſy to *France*, whereby the King orders him to follow his Inſtructions, and ſays that his own Marriage is one of the chief Affairs in queſtion. They are dated the 20th of *February* 1444 [a].

Commiſſion to the E. of Suffolk. 53.

THIS ſhews that an Agreement was made with the Court of *France* for the King's Marriage, before the Departure of the Ambaſſadors.

THERE is alſo a Commiſſion to the Marquiſs of *Suffolk* to go and fetch the new Queen; dated *October* the 28th, 1444 [b].

Another to fetch the Queen. 74.

3. A COMMISSION to diſpoſe of the Eſtate of the late Duke of *Gloceſter*, who died, as they ſaid, inteſtate; dated *March* the 24th, 1447 [c].

Another for diſpoſing of the Eſtate of the D. of Gloc. 160.

4. LETTERS Patent for acquitting the Duke of *Suffolk* from the Charge of having engag'd the King to reſtore *Maine* and *Anjou*, without Authority for it. The King declares that the Duke did no more than what he was order'd, and forbids all Perſons to defame him; dated *June* the 18th, 1447 [d].

D. of Suffolk. *vindicated by the K.* 172.

Pardon to the D. of Gloceſt's *Domeſtics.* 178, 179.

5. A PARDON to *Thomas Herbard* Eſq; and three others of the Duke of *Gloceſter*'s Domeſtics, condemn'd to die for a Conſpiracy againſt the King; dated *July* the 14th, 1447 [e].

IT appears by this Act, that thoſe Perſons had been try'd by Commiſſioners, of whom the Duke of *Suffolk*, one of the Authors of the Duke of *Gloceſter*'s Death, was the Preſident.

AS it would not have ſignify'd any thing to put to death thoſe People, who perhaps were corrupted to make them own the pretended Conſpiracy of the Duke of *Gloceſter*, or who were at leaſt innocent of any ſuch thing, the King granted them their Pardon founded upon four Motives, which plainly ſhew the Wickedneſs of his Prompters.

Motives of the King's Pardon.

1. BECAUSE God reſerves Vengeance to himſelf.

2. BECAUSE the Day, in which the King granted his Pardon to the Criminals, was *Friday*; the Day on which Jeſus Chriſt ſuffer'd Death for us.

3. BECAUSE the Aſſumption of the Holy Virgin was very near at hand; a Feſtival to which the King had always from his Leading-ſtrings paid a great Veneration.

4. IN conſideration of many Favours which God had heap'd upon the King the preceding Year.

While Henry VI. *was govern'd by the Queen and the Duke of* Suffolk, *we have,*

1. A PROTEST made in the King's Name, at the time when *Mans* was reſtor'd, that he did not deſign to give up his Right of Sovereignty [f].

Proteſt about the Reſtitution of Mans. 204.

2. A DISCHARGE for thoſe who had deliver'd up *Mans* to the *French*, as having done it by the King's Order; dated the 12th of *June* 1448 [g].

Diſcharge for thoſe who had deliver'd up Mans. 216.

HENRY VI. P. 268.

3. A PROCLAMATION againſt ſuch as ſpread ſeditious Libels; dated *April* the 14th, 1450 [h].

THIS was at the time when the Duke of *Suffolk* was impeach'd.

While Henry VI. *was govern'd by the Queen alone, after the Duke of* Suffolk's *Death, we have,*

1. AN Order to pay 1000 Marks out of the Rebels forfeited Eſtates, to *Alexander Iden* who brought the Body of *Jack Cade* to *London*; dated *July* the 15th, 1450 [i].

Grant to the Man that brought the Body of J. Cade 275.

2. AN Aſſignment of 500 Marks out of the Sums due to the King from the Duke of *Orleans*, for paying the Ranſom of *Thomas Kyriel*, who was taken Priſoner at the Battle of *Fourmigni*; dated *Auguſt* the 12th, 1451 [k].

Order for the Ranſom of T. Kyriel 287.

THIS is a Confirmation of what has been already ſaid, that the Duke of *Orleans* had not paid this Ranſom.

While Henry VI. *was under the Duke of* York, *and the Earls of* Salisbury *and* Warwick, *after they were admitted to Council, we have,*

1. A COMMISSION to the Duke of *York* to hold a Parliament in the Name of the King, who was ſick; dated *February* the 13th, 1454 [l].

Commiſſion to the D. of York *to hold the Parliament.* 344.

2. LETTERS Patent for appointing the Duke of *York* Protector of the Kingdom; dated the 3d of *April* following [m].

3. THE like Letters Patent of the ſame Date in favour of *Edward* the King's Son, then not quite ſeventh Months old, to be Protector when he comes of Age.

The like for P. Edward. 346.

THIS ſhews that the King was incapable for Government at that time, and that there was no likelihood that he ever would be qualified. By conſequence this muſt have been rather a Diſtemper of the Mind than of the Body, becauſe otherwiſe ſuch a Precaution would have been unneceſſary 20 Years beforehand.

4. A PATENT appointing the Duke of *York* Governor of *Calais* for ſeven Years; dated *July* the 28th, 1454 [n].

D. of York's *Patent as Governor of* Calais. 351.

While Henry VI. *was govern'd by the Queen and the Duke of* Somerſet, *we have,*

1. BAIL offer'd and taken for the Duke of *Somerſet*, a Priſoner in the Tower; dated *February* the 5th, 1455.

D. of Somerſet's *Bail.* 361. *His Releaſe.*

2. ORDER by the King and Council, the Duke of *York*, the Earls of *Warwick* and *Salisbury* preſent, to releaſe the Duke of *Somerſet*; dated as above.

3. THE

[a] At *Weſtminſter*. [b] Ibid. [c] At *Canterbury*. [d] At *Weſtminſter*. [e] Ibid. [f] Dated *March* the 15th, 1448. at *Mans*. [g] At *Weſtminſter*. [h] Ibid. [i] At *Weſtminſter*. [k] At *Canterbury*. [l] At *Weſtminſter*. [m] Ibid. [n] At *Weſtminſter*.

FOEDERA Tom. XI. His Bail discharg'd. 361.

3. THE Council's Grant of the Duke of *Somerset*'s Petition that his Bail might be discharg'd, becauſe he was detain'd 14 Months in Priſon without Cauſe; dated *March* the 31ſt, 1455 [a].

Duke of York's Bond to the Duke of Somerset. 363.

4. THE Bond given by the Duke of *York* to the Duke of *Somerſet*, to pay him 20,000 Marks, in caſe that he, the Duke of *York*, refus'd to ſtand by the Judgment of the Arbitrators appointed to determine their Differences; on condition that Sentence ſhould be given before the 21ſt of *June*; dated *March* the 4th, 1455 [b].

Duke of York remov'd from the Government of Calais. 363.

5. ANOTHER of the ſame Nature given by the Duke of *Somerſet*; dated as above.

6. THE Act for removing the Duke of *York* from the Government of *Calais*, which ſays it was done at his Requeſt, tho' he was certainly forc'd to reſign it; dated *March* the 6th, 1455 [c].

Order for a Phyſician to attend the King. 366.

7. AN Order to a Phyſician to repair to *Windſor* to attend the King in his Illneſs; dated *June* the 5th, 1455 [d].

WHILE Henry VI *was govern'd by the Duke of* York, *after the Battel of* St. Albans, *we find*,

Duke of York's Commiſſions. 370.

1. A COMMISSION to the Duke of *York* to hold the Parliament in the King's Name [e].

369.

2. A PATENT appointing the Duke of *York* Protector 'till the Parliament thinks fit to diſcharge him; dated *November* the 19th, 1455 [f].

WHILE Henry VI *was again govern'd by the Queen and the Duke of* Somerſet, *we find*,

Order to the Duke of York to lay down the Protectorſhip. 373.

1. AN Order to the Duke of *York* to deſiſt from the Functions of *Protector*, according to the Reſolution of the Parliament; dated *February* the 25th, 1456 [g].

Henry's Anſwer to the King of Scotland, 383.

2. A VERY haughty Letter from *Henry* VI to the King of *Scotland*, in anſwer to a very provoking one which he had receiv'd from that Prince. He calls the King of *Scotland* his Vaſſal, and maintains that he has the Right of Sovereignty over the Kingdom of *Scotland*, which it is probable King *James* had denied; it is dated *July* the 26th, 1456 [h].

A Miſtake of Mr. Rymer about it.

MR. *Rymer* has committed a Miſtake here, in the account he gives of this Letter, which, he ſays, was written during the Government of the Duke of *York*, who did it to mortify the King of *Scotland*, the Duke of *Somerſet*'s Nephew. But this Letter is dated the 26th of *July*, 1456, and the Duke of *York* had been removed from the Regency in the *February* preceding. Moreover, the Duke of *Somerſet* had been killed a Year before, at the Battel of *St. Albans*.

IT appears by an Act dated *January* the 28th, 1457, at *Weſtminſter*, that the King created Prince *Edward*, his Son, Prince of *Wales*, about that time. *Creation of the Prince of* Wales. 383.

HERE is a Permiſſion to the Earl of *Warwick* to repair to *London*, with twenty-four Foreigners; dated *January* the 22d, 1458 [i]. *Earl of* Warwick's *Permiſſion to repair to* London. 408.

THIS was juſt at the Time when the Reconciliation was propos'd, which was concluded this Year in *April*, between the two Parties. Then follow,

Commiſſion of Inquiry about the Lubeck *Ships*, 415.

1. A COMMISSION for an Inquiry into the Rencounter at Sea, betwixt the Earl of *Warwick* and ſome Veſſels of *Lubeck*; dated *July* the 31ſt, 1458 [k].

Duke of Somerſet *made Governour of* Calais. 436.

2. THE Grant of the Government of *Calais* to the Duke of *Somerſet*; dated *October* the 9th, 1459 [l].

THE King was then in *Wales*, at the Head of his Army, and in ſight of the Malecontents, who were forced to fly.

3. A PATENT confirming the Duke of *Somerſet* in the Government of *Calais* for ten Years; dated *January* the 1ſt, 1460 [m].

4. SEVERAL Acts againſt the Duke of *York*, who was in *Ireland*; and againſt the Earls of *March*, *Warwick*, and *Salisbury*, who were at *Calais*.

Pardon of the Earl of March, *&c.* 454.

5. A POWER to offer Pardon to certain Perſons that had been ſentenc'd by the Earls of *March*, *Warwick*, and *Salisbury*, who were landed at *Sandwich*; dated *June* the 5th, 1460 [n].

Proclamation againſt the Rebels. Ibid.

6. PROCLAMATION againſt the Rebels, according to a Statute made in the Reign of *Edward* III, dated at *Coventry*, *June* the 11th, 1460.

WHILE the King was in the Power of the Earls of March, Warwick, *and* Salisbury, *after the Battel of* Northampton, *we find*,

Another in favour of the Duke of York. 460.

1. A PROCLAMATION in favour of the Duke of *York* and his Adherents, who had aſſiſted the King not in Word, but in Deed; dated *Auguſt* the 8th, 1460 [o].

Siege of Roxburgh. 461.

2. A COMMISSION to the Earl of *Saliſbury* to go to the Relief of *Roxburgh*, beſieged by the King of *Scotland*; dated *October* the 12th, 1461 [p].

Government of Briſtol. 465.

3. THE Grant of the Government of *Briſtol* to the Earl of *March*; dated *November* the 14th, 1460 [q].

[a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] Dated *December* the 12th, 1455. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] At *Windſor*. [i] At *Weſtminſter*. [k] At *Weſtminſter*. [l] At *Weſtminſter*. [m] At *Northampton*. [n] At *Coventry*. [o] At *Canterbury*. [p] At *Canterbury*. [q] At *Weſtminſter*.

FOEDERA Tom. XI.

Earl of March's *Commiſſion.* 471.

4. COMMISSION to the Earl of *March*, now Duke of *York*, to go and fight the Rebels; dated *February* the 12th, 1461 [r].

THESE Rebels were the Queen's Army, who had defeated and killed the Duke of *York* in the Battel of *Wakefield*, which was fought towards the cloſe of *December*, 1460. But this Commiſſion was granted in the King's Name, who was all the while at *London* in the Hands of the Earl of *Warwick*.

IN this Tome we alſo find ſome other Acts, of which I will juſt mention the Contents.

Henry's *Commiſſion to treat with Pope* Eugene. P. 3.

IN 1442, *Henry* VI ſent an Ambaſſador to *Rome*, with a Commiſſion and Power to make a Treaty of Alliance and Confederacy with *Eugene* IV. This was at the time of thoſe Broils which happen'd betwixt the ſaid Pope and the Council of *Baſil*. Mean time *England* own'd the Legality of the ſaid Council; afterwards *France* did almoſt the ſame thing, only while ſhe acknowledg'd the Council of *Baſil*, ſhe adher'd nevertheleſs to Pope *Eugene* IV, whom the ſaid Council had depos'd. The Commiſſion is dated the 12th of *March*, 1442 [s].

Diſpenſations againſt the Statute of Præmunire.

HERE are alſo ſeveral of the King's Diſpenſations contrary to the Statute of *Præmunire*. This was a very great Injury to *England*, becauſe the Popes ſtill flatter'd themſelves that they ſhould ſome time or other get this Law aboliſh'd.

THE other Acts of moſt Note, are,

A German *Judge appointed.* p. 16.

1. THE Eſtabliſhment of a Judge in *London* for the *German* Merchants; dated *November* the 12th, 1442 [t].

2. THE Endowment of the College of St. *Mary* and St. *Nicholas* at *Cambridge*, which was founded by the King in 1441, becauſe he was born upon that Feſtival in 1422. It is dated *July* the 10th, 1443 [u].

HENRY VI.

Foundation of the College of St. Mary *and* Nicholas *at* Cambridge. P. 36.

3. AN Act in the *Gaſcon* Language, of *Gaſton de Foix*, Count *de Longueville* and *de Benanges*, for granting to a Gentleman ſome Lands in the County of *Benanges* [x].

Grant of Lands. 181.

IN 1451, the Ambaſſadors of *England* and *Scotland* being met to conclude a Truce, the former made a ſolemn Proteſtation touching the Right of Sovereignty which their King pretended to over the Kingdom of *Scotland*. They declar'd that whatever they ſaid or did, during the Treaty, they did not intend the leaſt Prejudice to the Right which their Maſter had or pretended to the Sovereignty of *Scotland*. This ſhews that the *Scots* had no mind that this Matter ſhould be touch'd upon in the Negotiation of the Treaty. If King *James* I had perform'd Homage to this ſame King for *Scotland*, as is pretended, it was natural to make mention of ſuch Homage in the Proteſtation. But even tho' this Homage were as real as they would have it, this ſhews that it would have been diſown'd afterwards, becauſe in the Negotiation which we are ſpeaking of, the *Scots* would not conſent that it ſhould be ſo much as mention'd. Conſequently the *Engliſh* could have reap'd no great Advantage from the Homage perform'd by a Captive King, and afterwards diſown'd [y].

Proteſt of the Engliſh *Ambaſſador about the King's Right of Sovereignty.* 291.

[r] At *Weſtminſter*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] At *Weſtminſter*. [x] Dated *Auguſt* 6, 1449.
[y] The Proteſt is dated *Auguſt* the 13th, 1451, at *Newcaſtle* upon *Tine*.

The REIGN of *EDWARD* IV.

FOEDERA Tom. XI.

THE latter part of the Eleventh Tome of the *Fœdera* contains the Acts which refer to the Fourteen firſt Years of the Reign of *Edward* IV, *viz.* from the 10th of *March*, 1461, to the 22d of *February*, 1475. Domeſtick and Foreign Affairs being the Subſtance of theſe Acts, as well as thoſe of the preceding Tomes, it is by Conſequence neceſſary to relate with all poſſible brevity the principal Events of thoſe Fourteen Years, before we come to mention the Acts themſelves. I ſhall begin with,

I. *Affairs Domeſtick.*

IT has been already obſerv'd, that when Queen *Margaret*, Wife to *Henry* VI, could not get admittance into the City of *London*, tho' ſhe had won two Victories, ſhe retir'd into the Northern Counties with the King her Husband, and the Prince of *Wales* their Son, who was but eight Years of Age. It has alſo been obſerv'd, that after the Duke of *York* was kill'd in the Battel of *Wakefield*, the Earl of *March* his eldeſt Son, who was in *Wales*, ſet out for *London*; and that when he was about twenty Years of Age he was receiv'd and proclaim'd King there, by the Name of *Edward* IV, through the Care and Diligence of the Earl of *Warwick*.

EDWARD IV.

Edward IV *proclaim'd King of* England.

NOT many Days after his Proclamation, *viz.* in *March*, 1461, *Edward* was oblig'd to march towards the North to oppoſe the Progreſs of Queen *Margaret*, whoſe Forces were ſo increas'd that ſhe was at the Head of 60,000 Men.

FOEDERA Tom. XI.

The 7th Battel betwixt Lancaster and York.

The two Armies met at *Towton* [z], where, on *Palm-Sunday* *, after a bloody Battel, *Edward* gain'd the Victory; and according to the Report of ſome Hiſtorians the Queen loſt there 37,000 Men †. After this Battel, *Henry* VI, the Queen and the Prince retir'd to *Scotland*, and King *Edward* went to *London* to be crown'd.

Parliament owns the King's Title.

THE Parliament which met ſoon after, repeal'd all the Acts paſs'd againſt the late Duke of *York*, approv'd of every thing that had been done to place *Edward* his Son upon the Throne, and own'd him for true and lawful King of *England*. Thus the *York* Family was put in Poſſeſſion of the Crown by the Authority of Parliament, tho' not long before, the Duke of *York* was excluded from it with all his Poſterity. It is proper to remark, that in this Quarrel betwixt the two Families of *York* and *Lancaſter*, the Parliaments always took care to declare on the ſide of the Victor, becauſe they never had the liberty of acting otherwiſe. They were not conſulted 'till the Queſtion was already decided by Arms; conſequently it was in vain to alledge Acts of Parliament to ſupport the Rights of either the one Houſe or the other.

His Offer of a Truce to Scotland *fruſtrated by Queen* Margaret.

ONE of the firſt Things that *Edward* took care of after his Victory, was to cauſe a Truce to be offer'd to the Regents of *Scotland*, in order to hinder them from giving Aſſiſtance to the ejected King. But Queen *Margaret* broke off the Negotiation by delivering up *Berwick* to the *Scots*, and concluding a Marriage betwixt the Prince her Son, and a Siſter of the King of *Scotland*. But as all the Aſſiſtance ſhe might promiſe herſelf from thence, was not ſufficient to replace the King her Husband on his Throne, ſhe made a Voyage to *France* in 1462, to implore the Protection of *Lewis* XI. The *Lancaſter* Family having alſo a great number of Friends in *England*, the Queen did not deſpair of reaſſembling an Army there, provided that *Lewis* XI, who was her near Kinſman, would aſſiſt her.

She goes to France for Help to reſtore her Huſband.

EDWARD IV.

AND ſoon after, in the Year 1463, ſhe return'd to the North of *England*, where ſhe rais'd a new Army, and ſent for the King her Husband and the Prince to come to her. *Edward* hearing this, immediately ſent away the Lord *Montague*, Brother to the Earl of *Warwick*, with the beſt Part of his Troops, to endeavour to ſtop the Queen's Progreſs, while himſelf prepar'd to follow with a powerful Reinforcement. *Montague* finding he had a fair Opportunity, attack'd the Queen on a ſudden, and put her Army to the Rout ‡. The Duke of *Somerſet* and many other Nobility of the *Lancaſtrian* Side, having the Misfortune to be taken Priſoners, were ſacrific'd to *Edward*'s Revenge, who caus'd them to be beheaded. *Edmund*, the Duke of *Somerſet*'s Brother, ſucceeded him. King *Henry*, Queen *Margaret*, and the Prince of *Wales* fled to *Scotland*.

The Queen returns and raiſes a new Army.

The Queen is routed in the eighth Battel betwixt the Houſes of York *and* Lancaſter.

She flies with the King and Prince to Scotland.

To reward *Montague*, *Edward* created him Marquis of that Name; and at the ſame time *William Herbert* was made Earl of *Pembroke*, though *Jaſper Tudor*, who was King *Henry*'s Brother by the Mother's ſide, bore that Title. But the latter was ſuppos'd to have forfeited it by his Rebellion, in the Service of the King his Brother.

Creation of a Marquis of Montague *and Earl of* Pembroke.

A TRUCE which *Edward* concluded with *Scotland* the Year following, *viz.* 1464, having depriv'd *Henry* and the Queen of all Hopes of further Protection from the *Scots*, they reſolv'd to quit that Country; and accordingly the Queen and Prince went to *France*. But *Henry*, for what reaſon is not known, ventur'd to return to *England*, perhaps in hopes of being conceal'd there; but whatever was his Motive, there he was diſcover'd, apprehended, carry'd to *London*, and committed to the Tower ‖.

Edward's *Truce with* Scotland, *upon which the Queen and Prince fly to* France, *and King* Henry *to* England, *where he is taken and impriſon'd.*

EDWARD being in all appearance well eſtabliſh'd upon the Throne, reſolv'd to marry, and therefore ſent the Earl of

Edward's *Marriage.*

[z] *Yorkſhire.*

* THIS was *March* 29.

† *BIONDI*, an *Italian* Author, who wrote a Hiſtory of theſe Civil Wars, has the following Reflection upon this Battel, *viz.* that if *France* or *Scotland* had attack'd *England* at that Juncture, when it had loſt ſo much Blood, it would infallibly have been conquer'd; but Mr. *Rapin*, in his other Hiſtory, obſerves from the many Battels which were fought after this in the ſame War, that the *Engliſh* had a great deal of Blood to ſpare before they could expire.

‡ THIS Battel was fought near *Hexam*.

‖ MR. *William Habington*, who has given the beſt Account of theſe Times of moſt remarkable Confuſion, and in whoſe Hiſtory, printed *A. D.* 1640, we have (ſays Biſhop *Nicholſon*) as agreeable a Copy of this King's Picture, as could be expected from one ſtanding at ſo great a diſtance from the Original, ſays, that King *Henry* was apprehended in *Lancaſhire*, by *Thomas* Son of Sir *Edward Talbot* of that County, as he ſat at Dinner at *Waddington-Hall*: Who tying the King's Legs to his Stirrups, convey'd him in that ignominious Manner to *London*. The new Duke of *Somerſet* and the Duke of *Exeter* fled to the *Netherlands*, where they bore all the Hardſhips that Perſons of their Character could ſuffer from a wretched Exile and extreme Poverty, inſomuch, that *Philip de Comines*, that noble Hiſtorian, who was Secretary to *Lewis* XI, and to *Charles* VIII, of *France*, and who has left us thoſe invaluable Memoirs which have been tranſlated into the *Engliſh* and ſeveral other Languages, ſays, he ſaw the Duke of *Exeter*, who was there *incognito*, following the Duke of *Burgundy*'s Train bare-footed and bare-legged, begging an Alms; though he was the next of the Houſe of *Lancaſter*, and had marry'd *Anne* of *York*, King *Edward*'s eldeſt Siſter, who obtain'd a Divorce from him. See the *Memoirs*, with *Sleidan*'s Notes tranſlated by Mr. *Uvedale*, and printed for our Bookſellers, Vol. I. p. 240.

Warwick

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Warwick to demand *Bona* of *Savoy*, who was Siſter to the Queen of *France*. But while his Ambaſſador was employ'd in making the Match, the King fell in Love with *Elizabeth Woodville*, and in 1465 marry'd her. This Lady was the Daughter of Sir *Richard Woodville*, and of *Jaqueline* of *Luxemburg*, Widow of the famous Duke of *Bedford*; ſhe had for her Husband Sir *John Gray*, a great Stickler for the *Lancaſter* Family, by whom ſhe had ſeveral Children *.

His Favours to his new Relations.

THE Concluſion of *Edward*'s Marriage in ſuch a Hurry, and his Defiance to the violent Oppoſition made againſt it by his Mother the Dutcheſs of *York*, was the Source of all his Misfortunes. The Favours which he preſently heap'd on all the Queen's Relations, rais'd the Envy of the great Men. Sir *Richard Woodville*, the Queen's Father, was created Earl of *Rivers*, and by the King's Favour *Anthony Woodville* his Son marry'd the richeſt Heireſs in the Kingdom †. At which the Duke of *Clarence* the King's Brother was offended, becauſe he had not procur'd that Match for him; and therefore was provok'd to enter into Conſpiracies, which brought *Edward* within an Inch of his Ruin. But the Perſon who was moſt of all nettled at the King's Marriage was the Earl of *Warwick*, the Marriage having not only been concluded without his Privity, but alſo at a time when himſelf was employ'd at the Court of *France* in negotiating another which had actually been reſolv'd on before. Such ſtrange Carriage as this towards a Nobleman of that Diſtinction, who had plac'd the Crown upon the King's Head, and who 'till then was look'd upon as his Right-hand, was very hard to digeſt. Beſides, there were ſeveral other Reaſons which ſerv'd to inflame the Earl againſt him. *Lewis* XI incens'd him as much as poſſible againſt *Edward*, and gave him ſatisfactory Aſſurance that if he ſtood in need of his Aſſiſtance he ſhould have it. He was provok'd at the Affront which had been put upon the Princeſs his Siſter-in-Law as well as himſelf; but ſuch was then the Situation of Affairs, that it did not permit him to manifeſt his Reſentment. On the other Hand, when the Earl of *Warwick* was return'd into *England*, he found the King very cool towards him, and the Earl of *Rivers* ſole Favourite and Director of all Affairs, nothing being done at Court but by and through his Means: Conſequently, *Warwick* was a Cypher now in compariſon to what he was before his Voyage to *France*. Nevertheleſs, he diſſembled his Vexation, and his Hatred of the King, 'till a fair Opportunity offer'd to diſplay them with Violence. But the King, who knew his Reſentment, notwithſtanding all his care to hide it, conſider'd him in no other Light than his mortal Enemy, and heap'd ſuch Mortifications upon him as at laſt made him reſolve to quit the Court in 1467, and retire to his Seat in the Country.

EDWARD IV.

He is forced to leave the Court.

IN 1468, *Charles* Duke of *Burgundy* married *Margaret* of *York*, who was *Edward*'s Siſter.

Duke of Burgundy *marries* Edward's *Siſter* Margaret.

WHILE *Edward* was heaping Favours upon the Queen's Father, Brothers and Children, the Earl of *Warwick* was ſtudying how to be reveng'd on him; but he was not able to begin the Execution of the Projects which he had form'd in his Retirement, 'till the Year 1469. His firſt Step was to bring his Brothers the Archbiſhop of *York* and the Marquis of *Montague* into his Views and Schemes for dethroning the King. The Archbiſhop ran headlong into the Plot; but *Montague* was a little more upon the Reſerve; and at laſt when he did go into it, ſeem'd to do it more out of Complaiſance to him, than any deſire to be inſtrumental towards the Succeſs of it. Afterwards the Earl of *Warwick* addreſs'd himſelf to the Duke of *Clarence* the King's Brother, and found Means to engage him in the Conſpiracy, by giving him his eldeſt Daughter in Marriage. The Duke, who was diſguſted with the King his Brother, was eaſily drawn into an Undertaking which was calculated for the King's Ruin, and, as he hop'd, for his own Advantage. It ſeems that about this time *Edward* began to repent of having too much diſguſted the Earl of *Warwick*: At leaſt we find in the *Fœdera* that he gave him ſeveral Marks of his Favour. But this was not enough to make the Earl relinquiſh his Deſign.

Earl of Warwick *engages his Brothers in a Plot to dethrone the King,*

and the Duke of Clarence.

Earl of Warwick *diſguſted.*

IN *September* this ſame Year, there was a Riſing in *Yorkſhire* upon account of a certain Hoſpital in the City of that Name, to the Maintenance of which, Contribution was demanded from the whole County. Though it was a very trifling Cauſe, the People took fire as if it had been an Affair of the laſt Importance. This gives cauſe to judge that the Inſurrection was fomented by the Emiſſaries of the Earl of *Warwick*, who did it no doubt to try the Temper of the People. However that be, there were no leſs than 15,000 Men aſſembled, who march'd with one *Robert Huldurn* at their Head directly to *York*. But the Marquis of *Montague* being inform'd of their Deſign, went out

Inſurrection in Yorkſhire.

* THIS was Sir *John Gray* of *Grooby*, who was kill'd at the Battel of *St. Albans*; upon which his Widow petition'd the King for certain Lands her Husband had given her in Jointure; when his Majeſty was ſo ſmitten with the Petitioner's Perſon and Behaviour, that he was reſolv'd to have her, and accordingly marry'd her on the Firſt of *May*, contrary to the Practice of his Anceſtors; it being obſerv'd that he was the firſt of our Kings ſince the *Norman* Invaſion, that ever marry'd one of his own Subjects.

† THIS was the Daughter of the Lord *Scales*, and he was created a Lord with that Title.

of

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of the City with a few Troops, and attacking them when they leaſt expected it, put them to the Rout, took their Leader, and caus'd his Head to be cut off. It might be preſum'd from hence, either that the Earl of *Warwick* was not at the bottom of this Inſurrection, or that he had not inform'd his Brother of it. But *Montagu*'s Conduct was ſo unaccountable, that there is no forming any Judgment of it with certainty.

The Rebels are routed by the Marquis of Montague.

WHEN the King heard of the Riſing in *Yorkſhire*, he was afraid the Conſequence of it would be fatal. The Houſe of *Lancaſter*'s Party, though humbled, was ſtill numerous, and in all Appearance the Inſurrection was owing to another Cauſe than was at firſt imagin'd. But he did not ſuſpect the Earl of *Warwick* to be the Author of it; and ſuppoſing that it had been rais'd by the Partiſans of *Henry* VI, he order'd *William Herbert* Earl of *Pembroke* to raiſe an Army in *Wales*, and to hold himſelf ready for a March upon the firſt Command.

The King ſends the Earl of Pembroke *to raiſe an Army in* Wales.

WHILE the Earl of *Pembroke* was making the neceſſary Preparations, the *Yorkſhire* Rebels took Arms again, and inſtead of marching towards *York*, as they did before, bent their Courſe to *London*, though the King had no Hand in the pretended Grievance which they complain'd of. As their number increas'd continually the nearer they advanc'd to the Metropolis, the Earl of *Pembroke* haſten'd to meet them before they grew too ſtrong for him. The Malecontents perceiving at that time they could not continue that Rout without Danger, becauſe they had Information that the King was preparing to march againſt them, and were therefore afraid of being hemm'd in betwixt two Armies, reſolv'd to retreat to *Warwick*. But the Earl of *Pembroke* overtaking them juſt by *Banbury*, they were compell'd to halt, and to come to a cloſe Engagement with him. After a very obſtinate Battel they gain'd the Victory, and having taken the Earl of *Pembroke* and Sir *Richard Herbert* his Brother Priſoners, they cut off their Heads, and then continued their March towards *Warwick*, which they enter'd without Oppoſition.

He marches againſt the Rebels.

The ninth Battel near Banbury, *wherein he is defeated, taken Priſoner, and beheaded.*

NOT many Days after the Battel of *Banbury* there was another Inſurrection in *Northamptonſhire*, where the Populace aſſembling, went and inveſted the Country Seat of the Earl of *Rivers* the Queen's Father, whom they ſeiz'd when he knew nothing of their Deſign, and led him in Triumph to *Northampton*, where they cut off his Head.

Inſurrection in Northamptonſhire. *Earl of* Rivers *beheaded by the Populace.*

ALL this was enough to make the King believe that the Earl of *Warwick* was the ſecret Fomenter of theſe Diſturbances. The poor Pretext for the Rebellion in *Yorkſhire*, the March of the Rebels towards *London*, their Retreat to a Town belonging to this Earl, and above all things the Execution of the Earl of *Rivers*, to whom he was a ſworn Enemy, were Reaſons ſufficient to give the King a Suſpicion of this Nobleman, the only Perſon who had Intereſt enough at that time to raiſe Commotions in the Kingdom. Nevertheleſs, he did not ſuſpect him, tho' no doubt that which deceiv'd him was the Conſideration that the Earl of *Warwick* was then with the Duke of *Clarence* his Son-in-Law at *Calais*, of which he was Governour.

The King's Blindneſs with reſpect to the Earl of Warwick *and the Duke of* Clarence.

AFTER the Battel of *Banbury*, which was fought in *October* 1469, to the Spring of the Year 1470, there was a perfect Ceſſation of Arms; for the King wanted time to make the neceſſary Preparations, and the Malecontents had as yet no Perſon of Note at their Head to direct them. It does not appear that the Duke of *Clarence* and the Earl of *Warwick* return'd to *England* 'till towards the Month of *February* 1470. The King was ſo far from the leaſt Suſpicion of 'em, that on the 7th of *March* he gave them a joint Commiſſion to raiſe Troops againſt the Rebels: but not many Days after, the Duke and the Earl declaring themſelves Heads of the Malecontents, the King could no longer doubt of their Deſign, and then Preparation was made on both ſides for War with all the Vigour poſſible. *Edward*, for what cauſe I know not, vainly imagined that the Duke and the Earl durſt not ſtand before him, and that their Deſign was to retire to *Ireland*; whereas nothing was farther from their Thoughts: for, on the contrary, when they heard that the King was marching towards them, they reſolv'd not to ſtir 'till he came.

EDWARD IV.

He gives them a Commiſſion to raiſe Troops, but they head the Malecontents.

THE two Armies being but a ſmall diſtance from one another, both ſides expected that nothing leſs than a Battel would enſue, when ſeveral of the Nobility of both Parties interpoſed to mediate a Peace. This was what *Edward* wiſh'd for heartily, becauſe he had a vaſt deal to loſe in a Battel, and could be no Gainer by a Victory. The two Heads of the Malecontents were uneaſy to ſee the King much ſtronger than they expected. While a Peace was negotiating, *Edward*, being made to believe that his Ememies wiſh'd for it even more than he, neglected the Guard of his Camp, as if the Treaty had been actually concluded. The Earl of *Warwick* being inform'd of this, march'd in the night time, and after a ſudden Attack of the King's Army, entirely routed it, took his Majeſty Priſoner, and ſent him to the Caſtle of *Midleham*, belonging to the Archbiſhop of *York* his Brother, whom he intruſted to take care of him.

Earl of Warwick *ſurprizes the King's Camp by Night, takes him Priſoner, and ſends him to* Midleham.

THIS unexpected Event having, as it was thought, put an end to the War, and the two victorious Lords having now no-

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thing to fear when the King was their Prisoner, disbanded their Troops, and thought of nothing else but how to enjoy their good Fortune. It did not appear that they had a mind to replace *Henry* VI upon the Throne, because they still left him in Prison.

EDWARD IV.

He escapes.

BUT another Accident, as little expected, chang'd the Face of Affairs again. Through the Neglect of the Archbishop of *York*, *Edward* found means to get out of Prison, and went to *London*, where he was very well belov'd, and where the Earl of *Warwick* had neglected to secure an Interest. Thus both Parties were in the same Situation as at the first beginning of the Troubles, that is to say, they were oblig'd to re-assemble the Troops that were scatter'd up and down the Kingdom; and this was what each Party strove to do without loss of time. The Diligence which *Edward* shew'd upon this Occasion, was of great Advantage to him. His Army being ready before his Enemies had muster'd theirs, he had time to march towards *Stamford*, where he attack'd and defeated the Son of the Lord *Wells*, who had already 10,000 Men on foot, in order to go and join the Earl of *Warwick*; and having taken him Prisoner, he caus'd him to be beheaded.

The tenth Battel at Stamford.

Duke of Clarence *and Earl of* Warwick *fly to* France.

THE Overthrow of young *Wells* quite dispirited the Duke of *Clarence* and the Earl of *Warwick*, who had plac'd their chief Dependance on his Reinforcement. As soon as they had Advice of it, they embark'd in order to leave the Kingdom, because of the Danger which threaten'd 'em. Their Design was to retire to *Calais*, where the Earl of *Warwick* had left an humble Servant of his, one *Vauclair* a Native of *Gascoign*, Commander. But as they were making into the Harbour, they had the Mortification to be repuls'd by Cannon-shot, and were therefore oblig'd to go and land at *Diep*, from whence they went to the Court of *France*, which was then at *Amboise*, and there new Measures were concerted against *Edward* *; for *Lewis* XI was oblig'd by Interest to assist the Earl of *Warwick*, because as he was a sworn Enemy to the Duke of *Burgundy*, he should find his Advantage in the Ruin of the King his Brother-in-Law.

The Earl's Deputy Governour of Calais *won't let them land.*

BUT the *French* King was too cunning to undertake to retrieve the Earl of *Warwick*'s Affairs alone, and to engage in a War which would disconcert his other Projects: therefore he gave him to understand that the best and quickest Method he could take to be reveng'd on *Edward*, was to be reconcil'd to Queen *Margaret*; because by that means he would engage all the Friends of the House of *Lancaster* in his Interest. This was very selfish Advice, in that it tended to kindle a Civil War in *England*; which would by consequence hinder *Edward* from assisting the Dukes of *Burgundy* and *Bretagne*, with whom *Lewis* was actually at War. But it is observable, that after the *English* were drove out of *France* in the Reign of *Charles* VII, it was the constant Policy of the Kings of *France* to keep them employ'd at home. The Earl of *Warwick*, who saw no other Remedy, consented to the Reconciliation which *Lewis* propos'd to him. On the other hand, Queen *Margaret*, who was retir'd with the Prince her Son, to the Court of *Rene*, her Father was very sensible that nothing but this could revive the Hopes of the House of *Lancaster*: therefore tho' this Queen and the Earl of *Warwick* hated one another mortally, yet their Common Interest made their Reconciliation absolutely necessary. *Margaret* being arriv'd at *Amboise*, agreed with the Earl, by the Mediation of the King of *France*, on certain Articles, of which these are the chief, "That the Duke "of *Clarence* and the Earl of *War-* "*wick* should do their utmost to de- "liver *Henry* VI out of Prison, and to "replace him on the Throne: That du- "ring his Life, and during the Minority "of the Prince of *Wales*, if he should "happen to be rais'd to the Throne be- "fore he comes of Age, the Duke and "Earl should be Regents of the King- "dom: And lastly, that the Prince of "*Wales* should marry the youngest "Daughter of the Earl of *Warwick*." Which last Article was executed on the spot.

Earl of Warwick *reconcil'd to Queen* Margaret.

Prince of Wales *marry'd to the Earl of* Warwick's *Daughter.*

THE Duke of *Burgundy*, who had good Spies at the *French* Court, informed *Edward* of what pass'd there; but the King did not seem to give much heed to it. Mean time, by the Management of a certain Woman, a domestic Servant of the Dutchess of *Clarence*, who went over to her Mistress, he found a way to win the Duke his Brother, and to gain a Promise from him that he would abandon the Earl of *Warwick* as soon as ever he had a fair Opportunity. This Promise plung'd him into such a profound State of Security, that he neglected to take the necessary Precautions either for preventing or sustaining the Attack with which he was threatened.

A Gentlewoman sent over to detach the Duke of Clarence *from* Warwick's *Interest.*

* *PHILIP de Comines* says, that M. *Vauclair* not only fir'd his great Guns at him; but that though the Earl's Daughter, the Dutchess of *Clarence*, was brought to Bed on board a Ship while they lay at Anchor before the Town, it was with great difficulty that he was prevail'd on to send her two Flaggons of Wine: Which M. *de Comines* takes notice of as severe Usage of a Master from his Servant. On the other hand he exposes his double dealing, and his Ingratitude to the King of *England*, who made him Governour of *Calais* (which was then reckon'd the best Government under the Crown of *England*, being worth 15,000 Crowns a Year) and to the Duke of *Burgundy*, who settled a Pension of 1000 Crowns on him; for at the same time that he kept off the Earl of *Warwick* with his great Guns, he order'd the trusty Messenger who carry'd the Wine to assure him of his Fidelity, and that he would give him a good Account of *Calais* another time; and to advise him, as the best thing he could do, to land in some other Part of *France*.

DURING

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Duke of Burgundy sets out a Fleet.

DURING that time, the Duke of *Burgundy*, more uneasy than *Edward* on account of what pass'd in *France*, caus'd a Fleet to be equipp'd, which lay at the Mouth of the *Seine* to hinder the Passage of the Earl of *Warwick*: but this Precaution was fruitless, for the *Flemish* Ships being shatter'd by a severe Storm, were oblig'd to return into their Harbours to refit. Mean while the Duke of *Clarence* and the Earl of *Warwick* sail'd with a small number of Troops which *Lewis* XI had given them, and happily arriv'd at *Dartmouth*; where, as soon as they landed they publish'd a Manifesto, declaring that they were come to replace *Henry* IV upon the Throne. This Manifesto had so good an Effect, that in a few Days they were at the Head of 60,000. Then they caus'd *Henry* to be proclaimed, and an Order to be published in his Name, requiring all his Subjects to take Arms against *Edward*, who is stiled Traitor, Tyrant, and Usurper.

Duke of Clarence and Earl of Warwick return to England.

Their Manifesto.

EDWARD so little expected this Revolution, that he had neglected to keep up an Army ready at all Events; therefore he was oblig'd to order new Levies, which he appointed to rendezvous near *Nottingham* a Place far enough from *Dartmouth* where the Earl of *Warwick* had landed his Troops. But his Party was very much discouraged by the Progress of that Earl, whose Fame was cry'd up even beyond the Truth. Consequently, perceiving how vastly inferior he was to his Enemy, who made long Marches to come up with him, he resolv'd to retreat to the Northern Counties. But the News which was brought to him of the Marquis of *Montague*'s having declar'd against him, made him march into *Lincolnshire*, not knowing very well how to get clear of his Enemies, by whom he was in a manner surrounded. At last, while he lay encamp'd on the Sea-side very near *Lynn*, he heard that the Earl of *Warwick* was not far off from him, which occasioning certain Murmurings among his Soldiers, who threaten'd to abandon'd him, he resolv'd to embark with a small Retinue on board three little Vessels that had serv'd to carry Provisions to his Camp; and he went off in the very critical Minute, just as his Troops had actually begun to cry, *Long live* Henry! When he was embark'd, he sail'd with a Design to retire to *Holland* to his Brother-in-law the Duke of *Burgundy*. But in his Passage he had like to have fallen into the Hands of some Privateers, which pursued him as far as the Road of *Alcmaer*, where they only waited for the Tide to attack him. But, happy for him, *Lewis* of *Bruges*, Lord of *Gruthuse*, Governour of *Holland*, being then at *Alcmaer*, deliver'd him from that Danger, and conducted him to the *Hague*, where he honourably defray'd his Charges, in expectation of Orders from the Duke of *Burgundy*, who was in *Flanders*. While *Edward* was escaping by Sea, his Queen being inform'd of it, retir'd to the Sanctuary of *Westminster*, where in a few Days she was brought to Bed of a Prince who was nam'd *Edward*.

Edward discourag'd by the Earl of Warwick's Progress, &c. goes beyond Sea.

He had like to be taken by the Privateers.

EDWARD IV.

His Queen takes Sanctuary in Westminster, and is deliver'd of a Prince.

MEAN time the Duke of *Clarence* and Earl of *Warwick* meeting with no Opposition went to *London*, where they were receiv'd in Triumph; and on the same Day, *viz. October* the 6th, 1470, they releas'd *Henry* VI from the Tower, and replac'd him on the Throne.

A NEW Parliament meeting on the 20th of *November*, approv'd the Restoration of *Henry*, declar'd *Edward* a Traitor and Usurper, confiscated his Estate, and repeal'd all the Acts made during his Government. Moreover, they settled the Succession of the Crown on the Male Issue of *Henry* VI, and afterwards on the Person of the Duke of *Clarence* and his Descendants. This is not a Place to make Reflections on that Act which excluded the Female of the House of *Lancaster*, and their Descendants, from the Succession, and transferr'd the Crown to the House of *York*, after the Extinction of *Henry*'s Issue Male. It is sufficient just to remark, that the Parliaments were never free upon this or any other Occasion when the Rights of the two Houses were the Subject of Debate. This Parliament only acted by the Direction of the Earl of *Warwick*, as is manifest in that they did not make one Order but what had been regulated at *Amboise*, by the Agreement between the Earl of *Warwick* and Queen *Margaret*. Nevertheless by it we see, that even in that time, the Consent of the Parliament was thought necessary for settling the Succession to the Crown.

Parliament settles the Succession.

WHILE Measures were concerting in *England*, to defeat all King *Edward*'s Hopes of a Restoration, the Duke of *Burgundy* wish'd him out of his Dominions. And *Philip de Comines* affirms that the Duke had much rather have heard of his Death than of his Arrival in *Holland*. Were we to account for the Perplexity which the Duke of *Burgundy* lay under, we must enter into a Detail of his Affairs, which would carry us too far. It shall suffice therefore, to observe in a few Words, that he was actually at War with *Lewis* XI, who had attack'd him unawares, and taken several Places from him, and that he fear'd if he openly protected his Brother-in-law the King, he should give an Opportunity to the Earl of *Warwick* to join with *France* against him. For this Reason he treated his Host very

Duke of Burgundy cautious of protecting King Edward.

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very coldly, at leaſt in outward Appearance, in order to induce the Earl of *Warwick* to believe that he only gave him ſhelter without any Deſign to aſſiſt in reſtoring him to the Throne.

EDWARD was not a little vex'd, to ſee the Duke of *Burgundy*'s Policy. His Intereſt demanded that ſome great Blow ſhould be ſtruck, before the Earl of *Warwick* was well eſtabliſh'd. But this he could not do without the Aſſiſtance of the Duke of *Burgundy*, who was in no Diſpoſition to give it him. He went about to perſuade him that he was very much out in his Politicks, and that it was his own Intereſt to make a vigorous Effort to replace him on the Throne of *England*. For this Purpoſe, he made uſe of ſeveral Reaſons, of which it may be ſufficient to mention only the chief; namely, That the Earl of *Warwick* could never think himſelf ſafe while he was in a Condition to hurt him: That for this Reaſon he would infallibly join with *France*, and that it was even apparent that the ſaid Alliance was actually concluded, becauſe he had ſent over 6000 Men to *Calais*: That the Duke had but one Way left to prevent the Effects of ſuch an Union, and that was not to diſſemble the Matter, but to reſtore to the Throne of *England* a Prince his Friend, who would employ thoſe very Forces for him which were deſign'd to act againſt him. Theſe Reaſons ſhock'd the Duke of *Burgundy*, yet they were not ſtrong enough to determine him to give publick Aſſiſtance to the King his Brother-in-law, at the Hazard of furniſhing the Earl of *Warwick* with a fair Pretence to unite with *France* to his Ruin. Therefore what Aſſiſtance he gave to the depoſed King, he reſolv'd ſhould be ſecret, by which means he thought of no leſs than ſecuring the Friendſhip of both, in relieving *Edward* without diſobliging the Earl of *Warwick*. Purſuant to this Reſolution he furniſh'd ſome private Men with Money to fit out four great Veſſels for him in the Year 1471, at *la Veere*, a free Port in *Zealand*; and ſecretly engag'd fourteen Privateers to convoy *Edward* to *England* *. After this, he ſet out for *Flanders*, leaving *Edward* at the *Hague*. When every thing was ready, and *Edward* was miſſing, the News was told to the Duke, who put out Orders that none ſhould give him aſſiſtance on pain of Death; but they who were engag'd, very well knew that this Prohibition was not for them.

Edward's Arguments with the Duke to aſſiſt him.

The Duke ſupports him under-hand.

NOTWITHSTANDING Matters were carried on with ſuch Secrecy in *Holland*, the Earl of *Warwick* had confus'd Accounts that ſomething was tranſacting in *Edward*'s favour; therefore he order'd his Brother the Marquis of *Montague* to raiſe an Army in the North. But ſoon after, the Advice which he receiv'd from *Holland* being more to be depended upon, the Duke of *Clarence* had Orders from the King to go and raiſe Troops in *Wales* to oppoſe *Edward*, in caſe he ſhould attempt to return to *England*; and the Earl of *Warwick* got a Commiſſion of the like nature for himſelf. About the ſame time, the Grand Prior of the Order of St. *John* ſet out to fetch the Queen and the Prince of *Wales*, who were left in *France*.

EDWARD IV.

Troops rais'd in Wales and the North of England.

MEAN time, *Edward* embarking at *la Veere* with 2000 Men, whom he had privately liſted, ſail'd for *England*, and landed the 12th of *March* at *Ravenſpur* in *Yorkſhire*. He had Difficulties to ſtruggle with at firſt, becauſe as he had brought over but few Troops, his own Friends were afraid to declare for him. Nevertheleſs, he found Means to get into *York*, where he furniſh'd himſelf with Money, and augmented his Army, while *Montague*, who was encamp'd at *Pontefract*, made no Motion to diſturb him.

Edward lands in Yorkſhire.

As ſoon as the Court had Intelligence of *Edward*'s Landing, the Duke of *Clarence* went and put himſelf at the Head of the Army which he had caus'd to be rais'd in *Wales*. The Earl of *Warwick* went alſo and join'd a Body of Troops which he had aſſembled in the Neighbourhood of *London*, and ſent repeated Orders to the Marquis of *Montague* to give *Edward* Battel before he was reinforc'd; but the Marquis never ſtirr'd all this while from his Camp at *Pontefract*.

Earl of Clarence and Earl of Warwick, &c. head their Forces to oppoſe him.

DURING this, *Edward* ſet out from *York* for *London*, his Troops increaſing all the Way, when the People ſaw him in a better Condition to ſupport his Title. The Earl of *Warwick* had but a poor Army, becauſe he depended on being join'd by the Duke of *Clarence*, and did not doubt that *Montague* was ſtrong enough to ſtop *Edward*'s Progreſs. But, contrary to his Expectation, *Montague* let him paſs without any Oppoſition, while the Duke of *Clarence* did not make near ſo much haſte as the Caſe requir'd. Conſequently, the Earl of *Warwick*, finding himſelf expos'd with the few Troops he had to *Edward*'s Army, which march'd directly againſt him, choſe to intrench himſelf in the Neighbourhood of *Coventry*, and to ſend expreſs Orders to *Montague* to come and join him. At the ſame time the Duke of *Clarence* advanc'd towards him, but ſtill delay'd to join him on one Pretence or another. At

* *PHILIP de Comines* ſays, he alſo ſent him a private Remittance of 50,000 Florins, with St. *Andrew*'s Croſs.

laſt,

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laſt, *Edward* being arriv'd near the Earl's Intrenchments, he made a Feint as if he would attack them; when all on a ſudden the Duke of *Clarence* caus'd him to be proclaim'd in his Army; after which the two Brothers join'd their Forces, and leaving the Earl of *Warwick* in his ſtrong Intrenchments, march'd for *London*, where they were receiv'd in the Month of *April*, notwithſtanding the Oppoſition of the Duke of *Somerſet* and the Archbiſhop of *York*, who perceiving at laſt that all their Efforts were in vain, went to carry the melancholy News to the Earl of *Warwick* *.

Duke of Clarence *proclaims* Edward IV *in his Army, and marches with him to* London.

EDWARD enter'd *London* on the 11th of *April*, which was about a Month after he ſet out from *la Veere*. As ſoon as he was Maſter of the City, he again committed to the Tower the unfortunate *Henry* VI, whom his pretended Friends had abandon'd, being altogether indifferent as to the Liberty of his Perſon, if they could not keep the Crown upon his Head. *Edward* had but juſt ſhew'd himſelf to the Citizens of *London* when he was oblig'd to go and put himſelf again at the Head of his Army. The Earl of *Warwick* and the Marquis of *Montague*, who at laſt join'd Forces, had made long Marches in hopes of ſaving *London* upon the Rumour of their Approach, and of bringing *Edward* to a Battel before the City ſhould determine to receive him: And though they miſs'd their Aim, they perſiſted in their Reſolution to give Battel, a Victory being the only Remedy they had left. The two Armies met at *Barnet*, about ten Miles from *London*, where on the 14th of *April*, which happen'd to be *Eaſter-Sunday*, there was a bloody Battel, in which *Edward* gain'd the Victory, and the Earl of *Warwick* and the Marquis of *Montague* loſt their Lives fighting courageouſly. The Earl had acquir'd the Name of *King-maker*, becauſe he had plac'd *Edward* IV upon the Throne, and after he had ſo done, reſtor'd *Henry* VI.

Edward's Reſtoration to the Crown, and Henry VI's *Impriſonment again in the Tower.*

Edward goes and Heads his Army.

The 11th *Battel betwixt the Houſes of* York *and* Lancaſter *at* Barnet.

QUEEN *Margaret* and the Prince her Son arriv'd in *Dorſetſhire* the very Day before the Battel; and two Days after it, ſhe had the ſad News of the Defeat and Death of the Earl of *Warwick*: Which Reverſe of Fortune ſo aſtoniſh'd her, that ſhe ſaw no Remedy but to retire to an Aſylum. Not many Days after, the Duke of *Somerſet* came to her with ſome other Lords that eſcap'd from the Battel, who reviv'd her, by making her believe that having the Prince of *Wales* at their Head, it would be an eaſy matter for them to reaſſemble the ſcatter'd remains of the Earl of *Warwick*'s Army, and to put her in a Condition to try the Fortune of War once more. This being reſolv'd on, *Jaſper Tudor* Earl of *Pembroke* was ſent into *Wales* to raiſe Troops there, while the Duke of *Somerſet* and the other Lords of that Party did the ſame elſewhere.

EDWARD IV.

Queen and Prince arrive, and are join'd by the Duke of Somerſet, &c.

Who raiſe Forces.

THE Speed with which they rais'd a new Army is aſtoniſhing to think of. But as *Edward* was already prepar'd, and as he did not give the Queen time to fortify her ſelf more, ſhe reſolv'd to retire to *Wales* for the ſake of being reinforc'd by the Troops rais'd by the Earl of *Pembroke*. Her Deſign was to paſs the *Severn* at *Glouceſter*; but finding the Gates ſhut, and the Time being too ſhort to beſiege it, ſhe was oblig'd to go up as far as *Tewksbury*, where *Edward*, who was cloſe at her Heels, came up with her before ſhe could paſs the River. There it was that on the 9th of *May* was fought the laſt Battel, which decided the Fate of the Houſe of *Lancaſter*; for the Queen's Army was routed, and herſelf, together with the Prince of *Wales* her Son, and the Duke of *Somerſet*, had the Misfortune to fall into the Hands of the victorious King. The Duke's Head was immediately cut off, the Prince of *Wales* was murder'd in cold Blood by *Edward*'s Command, and the Queen committed to the Tower of *London*; and as for *Henry* VI, he liv'd no longer than *Edward*'s Return, who inhumanly caus'd him to be aſſaſſinated in his Priſon †.

Glouceſter *ſhuts its Gates againſt her.*

The 12th *Battel at* Tewksbury, *the Queen defeated and impriſon'd, the Duke of* Somerſet *beheaded, and the Prince of* Wales *and* Henry VI *murder'd.*

THE

* *HABINGTON* ſays, that the Citizens, out of a conſcientious Regard to the ſolemn Oath which they had lately taken to King *Henry*, and by the Inſtigation of the Duke of *Somerſet*, the Archbiſhop of *York*, and others of *Warwick*'s Friends, made ſome ſhew of Reſiſtance; but that Self-preſervation ſoon abſolv'd them from that Scruple, inſtructing them that Oaths by Fear extorted, lay no Obligation on the Soul. But the learned Dr. *Kennet*, in a Note upon *Habington*'s Account of this Matter, compar'd with that which is given of it by *Philip de Comines*, declares, that the latter writes with much more Reaſon than the former when he ſays, *That the Citizens were intereſted in his Reſtoration by the Debts he ow'd them, as well as teaz'd by the Importunity of their Wives, with whom this amorous handſome Prince had formerly intrigued:* For as to their Conſciences, *ſays the Doctor*, certainly their firſt Oaths to King *Henry* juſtified their ſecond.

† MR. *Rapin* in his other Hiſtory takes notice how fatal *French* Matches have always been to our Kings; and inſtances in *Edward* II, *Richard* II, *Henry* VI, and *Charles* I; the only *Engliſh* Sovereigns that ever marry'd into the Royal Family of *France*; who all four met with the ſame Fate, and three of them through the Fault of their Wives.

AFTER the Death of King Henry VI, *the Reader will perhaps expect his Character, which we ſhall here epitomize from the moſt faithful Hiſtorians.* " He had Piety ſufficient to render him a Saint (and accordingly " King *Henry* VII would fain have had him canoniz'd) though not Policy and Courage enough to make him " a King. He was inſenſible of what the World calls Honour, and thought it conſiſted only in Chriſtian " Humility. He had one Privilege peculiar to himſelf, *viz.* that no Man could ever be reveng'd on him, be-

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Earl of Pembroke *goes to* France *with his Nephew the Earl of* Richmond, *and are arreſted by the Duke of* Bretagne.

THE Earl of *Pembroke*, who could not be preſent at the Battel of *Tewksbury*, ſeeing that the whole Party was ruin'd, reſolv'd to retire to *France* with the young Earl of *Richmond* his Nephew, the only Remains of ſo many Princes of the Houſe of *Lancaſter*, who had loſt their Lives either in the Field or on Scaffolds ſince the beginning of the Quarrel: He was Son to *Margaret* of *Somerſet*, and to *Edmund Tudor* Earl of *Richmond*, the Earl of *Pembroke*'s elder Brother. Theſe two Earls putting to Sea from *Wales*, were drove by ſtreſs of Weather upon the Coaſts of *Bretagne*, and oblig'd to put into a Port in that Country, from whence they were carry'd to the Duke of *Bretagne*, who arreſted them in his Dominions, and aſſign'd them the City of *Vannes* for their Reſidence.

Edward *ſends to the Duke to deliver them up, and grants him a Commiſſion.*

THE next Year, *viz.* 1472, *Edward* ſent an Ambaſſador to intreat the Duke of *Bretagne* to deliver up thoſe two Noblemen to him. But the Duke civilly excus'd himſelf, and only gave him his Word that he would ſet ſuch a Watch over them, that it ſhould never be in their Power to hurt him. Upon this Conſideration *Edward* granted him a Penſion to make him amends for the Expence he had been at for the Maintenance of the two Priſoners, or rather to engage him to have the ſtricter Eye over them.

FROM that Time to the beginning of the Year 1475, where the Eleventh Tome of the *Fœdera* ends, nothing conſiderable happen'd as to Domeſtick Affairs. Among the Acts in this Tome, which have any Relation to the Facts that we have mention'd, there are many, which though at firſt View they ſeem to be of no great Importance, yet ſerve to fix the Dates of Time, in which the *Engliſh* Hiſtorians have generally been too often miſtaken. One Inſtance of this we meet with in the firſt Part of the Reign of *Edward* IV, already treated of, which at the ſame time is a Demonſtration of the Uſefulneſs of Mr. *Rymer*'s Collection, with regard to the Dates both of Time and Place. For Example, the Events which ought to have been put down in 1473, are plac'd by all the *Engliſh* Hiſtorians in 1474; and they have carry'd the Tranſactions of 1474 into 1475, wherein they are miſtaken a whole Year. *John Francis Biondi*, who wrote the Hiſtory of the Wars of the two Houſes of *York* and *Lancaſter* in *Italian*, owns, that what the *Engliſh* carry to the Year 1475, is plac'd by the *French* in 1474. And that Hiſtorian taking it for granted that the *Engliſh* were better inform'd than the *French*, thought fit to Copy after the former, and thereby involv'd himſelf in their Errors, as is very manifeſt from this Collection of our Records. Therefore, though ſome of theſe Acts are of little Conſequence to moſt Readers, yet they may be of Uſe to ſome others, and particularly to ſuch as are now, or ſhall hereafter be employ'd in writing the Hiſtory of *England*, or the neighbouring Countries. Some of theſe Acts, which will ſerve to give an Idea of the reſt, are as follow:

EDWARD IV.

Miſtake of Hiſtorians.

Earl of Warwick *High-Steward of* England *for the Trial of* Henry VI. 1480.

1. A PATENT appointing the Earl of *Warwick* to officiate as High-Steward of *England* at the Trial of *Henry* VI, lately King *de Facto*, and not *de Jure*, and

" cauſe he never did any Man an Injury. He was fitter for a Prieſt than a King, and could not be thought " but to die a Martyr, who all his Life liv'd a Confeſſor: By being innocent as a Dove he kept his Crown " upon his Head ſo long, and if he had been as wiſe as a Serpent he had kept it much longer." (Vol. I. of *Hiſtory of* England in two Volumes *Octavo.*)

" MR. *Rapin*, who takes Notice of his natural Imbecillity which diſqualified him for Government, and " of his Submiſſion to thoſe who manag'd Affairs for him, contrary to his Father, whoſe Genius was always " ſuperior to his Miniſters, obſerves, that his Chaſtity, Temperance, extraordinary Devotion, and his Aver- " ſion to Cruelty and Injuſtice might have made him a compleat Prince, if they had been accompany'd with " Royal Virtues; but being unattended, they made him at moſt but a civil Man, and at the ſame time a very " mean Prince. His Incapacity for Government made his Subjects deſpiſe him, and nothing but the Innocence of " his Manners exempted him from their Hatred.

SIR *Winſtan Churchill* (the Father of our Great Duke of *Marlborough*) in his *Divi Britannici*, has the following Remark on this Monarch: " Had it not been that the Virtues of his Mother were ſo well known as " they were, the Virtues of his Father would have render'd this King juſtly ſuſpected not to have been his " Son: But as Philoſophers tell us, that Women often conceive by the ſtrength of their own Inclinations with " a very little help of Man, ſo we may conclude that his Mother begat him of her ſelf; being a Woman ſo " devout, that if ever any one may be ſaid to be the Child of Prayer, he was: And ſhe being the Daughter " of ſo crazy a Prince as *Charles* VI of *France*, it is the leſs wonder ſhe ſhould bring forth ſuch a crazy Son " as this *Henry* VI of *England*; a Prince of excellent Parts in their kind, though not of kindly Parts for a " Prince, being ſuch as were neither fit for the warlike Age he was born in, nor agreeable to the Glory he was " born to; but ſuch rather as better became a Prieſt than a Prince: So that the Title ſometimes given to his " Father with relation to his Piety might better have been apply'd to the Son with reference to his, that he " was the Prince of Prieſts, with this Difference only betwixt them, that the Religion of the One made him " bold as a Lion, that of the other meek as a Lamb: A Temper neither happy for the Times nor himſelf; " for had he had leſs Phlegm and more Choler, it is probable he had not only been happier whilſt he liv'd, " but more reſpected when dead; whereas now, notwithſtanding all his Indulgence to the Church and " Churchmen, there was none of them ſo grateful as to give him, after he was murder'd, Chriſtian Burial, " but left him to be interr'd without Prieſt or Prayer, Torch or Taper, Maſs or Mourner, with ſo little re- " gard to his Perſon and Pre-eminence, that if his Obſequies were any whit better than what Holy Writ calls " the Burial of an Aſs, yet were they ſuch that his very Competitor *Edward* IV, who deny'd him the Rights " of Majeſty living, thought him too much wrong'd when dead, and was himſelf at the Charge of building " him a Monument."

of

of ſome other Rebels; dated *December* the 3d, 1461 [a].

" No Hiſtorian that I know of has ta-
" ken Notice that *Edward* IV caus'd
" *Henry* VI to be proſecuted as a Rebel
" after the Battel of *Towton*."

Pope's Congratulation on Edward's Succeſſion. 489.

2. A LETTER from Pope *Pius* II, congratulating *Edward* on his Acceſſion to the Crown; dated the 11th of the Calends of *April* 1462, and the 4th of the Pontificat.

" *EDWARD* had been a Year upon
" the Throne, when the Pope ſent him
" this Brief of Congratulation. Probably
" he had a mind to defer it 'till he ſaw
" him well fix'd. And we find in this Brief
" that he reſerv'd to himſelf the Oppor-
" tunity of retracting it if it ſhould be
" neceſſary, by cauſing it to be under-
" ſtood that he only acknowledg'd *Ed-*
" *ward* to be King upon his own Decla-
" ration of his Title: Theſe are his
His mental Reſervation. " Words, *Tua Celſitudo nobis ſignifica-*
" *vit, te gubernationem poſſeſſionemque*
" *Regni Angliæ adeptum eſſe, ad cujus*
" *ſucceſſionem, per lineam rectam, te*
" *ſcribis deveniſſe, ut in notulâ tuæ Ge-*
" *nealogiæ, quam ad nos miſiſti, conti-*
" *netur*; *Congratulamur*, &c. *i. e.* Your
" Highneſs having ſignify'd to us, that
" you have obtain'd the Government and
" Poſſeſſion of the Kingdom of *England*,
" and that the Succeſſion thereof is fallen
" to you in the Right Line, as is con-
" tain'd in the Table of your Genealogy
" which you ſent us; We congratulate,
" *&c.*"

Grant to the Dutcheſs of Exeter of the Eſtate forfeited by her Husband. 489.

3. A GRANT to the King's Siſter, *Anne* Dutcheſs of *Exeter*, of the Eſtate of the Duke her Husband, which came to the King by Forfeiture; dated *July* the 22d, 1462 [b].

" If the Duke of *Exeter*'s Eſtate had
" been given to any other Perſon, the
" Duke perhaps might have been allow'd
" a part of it for his Subſiſtence. But this
" he could not expect from the Dutcheſs,
" who ſlighted him becauſe he adher'd to
" the Party of *Henry* VI. *Philip de*
" *Comines* ſays, he ſaw the Duke of *Ex-*
Duke of Exeter's diſtreſs'd Condition. " *eter* follow the Duke of *Burgundy*'s
" Equipage bare-legg'd *."

Commiſſion to raiſe Forces againſt King Henry VI. 501.

4. A COMMISSION to the Earl of *Warwick* and Lord *Montague* to raiſe Troops againſt the King's Enemies in *France* and elſewhere, who were preparing to aſſiſt *Henry* VI, lately King *de Facto* and not *de Jure*; dated *June* the 2d, 1463 [c].

" THIS very near fixes the Time of
" Queen *Margaret*'s Arrival in the Nor-
" thern Counties in 1463, together with
" the Time of her Defeat."

5. AN Order requiring all the Subjects from 16 to 60 Years of Age to take Arms; dated *May* the 11th, 1464 [d].

Order for arming the Subjects from 16 to 60 Years old. 523.

" As it does not appear that there was
" any Occaſion at that time for ſo great
" an Armament, it looks as if this Order
" was only iſſued for the more eaſy Diſ-
" covery of *Henry* VI, who had con-
" ceal'd himſelf in *England*, and was ap-
" prehended much about this time."

Reſtitution of the Archbiſhop of York's *Temporals to the Biſhop of* Exeter. 545.

6. THE Reſtitution of the Archbiſhop of *York*'s Temporalities to *George Nevil* Biſhop of *Exeter*; dated *June* the 17th, 1465 [e].

" IN all appearance this Archbiſhoprick
" was granted to *George Nevil*, before
" the Earl of *Warwick* his Brother fell
" from his Grandeur.

Grant to James Haryngton *for taking King* Henry VI. 548.

7. AN Order to put *James Haryngton* in Poſſeſſion of a Grant which was made to him by the King on the 4th of *November*, 1461, for having taken *Henry* VI, dated *July* the 29th, 1465 [f].

" WHEN we compare this Grant, which
" was made on the 4th of *November*-
" 1461, with the above-mention'd Act of
" the 3d of *December* in the ſame Year,
" by which the Earl of *Warwick* was
" appointed High-Steward for the Trial
" of *Henry* VI, one cannot help thinking
" that *Henry* VI was apprehended or ta-
" ken at the Battel of *Towton*, or ſome
" time after in 1461, yet no Hiſtorian ſays
" this; and if he was taken at that time,
" it is not known how he got away: but
" all Hiſtorians agree, that he was arreſt-
" ed and committed to the Tower in
" 1463.

Marriage Treaty between the Duke of Clarence *and the Daughter of the Count* de Charolois. 565.

8. COMMISSION to treat of a Marriage betwixt the Duke of *Clarence* and *Mary* Daughter of the Count *de Charolois*; dated *March* the 22d, 1466 [g].

" As the Propoſal of this Marriage fell
" to the Ground, it looks as if it was only
" made to huſh the Duke of *Clarence*,
" who complain'd that the King his Bro-
" ther had procur'd the richeſt Match in
" *England* for *Anthony Woodville* the
" Queen's Brother.

Pardon to John Maychell *for concealing* Henry VI. 575.

9. A PARDON granted to *John Maychell* for having ſeveral times conceal'd *Henry* VI in his Houſe; dated *November* the 20th, 1466 [h].

" This may refer to the Year 1463 or
" 1461, and perhaps to both.

Earl Rivers *made High-Conſtable.* 581.

10. A PATENT for granting the Office of High-Conſtable to the Earl of *Rivers*, upon the voluntary Reſignation of it by *John Typtoft* Earl of *Worceſter*; dated *Auguſt* the 24th, 1467 [i].

Order for raiſing Forces. 624.

11. AN Order to raiſe Troops for the Defence of the Realm; dated *July* the 3d, 1468 [k].

[a] At *Weſtminſter*. [b] At *Weſtminſter*.

* See more of this in our Note upon the Commitment of *Henry* VI to the Tower.

[c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Weſtminſter*. [k] At *Weſtminſter*.

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" THE Kingdom was then very quiet, " and in no Apprehenſion of an Invaſi-" on: But under the Covert of this Or-" der *Edward* meant to ſend Succours to " the Duke of *Bretagne*.

Earl of Warwick *Chief Juſtice of* Wales, &c. 647.

12. Two Patents appointing the Earl of *Warwick* Chief Juſtice of *Wales*, Steward of *Cardigan* and *Caermarthenſhires*, and Conſtable of *Cardigan* Caſtle; dated [l] the 17th of *Auguſt*, 1469.

" THE Obſervation already made, that " *Edward* repented of having us'd the " Earl of *Warwick* ſo ill, is founded on " theſe two Acts.

Another Order to raiſe Troops for fear of an Invaſion 649.

13. AN Order to raiſe Troops for fear of an Invaſion; dated *November* the 16th, 1469 [m].

A Miſtake of Mr. Rymer.

" HERE Mr. *Rymer* has inadvertently " ſaid, in the Title of the Act, that theſe " Forces were deſign'd againſt the Duke " of *Clarence*, whereas there is not the " leaſt mention of the ſaid Duke in the " Act it ſelf; and it is very certain that " he had not yet declar'd againſt the " King, as the following Act ſhews.

Commiſſion to the Duke of Clarence *and the Earl of* Warwick *to raiſe Troops.* 652.

" 14. A COMMISSION to the Duke of *Clarence* and the Earl of *Warwick* to raiſe Troops againſt the Rebels; dated *March* the 7th, 1470 [n].

" THIS confirms what was juſt now ob-" ſerv'd, that the Duke of *Clarence* had " not declar'd himſelf in the Month of " *November*, 1469, becauſe in the Month " of *March*, 1470, the King directed a " Commiſſion to him to raiſe Troops.

Order to arreſt 'em. 644.

15. AN Order to the *Iriſh* to arreſt the Duke of *Clarence* and the Earl of *Warwick* if they came into *Ireland*; dated *March* the 23d, 1470 [o].

" THIS ſerves to fix the time when " thoſe two Lords declar'd themſelves the " Heads of the Malecontents, *viz.* be-" tween the 7th and 23d of *March*, " 1470.

Pardon offer'd to the Rebels. 657.

16. A POWER to the Earl of *Wiltſhire* to promiſe a Pardon to the Rebels, provided they ſubmitted before the 7th of *May* following; it is dated the 25th of *April*, 1470 [p].

Duke of Glouceſter *made Warden of the North Marches.* 658.

17. A PATENT appointing the King's Brother, the Duke of *Glouceſter*, Warden of the Marches in the North of *England*; dated *Auguſt* the 26th, 1470 [q].

" THESE two Acts ſerve to point out " the time of *Edward*'s Impriſonment " and Eſcape, which happen'd in the " Interval.

Acts after the Reſtoration of Henry VI.

THE firſt is dated the 9th of *October*, 1470.

THE ſecond is an Order to the Marquis of *Montague* to raiſe an Army on the other ſide of *Trent*; dated *December* the 21ſt, 1470 [r]. EDWARD IV. *Order to the Marquis of* Montague *to raiſe Forces.* 676.

" THIS Order was iſſued upon the firſt " News which the Earl of *Warwick* re-" ceived from *Holland*."

Another to the Duke of Clarence, &c. 680.

3. A COMMISSION to the Duke of *Clarence* and the Earl of *Pembroke* to raiſe an Army in *Wales* againſt the Invaſion intended by *Edward*; dated *January* the 30th, 1471 [s].

" BY this it appears that the Earl of " *Warwick* was inform'd of *Edward*'s " Deſigns about ſix Weeks before he arri-" ved in *England*.

Privy-Seal for Money to bring the Queen from France. 693.

4. A PRIVY-SEAL for Money for the Grand Prior of St. *John*'s of *Jeruſalem* to go to *France* to fetch the Queen; dated *February* the 16th, 1471 [t].

Another Commiſſion to raiſe Troops. 705.

5. AN Order to the Duke of *Clarence* and the Earl of *Warwick* to raiſe Troops againſt *Edward*, who was return'd into the Kingdom; dated *March* the 25th, 1471 [u].

Acts paſs'd after the Reſtoration of Edward IV *are,*

Archbiſhop of York's *Pardon.* 709.

1. A PARDON granted to the Archbiſhop of *York*; dated *April* the 19th, 1471 [x].

" IT appears by the two laſt mention'd " Acts that there were but three Weeks " between the Intelligence that the Earl " of *Warwick* receiv'd of *Edward*'s " Landing, and his Reſtoration.

Edward's Proclamation againſt the Rebels. 709.

2. THE King's Proclamation touching his Rights to the Crown, and for declaring ſeveral Perſons Rebels; dated *April* the 27th, 1471 [y].

" THIS Proclamation was publiſh'd du-" ring the Interval betwixt the Battels of " *Barnet* and *Tewksbury*. *Edward* " founds his Right to the Crown upon ſe-" veral Acts of Parliament confirm'd by " his Victory. The Rebels nam'd in the " Proclamation are, Queen *Margaret*, " Prince *Edward* her Son, *Edmund* Duke " of *Somerſet*, the Duke of *Exeter*, the " Earls of *Oxford* and *Devonſhire*, and " fourteen others.

Order to pay ſome Expences in Henry VIth's *Funeral.* 712.

3. AN Order to pay certain Sums of Money [z] for the Expence they had been at in the Interment of *Henry* the Sixth; dated *June* the 24th, 1471.

" THIS brings us very near the preciſe " time of *Henry* the Sixth's Death.

Another to pay for keeping the Queen and Duke of Exeter *in the Tower.* 713.

4. ANOTHER Order of the ſame Nature and Date, to pay for the Keeping of Queen *Margaret* and the Duke of *Exeter*, who were Priſoners in the Tower.

[l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Waltham-Abbey*. [o] At *York*. [p] At *New Sarum*. [q] At *Weſtminſter*. [r] At *Weſtminſter*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] At *Weſtminſter*. [x] At *Weſtminſter*. [y] At *Weſtminſter*. [z] To *Hugh Brice* and *Richard Martyn*.

" HISTORIANS

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Miſtake of Hiſtorians about the Duke.

" HISTORIANS ſay, that the Duke of *Exeter*, being wounded in the Battel of *Barnet*, and left for dead in the Field, crept to a neighbouring Houſe, from whence he fled for Refuge to the Sanctuary at *Weſtminſter*, about two Months after the Battel of *Barnet*.

Great Mens Oath to own Edward's Son for King after his Father's Death. 714.

5. THE Oath of the great Men, whereby they ſwore to acknowledge *Edward* Prince of *Wales*, Son of *Edward* IV, for their King, after the Death of the King his Father; dated *July* the 3d, 1471 [a].

Privileges granted to Middleburgh and la Veere. 729, 730.

6. Two Letters Patent of *Edward* IV, exempting the Inhabitants of *Middleburgh* and *Veere* from all manner of Toll or Cuſtom in *England*; dated *November* the 9th and *December* the 22d, 1471 [b].

Negotiation with the Duke of Bretagne. 760.

7. A COMMISSION to treat with the Duke of *Bretagne*; dated *July* the 23d, 1472 [c].

" THIS was relating to the Earls of " *Pembroke* and *Richmond*.

Patent in favour of the Lord of Gruthuſe. 765.

8. A PATENT in favour of *Lewis* of *Bruges*, Lord of *Gruthuſe*; dated *November* the 23d, 1472 [d].

" THIS was the Lord who had entertain'd *Edward* at *Alcmaer*. The King " declares, that having by a former Patent created him Earl of *Wincheſter*; " by this he grants him the Privilege of " wearing the Arms of *England*, with " certain Diſtinctions mention'd in the Act.

ALL the remaining Acts of this eleventh Tome of the *Fœdera* relate only to Foreign Affairs.

BEFORE I leave the Domeſtick Affairs, I will mention two other Acts which are among thoſe in the Years 1461 *and* 1462.

Pope's Bull creating Walter Bedlow Apoſtolical Notary. 482.

THE firſt is a Bull of *Pius* II, dated at *Rome* the 18th of the Calends of *February* 1461, whereby he confers the Office of Apoſtolical Notary on *Walter Bedlow*, upon condition of his taking an Oath, the Form of which is inſerted in the Bull, as follows;

The Oath of the Office.

EGO Walterus Bedlow Clericus, non Conjugatus, nec in ſacris Ordinibus Conſtitutus, Lincolnienſis Diœceſis, ab hac hora in antea, fidelis ero Beato Petro & Sanctæ Romanæ Eccleſiæ, ac Domino meo Domino Pio Papæ II, *& Succeſſoribus ſuis canonicè intrantibus.*

NON ero in Conſilio, Auxilio, Conſenſu, vel Facto, ut vitam perdant aut Membrum, vel capiantur mala captione.

CONSILIUM quod mihi, per ſe, vel Literas aut Nuncium manifeſtabunt, ad eorum damnum, ſcienter nemini pandam, ſi vero ad meam notitiam aliquid devenire contingat, quod in periculum Romani Pontificis, aut Eccleſiæ Romanæ vergeret ſeu grave damnum, illud pro poſſe impediam, & ſi hoc impedire non poſſem, procurabo bona fide id ad notitiam Domini Papæ præferri.

PAPATUM Romanum & Regalia Sancti Petri, ac jura ipſius Eccleſiæ, (ſpecialiter, ſi qua eadem Eccleſia, in Civitate vel Terra de qua ſum oriundus habeat) adjutor eis ero ad defendendum & retinendum, ſeu recuperandum, contra omnes homines.

TABELLIONATUS Officium fideliter exercebo, &c.

SIC me Deus adjuvet & hæc Sancta Dei Evangelia.

i. e. " I *Walter Bedlow*, of the Dio- " ceſe of *Lincoln*, being not marry'd, " nor in holy Orders, will from this time " forward be true to St. *Peter*, and the " holy *Roman* Church, and to my Lord " and Maſter Pope *Pius* II, and his Succeſſors canonically inducted.

" I WILL not be privy to any Counſel, " Aſſiſtance, Agreement, or Deed, where- " by they may loſe Life or Member, or " be ſurpriz'd or over-reach'd.

" THE Counſel which they ſhall make " known to me either by Letters or Meſſenger, I will not, to their prejudice, " knowingly reveal to any body; but if " any thing happens to come to my " knowledge which has a Tendency to the " Danger or great Prejudice of the Pope " of *Rome* or the *Roman* Church, I will " either hinder it if I can, or if I cannot I " will ſincerely take care that it be made " known to my Lord the Pope.

" I WILL help them to defend and " keep, or to recover againſt all Mankind " the Papacy of *Rome*, the Regalia of " St. *Peter*, and the Rights of the ſaid " Church (eſpecially ſuch as belong to the " Church in the Town or Country where " I was born.)

" I WILL faithfully exerciſe the Office " of Apoſtolical Notary, *&c.*

" So help me God, and theſe holy E- " vangeliſts.

A Remark of Henry VIII, on his Subjects who took the Oath to the Pope.

YOU ſee here's no exception of any thing in this Oath, either of the Affairs of State, or of the King, or ſo much as of the Perſon of the King; therefore *Henry* VIII had reaſon to ſay, that ſuch of his Subjects as had taken the Oath to the Pope, were but half Subjects.

Edward's Charter granted to the Clergy. 493.

THE other Act which I propoſe to treat of is a Charter from *Edward* IV, granted to the Clergy of *England*; dated *November* the 2d 1462 [e].

THE King declares in the firſt place, that the not ſuffering the Clergy to enjoy their Privileges, is the reaſon of the many and great Calamities with which the Nati-

[a] At the Parliament-Houſe at *Weſtminſter*. [b] At *Weſtminſter*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Weſtminſter*.

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on has been ſo long afflicted. For this reaſon he orders, that for the future no Royal Officer or Magiſtrate ſhall concern themſelves with the Felonies, Rapes, and other Tranſgreſſions of the Clergy: That every Suit commenc'd by the King's Judges againſt any Member whatſoever of the Body of the Clergy ſhall be look'd upon as void; and that in ſuch caſe the Injunctions of Chancery ſhall be of no effect, notwithſtanding the Statute of *Præmunire* made in the 16th Year of *Richard* II.

Thus did the Kings of *England* for their own private Intereſts, and in a very little time, render of no effect thoſe wiſe Precautions which were taken by the Parliaments to hinder the exceſſive Increaſe of the Power of the Clergy. But this is not the only Act in which we find the Clauſe, *Notwithſtanding the Statute of* Præmunire; this Collection of Records abounding with many more ſuch.

IV. Edward *the Fourth's Affairs with* Scotland.

JAMES III, King of *Scotland*, being very young when *Edward* aſcended the Throne of *England*, the Regents of *Scotland* gave Queen *Margaret* an Aſylum after the Battel of *Towton*; and then concluded a Marriage betwixt one of their King's Siſters and the Prince of *Wales*, Son to *Henry* VI. On the other hand, the Queen deliver'd the Town of *Berwick* to them. But at laſt, the Regents ſeeing *Edward* well fix'd upon the Throne, abandon'd *Henry* VI, and made a Truce with *Edward* IV, which was prolong'd time after time 'till the Year 1519.

Prince of Wales *marry'd to the King of* Scotland's *Siſter.* Berwick *deliver'd up to the* Scots.

Their Truce with Edward IV.

In the Interval betwixt the Battel of *Towton* and the firſt of thoſe Truces, *Edward* finding that the *Scots* had declar'd openly againſt him, and that they refus'd a Truce which he had caus'd to be offer'd to, or rather to be demanded of them, endeavour'd to give them ſo much Diverſion at home as might hinder them from relieving *Henry* VI. For this end he employ'd the Earl of *Douglas*, who having been baniſh'd *Scotland*, was fled for Refuge to *England*. *Douglas* engag'd the Earl of *Roſs* and his Family ſo far in *Edward*'s Intereſt, that he promis'd to ſerve him againſt the King of *Scotland* his Sovereign. This is the Subject of a great number of Acts which are in this Tome. There's no Hiſtorian that I know of who has made mention of theſe ſecret Negotiations between *Edward* the Fourth and the Earl of *Roſs*, which in the main are of no great Importance, becauſe they came to nothing, more perhaps than the procuring that Truce which *Edward* wiſh'd for. *Buchanan* indeed ſays ſomething of this Earl of *Roſs* in the Reign of *James* II, but ſeems to have been ignorant of the Engagements which that Lord enter'd into with *Edward* in the beginning of the Reign of *James* III.

Earl of Douglas *employ'd to engage the Earl of* Roſs, *&c. in the Intereſt of* Edward IV.

Edward IV.

In 1474, *Edward* concluded a Marriage betwixt his ſecond Daughter *Cæcilia* and *James* Prince of *Scotland*, Son to *James* III, and paid down the Portion beforehand, though the Marriage could not be conſummated a great while, becauſe they were both ſo young. This occaſion'd a War betwixt the two Kingdoms, of which hereafter.

The Acts relating to Scotland *are,*

1. A Power to *James* Earl of *Douglas* to treat in the King's Name with *John* Earl of *Roſs*, and with *Donald Ballagh*; dated *June* the 22d, 1461 [f]. *Powers to treat with the Earl of* Roſs. 474.

2. A Power to the Earl of *Warwick* to conclude a Truce with *Scotland*; dated *Auguſt* the 2d, 1461 [g]. *Truce with* Scotland. 475.

"It is obſervable from hence, that "while *Edward* caus'd a Truce to be "negotiated with the King of *Scotland*, "he engag'd the Earls of *Douglas* and "*Roſs* to take Arms againſt that Prince. "The *Fœdera* abounds with ſuch In"ſtances of the Jealouſy the Kings of "*England* entertain'd of *Scotland*."

3. A Treaty betwixt King *Edward* and *John* of the Iſles Earl of *Roſs*, *Donald Ballagh*, and *John* of the Iſles *Donald*'s Son; dated at *London February* the 13th, 1462, and ratify'd the 17th of *March* following. Edward's *Treaty with the Lords of the Iſlands.* 484.

"By this Treaty *Edward* was to un"dertake the Conqueſt of *Scotland* with "the Aſſiſtance of the Earl of *Roſs*; "for which end the King granted a Pen"ſion of 100 Marks Sterling to the ſaid "Earl, one of 20 *l.* to his Brother *Do*"*nald*, and one of 10 *l.* to *Donald*'s Son "*John*, which Penſions were in time of "War to be doubled."

4. An Order to pay to the Earl of *Douglas* the Arrears of a Penſion of 500 *l.* Sterling, from *Michaelmaſs*, 1461, which Penſion had been ſettled on him by a Patent on the 14th of *February*, 1461. The Order is dated *February* the 18th, 1462 [h]. *Order for payment of the Earl of* Douglas's *Penſion.* 487.

5. *EDWARD*'s Engagement, that in caſe the Earl of *Douglas* ſhould carry the War into *Scotland*, all the *Scots* of his Party ſhould be included in the Treaty made with him; dated *October* the 19th, 1462 [i]. *For including the Earl of* Douglas's *Aſſociates in the Treaty.* 492.

6. A Commission to receive the Oath and Homage of the Earl of *Roſs*; dated *March* the 20th, 1463 [k]. *For receiving the Earl of* Roſs's *Oath.* 499.

7. The Treaty of Truce betwixt *England* and *Scotland*, from the firſt of *Fe*- *Truce with* Scotland. 510.

[f] At *Weſtminſter.* [g] At *Weſtminſter.* [h] At *Weſtminſter.* [i] At *Weſtminſter.* [k] At *Weſtminſter.*

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bruary 1464, to the laſt of *October* following; dated *December* the 9th, 1463 [l].

"It is evident by this Treaty that "there had been ſecret Conventions betwixt *Edward* and the Regents of "*Scotland*, which in all appearance related to *Henry* VI, Queen *Margaret*, "and the Prince of *Wales*. This was the "reaſon that *Margaret* quitted *Scotland* "to retire into *France*, and that *Henry* "went to conceal himſelf in *England*, "where he was taken."

Another. 525. 8. A TREATY of Truce betwixt *England* and *Scotland* for fifteen Years, to commence on the laſt Day of *October*, 1464 [m].

Another. 557. 9. A TREATY concluded at *Newcaſtle* for prolonging the Truce betwixt *England* and *Scotland* to the 31ſt of *October*, 1519; dated *December* the 12th, 1465.

"FROM that time to the Reſtoration of "*Henry* VI, in 1470, both Kingdoms re"main'd in a State of Tranquillity. But "during the Adminiſtration of the Earl "of *Warwick* the Truce was violated in "many Reſpects. After the Reſtoration "of *Edward*, there were ſeveral Negotiations upon this Account; and at laſt "by a Treaty concluded at *Alnwick* on "the 28th of *September*, 1473, a cer"tain Regulation was agreed upon 'till "the Truce ſhould be renew'd."

The Truce broke.

Treaty at Alnwick. 788.

10. A COMMISSION to treat of a Marriage betwixt *Cæcilia*, *Edward*'s ſecond Daughter, and *James*, Son to the King of *Scotland*; dated *July* the 29th, 1474 [n].

Marriage Treaty betwixt Edward's Daughter and Prince of Scotland. 814.

11. A PUBLICK Inſtrument for the Marriage of Prince *James* to the Princeſs *Cæcilia* by Proxy; dated *October* the 26th, 1474 [o].

Inſtrument for Marriage by Proxy. 821.

Truce of Newcaſtle unfirm'd. 824.

12. A TREATY for confirming the Truce of *Newcaſtle* to the Year 1519; dated *November* the 3d, 1474 [p].

Princeſs Cæcilia's Dowry. 836.

13. CONVENTIONS touching the Princeſs *Cæcilia*'s Dowry; dated *December* the 3d, 1474 [q].

Firſt Payment of it. 850.

14. THE King of *Scotland*'s Acquittance for 2000 Marks, being the firſt Payment of the ſaid Dowry; dated *February* the 3d, 1475 [r].

Receipt for Money promis'd. 850.

15. ANOTHER Receipt of the ſame Date for 500 Marks, promis'd only by Word of Mouth; dated *February* the 3d, 1475 [s].

V. Edward *the Fourth's Affairs with* France.

Lewis XI *his two grand Projects.*

LEWIS XI had not been many Months upon the Throne of *France* before *Edward* IV came to the Crown of *England*. They who know any thing of the Hiſtory of *France*, know that *Lewis* form'd two great Projects which took up almoſt his whole Reign. The firſt was to oblige the Duke of *Burgundy* to perform Liege Homage to him, and to depend on no other but him, which by the way was only a Pretence perhaps to deprive him of his Dutchy. The ſecond was to pull down the too great Power of the Duke of *Burgundy*, who was ſtill formidable to *France*, tho' he had contributed to her Preſervation, by declaring for her at a time when, if it had not been for him, ſhe muſt have been ruin'd. *Lewis* had a mind to begin with the Duke of *Bretagne*, by which Means in 1465, he drew upon himſelf the War *for the Publick Good*, well known by that Name in Hiſtory *, which was follow'd by ſeveral others. The Count *de Charolois*, Son to the Duke of *Burgundy*, imagining that the Ruin of the Duke of *Bretagne* would be ſoon follow'd with that of his Family, was of Opinion that both the Duke his Father, and himſelf, were bound in Intereſt to ſupport the Duke of *Bretagne* with all their Power. This bred ſuch a perſonal Hatred betwixt him and the King of *France*, as made them both lay hold of every Opportunity to thwart one another, not only during the Life of Duke *Philip*, but after the Count his Son ſucceeded him.

The War call'd, For the Publick Good.

Lewis XI *reſolv'd to ruin the Dukes of Burgundy and Bretagne.*

THE Dukes of *Burgundy* and *Bretagne* being thus united by Common Intereſt, had recourſe to two Methods above all others, to oppoſe the Deſigns of *Lewis* XI. The firſt was to take off the Duke of *Berry* his Brother from his Allegiance, and to make uſe of him to embroil him. The ſecond was to ſecure *Edward* IV in their Intereſts. As the firſt of theſe two Methods only belongs to the Hiſtory of *France*, it is not neceſſary to treat of it here. As to the ſecond, it muſt be obſerv'd, that when *Edward* came to the Throne, *England* was actually at War with *France* and *Bretagne*, there having been no Treaty of Peace or Truce betwixt thoſe Powers ſince the *Engliſh* were vanquiſh'd by *Charles* VII. Nevertheleſs, though they were at Liberty to commit Hoſtilities, there was a kind of tacit Suſpenſion of Arms betwixt them, which amounted to the ſame as a Truce. *Lewis* XI and the Duke of *Bretagne* were not fond of renewing the War againſt *England*; and it was not *England*'s Intereſt to take up the Cudgels again, in the Infancy of a Reign ſo much diſturb'd as his was. And as to the Duke of *Bretagne*, the Truce he had made with the *Engliſh* was ſtill ſubſiſting.

CONSIDERING the Deſign which *Lewis* XI had form'd to ruin the Dukes of *Burgundy* and *Bretagne*, no wonder that he

[l] At *York*. [m] Dated *June* the 3d, 1464, at *York*. [n] At *Weſtminſter*. [o] At *Edinburgh*. [p] At *Edinburgh*. [q] At *Weſtminſter*. [r] At *Edinburgh*. [s] At *Edinburgh*.

* See *Philip de Comines*.

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endeavour'd to ſecure the King of *England* in his Intereſt, or at leaſt to hinder him by a Truce, or ſome other Means, from giving Aſſiſtance to the Men he was reſolv'd to humble; and much leſs is it to be wonder'd at, that thoſe two Princes courted the Friendſhip and Protection of *Edward*. This Monarch gave Ear alike to both Parties, and kept them both in Hopes, being always ready to make Truces with either the one or the other, but without declaring for either; and thus he play'd off both 'till the Death of *Philip* Duke of *Burgundy*, which happen'd in 1467.

The French *King and the two Dukes court the Friendſhip of* Edward IV.

AFTER the Death of that Prince, *Charles* his Son and Succeſſor being reſolv'd at any rate to purchaſe *Edward*'s Friendſhip, concluded, and at length conſummated his Marriage with *Edward*'s Siſter, *Margaret* of *York*, which had been in Treaty before *Philip*'s Death. From that time *Edward* manifeſtly inclin'd to favour the Dukes of *Burgundy* and *Bretagne*, and even engag'd himſelf to give Aſſiſtance to the latter, who was very hard preſs'd by the King of *France*. But this Engagement came to nothing, by reaſon of a Peace which was concluded betwixt *Lewis* and the Duke.

Duke of Burgundy's *Marriage with* Edward's *Siſter.*

Edward openly favours the Dukes of Burgundy *and* Bretagne.

THIS Proceeding of *Edward*, and his ſtrict Alliance with the Duke of *Burgundy*, convinc'd *Lewis* XI that it would be very difficult for him to ſucceed in his Deſigns while *Edward* was upon the Throne of *England*. And no doubt it was this Conſideration which determin'd him to procure the Reconciliation betwixt the Earl of *Warwick* and Queen *Margaret*, and to give them Aſſiſtance for reſtoring *Henry* VI.

Lewis XI *favours the Reſtoration of* Henry VI.

THIS Undertaking having ſucceeded according to his Wiſhes, and *Henry* VI being replac'd on the Throne, *Lewis* deſir'd to make a Peace and a ſtrict Alliance with *England*: But a Peace being in a manner impracticable, becauſe of the King of *England*'s Pretenſions to the Crown of *France*, a long Truce was reſolv'd on which might anſwer the ſame end as a Treaty of Peace. And now *Lewis* made no doubt that he ſhould be able to accompliſh his Deſigns againſt the Dukes of *Burgundy* and *Bretagne*, when *England* was to lie ſtill and let him do what he pleas'd.

Truce betwixt England *and* France.

BUT *Edward*'s Reſtoration broke his Meaſures; and then he was oblig'd again to flatter *Edward* that he might not fall in with his Enemies. *Edward* at firſt ſeem'd very complaiſant, but 'twas only 'till he had an Opportunity of taking Revenge, which happen'd accordingly in 1474.

Lewis XI's *Meaſures broke by* Edward's *Reſtoration.*

THE Duke of *Burgundy* having engag'd to carry the War into *Germany*, on pretence of ſome Difference relating to the Archbiſhoprick of *Cologn*, went and beſieg'd *Nuits*, before which Place he lay ten Months. During this Siege, *Lewis* XI, who was concern'd to oppoſe the Duke's Aggrandiſement, ſtirr'd up ſo many Enemies againſt him, that to be reveng'd for it, the Duke made a Propoſal to *Edward* to undertake the Conqueſt of *France*, promiſing to aſſiſt him with all his Forces. *Edward* fell in with this Project, and made ſeveral Treaties with the Duke, which related to the War that they were to carry on in conjunction; the Succeſs of which we ſhall take notice of in our Account of Mr. *Rymer*'s next Tome.

EDWARD IV.

Duke of Burgundy *beſieges* Nuits.

His Treaties with Edward *for a War with* France.

THE Acts relating to France, *with which we ſhall conclude this Tome, are,*

1. A COMMISSION from *Edward* to get Satisfaction for the Violation of the Truce with the Duke of *Burgundy*; dated *November* the 12th, 1461 [t].

Complaint againſt the violation of the Truce with Duke of Burgundy. 478.

2. A FULL Power to certain Perſons to conclude a Truce with the Duke of *Burgundy*; dated *October* the 24th, 1462 [u].

Another Truce. 493.

3. A PROLONGATION of the Treaty of Commerce with the *Netherlands* to the firſt of *October*, 1463, 'till a Congreſs ſhould be holden upon that account; dated *December* the 18th, 1462 *.

Treaty of Commerce with the Netherlands. 497.

" It muſt be obſerv'd, that *England* " and the *Netherlands* having ſuch a " Trade with each other that they could " not well diſcontinue it, without remark- " able Prejudice to the Subjects of both; " the Affairs relating to Commerce were " always treated of by themſelves, what- " ever might be the Differences between " the two Countries in other Reſpects, " inſomuch, that even Truces for Traf- " fick, and Treaties of Commerce were " often made in Times of the hotteſt " War. This Maxim was infinitely bet- " ter than what has been follow'd ſince, " of making a Prey of the Merchants, " which proves to their Ruin, while the " States concern'd never mind to ſtop the " War upon that account, as was the " Caſe in the War which was concluded " in 1712, by the Treaty of *Utrecht*."

The Trade betwixt England *and the* Netherlands.

4. A COMMISSION to the Ambaſſadors nominated for a Diet or Congreſs to be held at *St. Omer*, between *Lewis* XI, *Edward* IV, and the Duke of *Burgundy*; dated *July* the 4th, 1463.

Congreſs at St. Omer. 504.

LEWIS XI being reſolv'd to make War upon the Duke of *Bretagne*, had form'd a Project of a Treaty of Alliance betwixt Him, *Edward*, and the Duke of

Lewis's *Project of a Treaty of Alliance.*

[t] At *Weſtminſter*. [u] At *Weſtminſter*. * At *Weſtminſter*.

Burgundy,

Burgundy, in order to hinder them from giving assistance to the Prince he had a mind to attack; and for that very Purpose this Congress was intended.

Truce with France. 508.

5. A PROCLAMATION of a Truce concluded with *France* 'till the 1st of *October*, 1464; dated *October* the 27th, 1463 [x].

6. A SAFE Conduct for *John* Lord *de Lanoy*, Envoy of *France*, at the Request of the Duke of *Burgundy*; dated *December* the 10th, 1463 [y].

"THIS *Lanoy* was sent over to *Eng-* "*land* to persuade *Edward* to come into "the Treaty above-mention'd."

Power to the Earl of Warwick *to conclude a Treaty. 518.*

7. A POWER to the Earl of *Warwick* to conclude a Treaty of Alliance and Brotherly Love between *Lewis* XI, *Edward* IV, and the Duke of *Burgundy*; dated *April* the 12th, 1464 [z].

Congress at St. Omer put off. 520.

8. A PROLONGATION of the Term fix'd for the Congress to be held at *St. Omer* on the 21st of *April*, 1464, to the first of *July* following [a].

LEWIS XI having discover'd his Designs against the Duke of *Bretagne* too early, by causing an Army to file off to *Anjou*; and having try'd to seize the Count *de Charolois* at the *Hague*, through the Means of the Bastard *de Rubempre*, *Edward* knew that *Lewis* the Eleventh's Aim was only to prevent him from supporting the Duke of *Bretagne*; and for this very reason the Congress at *St. Omer* was deferr'd, and at last broke off, the Duke of *Burgundy* not thinking it proper to suffer the Duke of *Bretagne* to be oppress'd.

Powers to treat with the Duke of Bretagne. *531.*

9. A POWER to the Earl of *Worcester* to treat with the Duke of *Bretagne*; dated *August* the 12th, 1464 [b].

10. ANOTHER of the like Nature to *William Hatcliff*, Secretary of State; dated [c] *September* the 1st, 1464.

And Duke of Burgundy. *536.*

11. ANOTHER for negotiating a Truce with the Duke of *Burgundy*; dated *October* the 20th, 1464 [d].

Truce with the Duke of Bretagne. *536.*

12. A Truce concluded with the Duke of *Bretagne* to last for one Year, from the 1st of *October*; dated *November* the 1st, 1464.

"As it was in this very Year that "*Lewis* XI press'd the Duke of *Bre-* "*tagne*, so it was about the same time "that the Duke of *Bretagne* and *Bur-* "*gundy* endeavour'd to bring *Edward* "into their Interests.

"THE Duke of *Bretagne* took the "Opportunity of *Lewis* the Eleventh's "Delay to corrupt his Brother the Duke "of *Berry*, and to raise the War of the "*Publick Good* upon him, which broke "out in 1465. During this Year, the "Duke of *Bretagne*, the Duke of *Bur-* "*gundy*, and the Count *de Charolois* did "what they could to bring *Edward* in- "to their Alliance; and on the other "hand, *Lewis* XI did every thing that "was in his Power to hinder it. This is "very evident from the Acts of that "Year, where we find diverse Safe-Con- "ducts for the Ambassadors of those three "Princes, and several Commissions to "treat with them. But nothing was con- "cluded, because *Edward* had no De- "sign to engage in a War. These three "Princes had put themselves out of a "Capacity to give Succours to Queen "*Margaret*, and that was enough for "him."

13. A COMMISSION to the Earl of *Warwick* to treat of a Marriage between *Margaret* the King's Sister and the Count *de Charolois*; dated *March* the 22d, 1466 [e]. *Marriage of the King's Sister to the Count* de Charolois. *564.*

14. ANOTHER of the same Date, to treat with *France* of a Peace, Truce, and all Differences betwixt the two Kings. *A Treaty with* France. *565.*

15. A POWER to certain Persons to conclude a Peace with the Duke of *Burgundy*; dated as above. *With the Duke of* Burgundy. *566.*

16. A TREATY of Truce with *Bretagne* for one Year, to commence on the 10th of *July*, 1466, dated *April* the 30th [f]. *Truce with* Bretagne. *567.*

17. THE Ratification of a Treaty of Truce concluded with *France*, from the 15th of *June* to the 1st of *March*, 1467, dated *June* the 7th, 1466 [*]. *With* France. *568.*

18. A SAFE-Conduct for *Lewis* of *Bruges*, Lord of *Gruthuse*, Ambassador from the Duke of *Burgundy*; dated *October* the 30th, 1466 [g]. *Safe-Conduct for the Ambassadors of* Burgundy *and* Bretagne. *574.*

19. ANOTHER for the Ambassadors of *Bretagne*; dated [h] *November* the 18th, 1466.

"BY all the Acts of 1467 it is appa- "rent, that *Edward* negotiated with "both Parties at one and the same time, "but that he was held only by short "Truces, that he might be at liberty of "joining with that Party which was most "for his Advantage; for it was not 'till "the Year following that he began visi- "bly to favour the Dukes of *Burgundy* "and *Bretagne*."

20. A COMMISSION to treat with the Duke of *Burgundy* for a Confederacy; dated *January* the 9th, 1467 [i]. *A Treaty with the Duke of* Burgundy. *576.*

"The said Confederacy was concluded, "but the Duke of *Burgundy* died before "it was ratify'd."

21. A SAFE-Conduct for the Bastard of *Bourbon*, Count *de Rousillon*, Ambassador of *France*, and others; dated *February* the 12th, 1467 [k]. *Safe-Conduct for the* French *Ambassador. 577.*

[x] At *Westminster*. [y] At *Pontefract*. [z] At *Westminster*. [a] Dated at *Westminster April* the 20th. [b] At *Stamford*. [c] At *Penley*. [d] At *Wycomb*. [e] At *Westminster*. [f] At *Westminster*. [*] At *Oxford*. [g] At *Westminster*. [h] At *Westminster*. [i] At *Westminster*. [k] At *Westminster*.

22. A COM-

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22. A COMMISSION to treat with the Ambaſſador of *France*; dated *May* the 6th, 1467 [l].

Commiſſion to treat with him.

23. A SAFE-Conduct for the Archbiſhop of *Narbonne*, Ambaſſador of *France*; dated *June* the 25th, 1467 [m].

Safe-Conduct for the French *Ambaſſadors.* 580.

24. A RATIFICATION of the Treaty of Confederacy by *Charles* Duke of *Burgundy*; dated *July* the 15th, 1467 *.

"*CHARLES* ratify'd this Treaty "on the very Day that his Father Duke "*Philip* died.

Marriage of the King's Siſter to the Duke of Burgundy. 590.

25. A COMMISSION for concluding the Marriage of *Margaret* the King's Siſter to *Charles* Duke of *Burgundy*; dated *September* the 20th, 1467 [n].

Treaty of Commerce with the Netherlands. 591.

26. THE Ratification of a Treaty of Commerce for thirty Years betwixt *England* and the *Netherlands* [o].

Duke of Bretagne's *Treaty with* Edward. 603, 615.

27. THE Duke of *Bretagne's* Letters Patent, containing his Alliance, Friendſhip and Confederacy with *Edward* IV, dated *February* the 1ſt, 1468 [p].

28. OTHERS of the like kind by *Edward*, dated *March* the 23d 1468 [q].

Truce with Bretagne. 603.

29. A PROLONGATION of the Truce with *Bretagne* to the 10th of *July*; dated *February* the 12th, 1468 [r].

Treaty of Commerce. 618.

30. A TREATY of Commerce with *Bretagne* for thirty Years; dated *July* the 2d, 1468 [s].

Confederacy. 624.

31. A TREATY of Alliance, Friendſhip, and Confederacy betwixt *Edward* and the Duke of *Bretagne*; dated *July* the 8th, 1468 [t].

Treaty with France. 625.

32. A COMMISSION to treat of a Peace, or Truce with *Lewis* XI, dated *Auguſt* the 1ſt, 1468 [u].

With the Duke of Bretagne. 626.

33. A TREATY by which *Edward* engag'd to ſend 3000 Men to the Aſſiſtance of the Duke of *Bretagne*; dated *Auguſt* 3d, 1468 [x].

Commander of the Succours. 630.

34. A COMMISSION appointing *Anthony Woodville*, the Queen's Brother, to command thoſe Succours; dated *October* the 7th, 1468 [y].

Duke of Berry's *Safe-Conduct.* 644.

35. A SAFE-Conduct for *Charles* Duke of *Berry*, which was to hold good for nine Months; dated *May* the 26th, 1469 [z].

"THIS was juſt at the time that *Lewis* "XI negotiated with his Brother the "Duke of *Berry* to incline him to take "the Dutchy of *Guyenne* in exchange for "that of *Normandy*, which had been "aſſign'd to him by the Treaty of *Conflans*, which put an end to the War of "the *Publick Good*. And it is very probable that the Duke of *Burgundy* had "contrived to get the Duke of *Berry* out "of the way, on purpoſe to break the "Meaſures of *Lewis* XI.

36. SAFE-Conduct for the Ambaſſadors of the Duke of *Burgundy*; dated *September* the 18th, 1469 [a].

EDWARD IV.

And for the Duke of Burgundy's *Ambaſſadors.* 648.

37. THE Duke of *Burgundy's* Certificate that he receiv'd the Order of the Garter on the 4th of *February*, 1470, at *Ghent*.

After the Reſtoration of Henry VI.

1. A FULL Power from *Lewis* XI to his Ambaſſadors, to conclude a Treaty of Alliance with *Henry* VI; dated *November* the 13th, 1470 [b].

Lewis's *Treaties with* Henry VI. 667.

2. A TREATY of Truce betwixt *France* and *England*, wherein it is ſtipulated that it ſhall continue at leaſt ten Years; and that which ſoever of the two Kings ſhall be inclin'd to break it, he ſhall give the other notice five Years beforehand; dated at *London*, *February* the 16th, 1470. 683.

After the Reſtoration of Edward IV.

1. A TRUCE concluded with *Lewis* XI, to the firſt of *May*, 1472; dated *September* the 5th, 1471 [c].

and with Edward IV. 722.

2. THE Renovation of the Treaties of Truce and Commerce betwixt *England* and *Bretagne*, which were interrupted during the Uſurpation of the Earl of *Warwick*; dated *September* the 30th, 1471 [d].

IN the Year 1472, we find ſeveral Safe-Conducts for the Ambaſſadors of the Dukes of *Burgundy* and *Bretagne*, and Commiſſions to treat with them. But the next Year has nothing relating to theſe Affairs.

With the Dukes of Burgundy *and* Bretagne.

In 1474 *we have,*

1. TWO Orders for a Muſter of the Troops that are to go to the Aſſiſtance of the Dukes of *Burgundy* and *Bretagne*; dated *March* the 30th [e].

Muſter of Troops ordered for their Aſſiſtance. 791.

2. A MUTUAL Engagement of reciprocal and perpetual Friendſhip betwixt *Edward* IV, and the Duke of *Burgundy*; dated *July* the 25th [f].

Edward's *Treaty with the Duke of* Burgundy. 804, 805.

3. CONVENTIONS about the Succours with which the Duke of *Burgundy* is to furniſh *Edward* for the Conqueſt of *France*; dated as above.

Conventions about the Succours. 806.

4. AN Explanation of certain Articles of the ſaid Conventions [g]. 808, 809.

5. *EDWARD*'s Grant of the ſame Date to the Duke of *Burgundy*, in the Kingdom of *France*, dated as above.

Edward's *Grant to the Duke of* Burgundy. 810.

"*EDWARD* imagining that he "ſhould make himſelf Maſter of the King-"dom of *France*, gave to the Duke of

[l] At *Weſtminſter*. [m] At *Weſtminſter*. * At *Bruſſels*. [n] At *Dogmersfeld*. [o] Dated at *Weſtminſter*, *January* the 5th, 1468. [p] At *Rennes*. [q] At *Weſtminſter*. [r] At *Rheims*. [s] At *Weſtminſter*. [t] At *Nantes*. [u] At *Weſtminſter*. [x] At *Weſtminſter*. [y] At *Weſtminſter*. [z] At *Weſtminſter*. [a] At *Weſtminſter*. [b] At *Tours*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] At *Weſtminſter*. [g] Dated *July* the 26th, at *Weſtminſter*.

"*Burgundy*

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" *Burgundy* beforehand *Champaigne*, the " *Nivernois*, *Rhetel*, *Eu*, *Guiſe*, *Douzi*, " *Tournay*, *Langres*, *Pequigni*, the mort- " gag'd Towns upon the *Soamme*, and " all the Poſſeſſions of the Count *de St.* " *Pol* in *France*, except in *Guyenne* and " *Normandy*.

The Duke's Grant of Rheims *for the Coronation of the Kings of* England. 813.

6. THE Duke of *Burgundy*'s Letters Patent, whereby he engages himſelf to give leave to *Edward* and his Succeſſors, Kings of *France*, to be crown'd at *Rheims* without Moleſtation; dated *July* the 27th.

" THIS refers to the preceding Grant, " in which *Champaigne* was included.

Treaty with the King of Sicily. 816.

7. A COMMISSION to treat with the King of *Sicily* about the Conqueſt of *France*; dated *Auguſt* the 15th [h].

With the Emperor, &c. 834.

8. OTHER Commiſſions for treating upon the ſame Head with the Emperor and the King of *Hungary*; dated *December* the 2d [i].

Preparations of War. 837. 840. 848.

9. SEVERAL Orders relating to Military Preparations [k].

10. A PROCLAMATION ordering all thoſe who have enter'd and taken Pay in the King's Service, to repair to *Portſmouth* before the 26th of *May* [l].

Account of the XIIth Volume of the Fœdera.

THE Acts of the laſt part of *Edward* the Fourth's Reign are contain'd in the Twelfth Tome of Mr. *Rymer*'s *Fœdera*, which alſo takes in thoſe of *Edward* V, *Richard* III, and *Henry* VII, as far as the Year 1502 *.

As every one of theſe four Reigns contains certain Matters peculiar to each, and independent altogether upon the Reigns before and after it, there's an abſolute neceſſity for giving an Account of this Tome in diſtinct Articles, the better to diſtinguiſh the Relation which the Acts that are printed in it bear to the Events of each Reign. I ſhall therefore confine my ſelf for the preſent to the laſt eight Years of *Edward* IV, where we find the principal Subjects are the Affairs which this Prince had with *France* and *Scotland*: To which I ſhall add a third Article of *Affairs Domeſtic*, rather to preſerve the Thread of the Hiſtory, than from any Neceſſity with regard to the Volume, which in theſe eight Years contains nothing that is Domeſtic of very great Importance. EDWARD IV.

I. *Affairs with* France.

Edward's Motives for a War with France.

IN the Account of the laſt Tome, Notice was taken of the Treaties which were made by *Edward* IV, and *Charles* Duke of *Burgundy*, to make War upon *Lewis* XI, which was not a common War, or a War from Motives that were trifling. *Edward* ſeem'd to have it in his View to revive the Pretenſions of the Kings of *England* to the Kingdom of *France*, and to conquer by the Sword what had by the Sword been taken from his Predeceſſor. At leaſt he hop'd before the end of the War to be poſſeſs'd of *Guyenne* and *Normandy*, the ancient Patrimony of his Anceſtors, provided that the Duke of *Burgundy*, who was as much concern'd as himſelf, did but aſſiſt him with all his Power, as he thought he had reaſon to expect. Beſides, the Conſtable *de St. Pol*, a powerful Lord in *France*, and a great Enemy to *Lewis*, had given his Word that he would deliver up *St. Quintin* to the *Engliſh*, and thereby open a Door for them to penetrate as far as *Paris*. On the other hand, the Duke of *Bretagne*, who had juſt been forc'd to ſign a diſadvantageous Peace with *Lewis* XI, was privately en-

[h] At *Windſor*. [i] At *Weſtminſter*. [k] Dated at *Weſtminſter* the 8th of *December*. [l] Dated *February* the 1ſt, 1475, at *Weſtminſter*.

* *WHEN Mr.* Rymer *preſented it to the late Queen, in* 1711, *he addreſs'd her in the following Manner*; " Moſt Excellent Sovereign, This Book affords not much Variety in the Buſineſs and Adventures of *War*; " the Language is chang'd, and *Peace* now is become the Word in Faſhion.

" OUR Neighbour, for ſo many Generations call'd our *Adverſary of* France, now in this your Twelfth " Tome, is *our moſt dear Couſin of* France, or *Lewis* of *France our moſt dear Couſin*.

" TWICE indeed Armies are rais'd, and we find on the Muſter Roll, Archers on Horſeback, Archers on " Foot, Bills, Halberds, Demi-Lances, Spears, and Men of Arms with their *Cuſtrells*.

" THESE are carried into *France*; but no fighting.

" THEY bring home *French Gold*; ſo many Hundred Thouſand *Scutes*, which were Money in thoſe " Days, decide the Controverſy, and make an end of the Quarrel.

" *LEWIS* the Eleventh, that wiſe Prince, ſtruck the Bargain with our King *Edward* IV, and the Bar- " gain was renew'd, the Payments continued, and the Arrearages accounted for by him during Life, by his " Son *Charles* VIII, and by their Succeſſors with our King *Henry* the Seventh, your *Majeſty*'s moſt noble " Progenitor.

" BUT this Reign, beſide the old *Trade* of *War*, was more eſpecially diſtinguiſh'd on account of *Adven-* " *tures* of quite another nature; now it is that new Schemes of Navigation are devis'd, new Searches made, " new Land, new Seas, another *World*, another *Indies* are found out, 'till then not known, nor before diſco- " ver'd to Mankind that inhabit on this ſide the Globe.

" THUS Traffick and Commerce had a new Countenance, and the Northern *America* has been ſucceſsfully " cultivated by our Merchants and Planters ever ſince, down to our Times. But the *Mar del Zur* was not " yet render'd *Engliſh*: The *South-Sea* Navigation, Diſcoveries, and Trade, ſeem as a particular Bleſſing by " the divine Providence reſerv'd for your *Majeſty*'s moſt auſpicious Reign, that with the Benefits of civil Life " our true Religion might be communicated and carried to the Extremities of the Earth; and the Light of the " Holy Goſpel ſhine forth in the moſt remote and darkeſt Regions.

" THIS Book, moſt Gracious Sovereign, ends with a Treaty, of all Treaties the moſt memorable and " moſt important; the Effects of which make the Ornament and Security, the Joy and Felicity of theſe our " Times; for the which your Kingdoms, and even all *Europe* at this Day, have cauſe to bleſs God; I mean the " *Marriage-Treaty* of your moſt noble Progenitors, *Margaret* of *England* with *James* the Fourth of *Scot-* " *land*, from whom your moſt Sacred Perſon is deſcended to the Imperial Seat, and ſo happily fills the " Throne of *Great-Britain* at this Day, *&c.*".

ter'd

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ter'd into *Edward*'s League with the Duke of *Burgundy*, and promis'd to make a powerful Diverſion, provided the King of *England* would but ſend him Succours. Therefore *Lewis* XI ſaw himſelf ready to be attack'd by three formidable Enemies, excluſive of his Apprehenſions from his own Subjects, who were not over and above pleaſs'd with his Government.

His Preparations and Departure for France.

DURING the whole Winter of 1475, *Edward* was extraordinary diligent in his Preparations, that he might take the Field betimes; but he could not ſet out 'till the 20th of *June*, after he had detach'd 3000 Men of his Army with a Deſign to ſend them into *Bretagne*. If the *French* Hiſtorians were to be credited, never any King of *England* carry'd ſo powerful an Army into *France*; but they are vaſtly miſtaken in their Calculation. *Edward* III was there at the Head of 100,000 Men; but it does not appear that *Edward* the Fourth's Army came up near to that number, for he had but 1500 Spearmen and 15,000 Archers on Horſeback, beſides the Foot; the number of which not being mention'd by the *Engliſh* Hiſtorians, it may be preſum'd it was not very great. Beſides, the principal Strength of Armies conſiſted at that time in the Cavalry.

He ſends an Herald to the French King to declare War.

As ſoon as *Edward* was arriv'd at *Calais*, he ſent a Herald to declare War againſt the King of *France*.

Lewis's Anſwer,

Lewis return'd a very mild Anſwer, and bid the Herald tell his Maſter, that the Duke of *Burgundy* and the Conſtable *de St. Pol* would infallibly deceive him. But before he diſmiſs'd the Herald, he ask'd him a great many Queſtions; and the Herald in his Anſwers took occaſion to tell him, either of his own Head, or from ſome private Inſtruction, that if he had any Propoſal of Peace to make, he muſt apply to the Lords *Howard* and *Stanley*, who had both great Intereſt with the King. *Lewis*, who was a Man of very great Penetration, ſuſpected that the Herald did not ſay this without a Meaning. In the interim, to let the *Engliſh* Lords ſee how liberal he was, he order'd the Herald who came to declare War againſt him a Preſent of 300 Crowns for his Pocket, and 30 Ells of Velvet to make him a Gown.

and his Preſent to the Herald.

Edward's *Diſappointment by the Duke of* Burgundy.

EDWARD expected the Duke of *Burgundy* would come at the Head of an Army to join him; but tho' in confidence thereof he was already on the March, he heard no News of him, which oblig'd him at laſt to ſend an Expreſs to him to know the cauſe of his Delay. The Duke was ſtill employ'd in the Electorate of *Cologn*, at the Siege of *Nuitz*, which he undertook in hopes of making himſelf Maſter of that Place time enough to join the *Engliſh*. But the length of the Siege, which held ten Months, and

The Siege of Nuitz.

his own Obſtinacy, broke all his Meaſures; for while he was untimely bent on an Affair of ſo little conſequence, he ſuffer'd very great Loſſes elſewhere: The Duke of *Auſtria* took the County of *Ferrette* from him: The Duke of *Lorrain* ravag'd *Luxemburg*, and *Lewis* XI ſeiz'd *Roye* and *Mondidier*. At laſt, when he was juſt on the point of being Maſter of *Nuitz*, he was ſo preſs'd by *Edward*'s Importunity, that he conſented the Place ſhould be depoſited in the Hands of one of the Pope's Legates. But his Army was in ſo poor a Condition to begin a freſh Campaign, that he was oblig'd to put it into Quarters of Refreſhment; after which he went to find out *Edward*, in order to make an Apology for his Backwardneſs.

EDWARD IV.

Duke of Burgundy's *Loſſes.*

THE King of *England* was ſurpriz'd to the laſt degree to ſee the Duke come without his Army. From that Moment he began to ſuſpect, that inſtead of helping him to conquer *France*, the Duke's View was only to make uſe of him to give *Lewis* a Diverſion. He was confirm'd in this Suſpicion by the great Precautions which were taken at *Peronne*, a Town belonging to the Duke, to hinder the *Engliſh* from entering it too many at once. And laſtly, that which compleated his Suſpicion that he was trick'd, was the Duke of *Burgundy*'s carrying him to *St. Quintin*, where when he expected the Conſtable would ſet open the Gates, he was cannonaded. It is very probable that the Duke himſelf was deceiv'd by the Conſtable, otherwiſe he would not have carry'd the King to *St. Quintin*, on purpoſe to receive an Affront. Mean time, perceiving that *Edward* was not ſatisfied with his Excuſes, and that he treated him with bitter Reproaches, he left him on Pretence of going to bring up his Army.

Edward *ſenſible of being deluded by his Allies in* France.

EDWARD was very much perplex'd what to do. The Duke of *Burgundy* and the Conſtable had broke their Faith to him. The Duke of *Bretagne* never ſtirr'd, and *France* was perfectly quiet, though he had been made to believe that at his Approach ſeveral Provinces would revolt. Theſe Conſiderations oblig'd him to think that the only Remedy he had to recover himſelf was to make Peace with *France*. The grand Difficulty in the way was, how to order it ſo that *Lewis* ſhould make the firſt Overtures; for it would have been very ſcandalous for *Edward*, who had croſs'd the Sea with a Deſign to conquer *France*, to ſue for a Peace before he had drawn his Sword. To obtain his End, he gave Orders for the releaſe of the only *French* Priſoner that had been taken ſince the War was declar'd. This Priſoner going to thank the King, was mightily careſs'd at Court, and charg'd by the Lords *Howard* and *Stanley* to preſent their moſt humble Reſpects to the

King his Master. *Lewis* comparing this extraordinary Compliment with what the Herald had told him, inferr'd from thence that the Court of *England* was desirous of Peace. *Lewis* being not so nice as *Edward* in this sort of Punctilios of Honour, and his Affairs moreover not permitting him to be too scrupulous upon this Head, he immediately sent a Herald to the *English* Army, and order'd him to address himself to the Lords *Howard* and *Stanley*, thinking perhaps to prepossess those Noblemen in his Favour. He had Orders likewise to speak to the King of *England*, and to excuse the King his Master on account of the Assistance which he had given to the Earl of *Warwick*; to represent to him the Advantages which would redound to their Subjects from a strict Union betwixt them, the little Probability there was of his ever being able to conquer a Kingdom where he had no Places, nor Friends; and finally, how little he ought to depend upon the Promises of the Duke of *Burgundy* and the Constable, of whose Insincerity he could not but be already convinc'd: That in the mean time as the King his Master was desirous to live in good Terms with him, he offer'd to make him amends for the Expence which he had been at, in such a Way as should content him: Lastly, that if this Proposal was agreeable to him, the King of *France* desir'd him to send him a Safe-Conduct for the Ambassadors, that they might meet in some proper Place, there to treat of a Peace. The *French* Herald was sent back the same Day with a fine Present, and the Passport he desir'd. Next Day the King held a great Council in the Army, wherein it was resolv'd to make a Truce with *France* on certain Conditions; and the Lord *Howard* with two others were chose to go and hold a Conference with the *French* Ambassadors betwixt *Peronne* and *Amiens*. Their Instructions were given them in writing, sign'd by the King and twenty-two Lords, so that they had not Power either to add or diminish, and the King of *France* had nothing to do but to accept the Terms, as offer'd by *Edward*, or else refuse them.

Lewis sends a Herald to him with an Overture of Peace.

Truce with France resolv'd in Council,

and concluded on Edward's own Terms.

THE Treaty was concluded on the 29th of *August*, on the Terms that *Edward* had propos'd it, without any Alteration; we shall see the Tenour of it hereafter. It was dispos'd into several Acts according to the nature of the Articles agreed on. The Duke of *Burgundy* being advertis'd that a Peace was on foot, made all haste to *Edward*'s Camp to endeavour to ward off the Blow: But he came too late, the Truce was sign'd; and he found the King of *England* so far from a Disposition to break it, that he told him he thought he had done him very great Service by including him in it.

SOME Days after this, the two Kings had a Conference together upon a Bridge built on purpose very near *Pequigny*, where they swore to observe the Treaty. This has given reason to some Historians to call it the Treaty of *Pequigny*; but in the publick Acts it is always call'd the Treaty of *Amiens*. *Lewis* took this Opportunity to urge *Edward* to abandon the Duke of *Burgundy*, the Constable, and the Duke of *Bretagne*. *Edward* told him, that as to the first, he being included in the Truce, was at his Liberty to accept or refuse it; and if he refus'd it, he should not think himself oblig'd to stand by him; that as to the Constable, he had nothing to do with his Affairs; but as to the Duke of *Bretagne*, he declar'd in plain Terms, that if he was attack'd he would assist him with all his Forces. It must be observ'd, that the Duke of *Bretagne* had a Pledge in his Hand, which made him secure of *Edward*'s Protection, *viz.* the Earl of *Richmond*, the only Sprig of the House of *Lancaster*, who, if he had been let go, was capable of giving the King very great Uneasiness.

Conference betwixt the two Kings.

THE King of *France* was very well pleas'd that he had been able thus to send the *English* home to their own Island. But being still afraid lest the Duke of *Burgundy* should engage *Edward* to break the Truce and come back again, he made use of a Method to keep him in a good Humour, which was familiar to him, and which he had often practis'd with Success, *viz.* to bribe the chief Persons of the *English* Court with good Pensions. *Philip de Comines* says, that these Pensions amounted to 16,000 Crowns, and he names the very Persons that receiv'd them. Before the *English* Army march'd homewards, *Lewis* sent them a Present of 300 Waggon Loads of Wine. This gave occasion to the *French* Historians to publish that he needed no other Method to send the *English* home to their own Country. But we shall see anon that *Lewis* did not get rid of them upon such easy Terms.

Lewis bribes the English *Courtiers with Pensions.*

Gives the English *Army a great Present of Wine.*

BEFORE we pursue the Abridgment of the History of that Time, it is absolutely necessary to insert here the Substance of the Acts in this Tome of the Fœdera *which relate to it, otherwise it would be difficult to comprehend the Sequel.*

1. A PATENT appointing *John* Lord *Audley* and *Gaillard de Duras* Lord of *Durefort*, Commanders of the Fleet design'd

Commanders of the Fleet for Relief of the Duke of Bretagne. p. 12.

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ſign'd for the Relief of the Duke of *Bretagne*; dated *June* the 12th, 1475 [m].

Commiſſion to treat with him Ibid.

2. ANOTHER Commiſſion for them to treat with the Duke of *Bretagne*; dated the 20th of the ſame Month [n].

Edward's *Inſtructions to his Ambaſſadors for treating with* France. 14.

3. INSTRUCTIONS given to the Lord *Howard* and two other Ambaſſadors going to confer with the Plenipotentiaries of *France*; dated in the Field of *Seyntre* in *Vermandois* near *Peronne*, *Auguſt* the 13th, 1475.

THESE Inſtructions contain'd the Conditions upon which *Edward* was willing to return to *England*, *viz.*

Edward's *Propoſals for retiring from* France. Ibid.

THAT *Lewis* ſhould engage to pay him 75,000 Crowns ready Money, and to give him 50,000 Crowns every Year at two Terms during the Life of the two Kings. That *Charles* the Dauphin of *France* ſhould marry *Elizabeth*, *Edward*'s eldeſt Daughter, on whom *Lewis* ſhould make a Settlement of 60,000 Livres *per Annum*. That *Lewis* ſhould conduct the Princeſs to *France* at his own Expence; and that if *Elizabeth* died before the Conſummation of the Marriage, *Charles* ſhould marry *Edward*'s ſecond Daughter *Mary*.

ON the Performance of theſe Conditions, *Edward* engag'd to depart the Territories of *France* immediately after the Receipt of 75,000 Crowns, to conſent to a Truce of ſeven Years, and to a Treaty of Friendſhip with *Lewis* XI, under a mutual Bond to aſſiſt one another againſt their rebellious or diſobedient Subjects.

He conſents to refer Differences with France *to Arbitration.* 15.

4. *EDWARD*'s Letters Patent, by which he conſents that the Differences which remain undecided betwixt him and the King of *France*, be referr'd to the Arbitration of the Archbiſhop of *Canterbury* and the Duke of *Clarence* for *England*, and of the Archbiſhop of *Lyons* and the Earl of *Dunois* for *France*, allowing them three Years time; dated *Auguſt* the 29th, 1475 [o].

THIS was the firſt Act paſs'd in purſuance of the Conventions between the Plenipotentiaries. *Lewis* XI gave the like Letters Patent.

Truce for ſeven Years. p. 17.

5. A PARTICULAR Treaty for a Truce of ſeven Years between *France* and *England*, in which the Allies of the two Kings are included, and particularly the Dukes of *Burgundy* and *Bretagne*, on the part of *England*, on condition that the Allies nominated in the Treaty ſhall be oblig'd to declare within three Months, whether they have a mind to be included in the ſaid Truce; it is dated *Auguſt* the 29th, 1475 [p].

Treaty of Amiens with France, p. 19.

6. A TREATY of Friendſhip and Confederacy between *Lewis* XI and *Edward* IV, during their Lives, and for the Marriage of *Charles* the Dauphin, *Lewis*'s Son, with *Elizabeth*, *Edward*'s Daughter; dated as above.

THE Subſtance of the Articles was,

1. THAT there ſhould be a perfect Friendſhip betwixt the two Kings during their Lives.

2. THAT they ſhould mutually aſſiſt one another in caſe of the Rebellion or Diſobedience of their Subjects.

3. THAT neither of the two Kings ſhould give Aid or Refuge to the rebellious Subjects of the other.

4. THAT in caſe any one of the two Kings ſhould happen to be expell'd his Dominions, the other ſhould aſſiſt him with all his Power, in order to reſtore him by making open War againſt his Enemies.

5. THAT neither of the two Kings make any League or Aſſociation with the Allies of the other, without having firſt acquainted him of it.

6. THAT within a Year they ſhould appoint Commiſſioners to regulate the Currency and Value of the Coin of both Kingdoms for the Eaſe of Commerce betwixt their Subjects.

7. THAT for the better cementing the Friendſhip betwixt the two Kings, *Charles* the Dauphin, Son to *Lewis* XI, ſhould marry *Elizabeth*, *Edward*'s eldeſt Daughter, when they are at a fit Age for Matrimony; and that the King of *France* ſhould ſettle on the Princeſs for her Dowry 60,000 Livres *per Annum*, and bring her over to *France* at his own Expence; and that if *Elizabeth* ſhould happen to die before the Conſummation of the Marriage, *Charles* ſhould then marry *Edward*'s ſecond Daughter *Mary*.

Remarks on it.

Two Things are to be obſerv'd in this Treaty: The firſt, that it was contrary to the preceding Treaty, inaſmuch as the Truce being to continue but ſeven Years, the two Kings might renew the War at the end of the ſaid Term; whereas by this ſecond Treaty they were to be Friends, and to aſſiſt each other mutually as long as they liv'd. Therefore this Error was corrected afterwards by extending the Truce to the Death of either of the two Kings.

THE ſecond Thing obſervable in it is, that *Edward* gave no Portion with his Daughter.

Lewis's Contract for the Payment of Money to Edward. p. 20.

7. LETTERS Patent of *Lewis* XI, whereby he engages to pay King *Edward* every Year, as long as they both liv'd, the Sum of 50,000 Crowns at two Terms, *viz. Eaſter* and *Michaelmaſs*, and to pay him the Money in *London*. More-

[m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] In the Camp near *Amiens*. [p] In the Camp near *Amiens*.

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over, he engages himself to oblige the Bank of *Medicis* to the Payment of those Sums; dated *August* the 29th, 1475 [9].

His Contract to ransom Queen Margaret.

THERE was another Treaty or particular Convention besides this, which we don't meet with in the *Fœdera*, whereby *Lewis* XI engag'd himself to pay 50,000 Crowns for the Ransom of Queen *Margaret*, Wife to *Henry* VI, who was Prisoner in the Tower after the Battel of *Tewkshury*.

Order to release her. p. 22.

8. AN Order to deliver Queen *Margaret* into the Hands of the King of *France* or his Commissioners; dated *November* the 13th, 1475.

More Remarks on the Treaty of Amiens.

NOW it is easy to judge by all these Conventions, which are call'd the Treaty of *Amiens* or *Pequigny*, whether the *French* Historians had so much reason to banter *Edward*'s Return from *France*; and whether it is true that he was sent back to his Island with several Cart-loads of Wine. *Lewis* XI paid him 75,000 Crowns in hand, and 25,000 a Month after, for the first Term, which expir'd at *Michaelmass*. The publick Acts testify by the Acquittances therein contain'd, that the annual Pension of 50,000 Crowns was paid even to *Easter* Term in 1482. If to this we add the 50,000 Crowns for the Ransom of Queen *Margaret*, and the Pensions of 16,000 Crowns which were paid to the *English* Noblemen, and which probably were continued as long as the Pension to *Edward*, it will appear that *Lewis* XI actually and really disburs'd near 600,000 Crowns, that he engag'd himself to pay a sort of Tribute, and to take a Wife for the Dauphin his Son without any Portion, in order to send back a Prince to his Island, who had not conquer'd a single Town in *France*. This shews that he had another-guess Notion of King *Edward* than the *French* Historians give out. *Philip de Comines* affirms, that *Lewis* desir'd nothing more passionately than to see the *English* Backs turn'd in their way home. Therefore *Edward*, who had won several Battels, was not a Prince to be despis'd.

A Dissertation upon the nature of Lewis's Pension to Edward.

BEFORE we quit this Subject, it may be necessary to add one Word more relating to the Pension of 50,000 Crowns promis'd and paid by *Lewis* XI to *Edward* IV. We have just now seen that in *Lewis*'s Obligation, it is not said under what Title, for what Cause, or from what Motive he engag'd himself to pay the said annual Pension to the King of *England*. Notwithstanding this Silence, the *English* Historians have made no scruple to call this Pension by the name of a Tribute; and Mr. *Rymer* himself, though he had the original Act in his Hand, has intituled all the Acts relating to this Pension, *De Annuo Censu*, i. e. Of the yearly Tribute.

ON the other hand, the *French* Historians not knowing how to shift off this annual Pension, have turn'd and winded it several ways, in order to elude it. Some of them have chose to say nothing of it. *Du Tillet* in the Collection which he gives out of the Archives of *France*, with respect to the Treaties between *France* and *England*, says, that the Treaty of *Amiens* lies in such a Drawer, but does not mention one Word about the Pension.

PHILIP de Comines says, that in the Conference betwixt the Plenipotentiaries of the two Kings, the *English* at first demanded, according to their Custom, the whole Kingdom of *France*, or at least *Normandy* and *Guyenne*; which, says he, was stifly urg'd on the one side, and as stifly refus'd on the other: So that after all, the whole of their Demands amounted to 72,000 Crowns down before they went off, the Marriage of the Dauphin with *Edward*'s eldest Daughter, and the Revenue of the Dutchy of *Guyenne* for the Maintenance of that Princess, or else 50,000 Crowns every Year, payable in *London* for nine Years to come; at the expiration of which Term, *Charles* and his future Queen were peaceably to enjoy the Dutchy of *Guyenne*, and *Lewis* was to be discharg'd from any farther Payments to the King of *England*.

WHO would imagine but that *Philip de Comines*, who was present in the Council when *Edward*'s Proposals were examin'd, was very well inform'd of the Truth? Nevertheless, this is certain, and it cannot be otherwise, that he has confounded the Proposals of the Ambassadors of *France*, or of *Lewis* the Eleventh's Council, with those of the *English*, it being not possible that the Ambassadors of *England* could make such Proposals: For, in the first Place, they were limited by their Instructions, which they could neither add to, nor diminish, and in which there was not one Word said either of the Revenue of *Guyenne*, or of the Maintenance of the Princess *Elizabeth*. In the second Place, it would have been the grossest Prevarication in them to assign the Maintenance of *Elizabeth* for the reason of the annual Pension, because they could not doubt but *Edward*'s View was to have the said annual Pension look'd upon as a sort of Tribute and Acknowledgment for the two Provinces of *Guyenne* and *Normandy*, which he pleaded *France* unjustly detain'd from him. This is so true, that *Philip de Comines* himself affirms, that

[9] At *Amiens*.

the

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the *Engliſh*, even after the ſigning of the Treaty, pretended that this Penſion was a real Tribute. In the third Place, if the Ambaſſadors of *England* had made ſuch Propoſals, what was it that hinder'd their treating on that Foot? Was it not more for the Advantage of *France* that *Elizabeth's* Maintenance ſhould be aſſign'd as the Cauſe of the Penſion, than to leave the Reaſon of it undetermin'd? It is clear therefore that *Philip de Comines* was deceiv'd in his Judgment, or that his Memory fail'd him when he wrote his Memoirs; for though he gives the Subſtance of the Thing, he is miſtaken in almoſt every Circumſtance, as where he ſays 72,000 Crowns for 75,000, a Truce of nine Years for one of ſeven, a Penſion for nine Years inſtead of ſaying, during the Lives of the two Kings; and laſt of all in the Maintenance of *Elizabeth*, of which neither the Treaty nor *Lewis* the Eleventh's Obligation mentions one Word. *Mezeray* has copied after *Philip de Comines*, and has likewiſe added, that the Truce which the two Kings concluded together, was a Truce for Commerce, as if he had a mind that this Treaty ſhould paſs for a Matter of little Importance: "It happen'd, *ſays he*, that in the abſence of the *Burgundian*, the King, "what with his Intrigues, Flattery, and "what with Preſents, which the *Engliſh* "very greedily ſnap at, perſuaded the "*Engliſh* King and his Council to hearken "to an Accommodation: And in a very "few Days the Deputies of the two "Kings agreed upon the Conditions. "'Twas a Truce of Commerce, including "the Dukes of *Bretagne* and *Burgundy*, "if they had a mind to come in, ſtipulating 73,000 Crowns ready Money for "the *Engliſh* King, and the Marriage of "*Edward's* Daughter with the Dauphin, "for whoſe Maintenance King *Lewis* appropriated the Revenue of *Guyenne* for "nine Years, of 50,000 Crowns a Year "to be paid to the *Engliſh* King at his "Tower of *London*."

The Reaſon why Hiſtorians have diſfer'd about it.

Now in all likelihood this is what has given occaſion to the Contradiction we find between the Hiſtorians of the two Nations. The Ambaſſadors of *England* demanded the Kingdom of *France*, or at leaſt *Guyenne* and *Normandy*: This was refus'd. Then they propos'd the Marriage of *Elizabeth* to the Dauphin, and a Penſion of 50,000 Crowns by way of Equivalent. Probably *Lewis* XI and his Council thought fit to agree to the Marriage and the Penſion, but not by way of Equivalent, *Lewis* being loth to acknowledge that *Edward* had any juſt Pretenſions either to the whole Kingdom of *France*, or any Part thereof. This was undoubtedly the Reaſon that the Propoſal was made to the *Engliſh* Ambaſſadors, to grant them the Marriage and the Penſion; but that this Penſion ſhould be paid as if it were only for the Maintenance of the young Princeſs 'till the time of Marriage, or for nine Years. It is no leſs evident, that this Propoſal was rejected by the *Engliſh*: Mean time, as the two Kings were equally deſirous of Peace, nothing was more natural than to fall in with the Expedient which they made uſe of, *viz.* That the Marriage ſhould be agreed to, and that *Lewis* ſhould engage himſelf to pay *Edward* an annual Penſion of 50,000 Crowns during both their Lives, without expreſſing the Cauſe or Motive of the ſaid Penſion. Each found his Account in this Expedient; *Lewis* was in no fear of having it objected to him with any Foundation that he paid Tribute to *Edward*, becauſe this Penſion was only granted by Letters Patent, and not by a Treaty; and that beſides, the Reaſon of it was not expreſs'd in his ſaid Patent. And as to what the *Engliſh* might ſay when they were once got out of *France*, he did not much value. On the other hand, *Edward* had reaſon enough to be ſatisfied; for, beſides the real Advantage which was to redound to him from the Marriage of his Daughter with the Dauphin, and from the additional Revenue of 50,000 Crowns a Year, this Penſion would give his Arms an Air of Triumph, and leave the *Engliſh*, who had been at the Charge of his Armament, ſome Reaſon to imagine that *France* paid *England* a Tribute. That was, no doubt, the principal Motive of his Demand, with reſpect to the Penſion. He was not weak enough to believe that he could make *Lewis* XI pay him a Tribute without the gaining of one Victory, or the Conqueſt of a ſingle Town. Therefore in his Inſtructions to the Lord *Howard* and his Colleagues, he took care not to ſay that he demanded the Penſion in the nature of a Tribute. It was ſufficient for him to leave the Cauſe of the Penſion undetermin'd, that the *Engliſh* might explain it to his Advantage. This Expedient therefore being embrac'd, it happen'd that after the Treaty had been ſign'd and ratified, each Nation explain'd the Penſion after their own manner. The *Engliſh* pretended it was a real Tribute, becauſe *Edward* was not againſt their putting that Conſtruction upon it, and undoubtedly did not give himſelf the Trouble of undeceiving them. The *French* maintain'd on their Part, that this Penſion was only granted for the Maintenance of the Princeſs *Elizabeth*, becauſe in effect *Lewis* XI had deſign'd to grant it under this Title, if *Edward* had been willing to have conſented to it. I have dwelt the longer upon this Subject to ſhew, in the firſt Place,

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how much Readers ought to be upon their Guard againſt the National Partiality of Hiſtorians: And, in the ſecond Place, to diſplay the Uſefulneſs of this Collection of the publick Acts, which preſents us with authentick Pieces, that the greateſt part of Hiſtorians never ſaw, and which thoſe who knew them have omitted or diſguis'd, when they found that they might ſerve to the Diſcredit of their own Nation. It is time now to reſume the Abridgment of the Hiſtory, to which the following Acts refer, from the Treaty of *Amiens* to the Death of *Edward*.

Duke of Burgundy's Truce with Lewis.

THE Duke of *Burgundy* took ſome time to conſider before he accepted the Truce. Nevertheleſs he conſented, after the Expiration of the Term allow'd him, to make a particular Truce with *Lewis* XI, not ſo much for any Fear that he was under of his Arms, as from the extraordinary Deſire he had to be reveng'd on the Duke of *Lorain* and the *Swiſs*. In 1476, he attack'd the former, and took his Dutchy from him: After this he intended to go and chaſtiſe the *Swiſs*; but his Army was ſeiz'd with a panick Fright at *Granſon*, and run away when there was no Enemy to purſue. About a Fortnight after, he loſt the famous Battel of *Morat*, where the *Swiſs* kill'd 8000 of his Men. And laſtly, at the beginning of the Year 1477, going to beſiege *Nancy*, which the Duke of *Lorain* had retaken, he loſt another Battel, wherein he was kill'd.

He takes the Dutchy of Lorain.

His Army routed by the Swiſs.

He loſes another Battel in Lorain, with his Life.

Lewis diſpoſſeſſes his Daughter of her Eſtate.

THIS reſtleſs Prince left but one Daughter nam'd *Mary*, about nineteen Years of Age, from whom *Lewis* XI preſently took *Burgundy*, and the Towns ſituate upon the River *Soamme*. It was in vain for her to implore the Protection of *Edward*, who was then the only Prince capable of ſupporting her, and from whom ſhe could never get any thing but inſignificant Wiſhes and Compliments. Though *England* was manifeſtly bound in Intereſt to protect the Houſe of *Burgundy*, in order to hinder the Aggrandiſement of *France*, *Edward* had particular Reaſons in oppoſition to this Policy of State, which were of more weight with him than any that could be urg'd for the Good of his Kingdom. In the firſt Place, he was afraid of engaging himſelf in a War that would oblige him to quit his Pleaſures, to which he was ſo ſtrangely addicted. Beſides, being grown corpulent and heavy, he thought he was not able to bear the Fatigue of it. But his principal Reaſon was his extraordinary Ambition to ſee his eldeſt Daughter Queen of *France*, which made him afraid to do any thing that might furniſh *Lewis* XI with a Pretext for breaking his Promiſe. To this we may add, that his Council, which was brib'd by *French* Gold, contributed not a little

She implores the Protection of Edward.

His Reaſons for refuſing it.

to make him deſpiſe the Affairs of the *Netherlands* with an Indifference which did not at all correſpond with the Intereſts of *England*. With this View alſo *Lewis* punctually paid him his Penſion, for fear that if he miſs'd one Payment, he ſhould out of pure Spite eſpouſe the Quarrel of the Dutcheſs of *Burgundy*. At laſt, *Mary* deſpairing of any Succours from *England*, married *Maximilian* Archduke of *Auſtria*, Son to the Emperor *Frederick*. This Marriage, and the Emperor's Interceſſion, procur'd for the *Netherlands* a Truce for ſome Months, and for *Mary* the Reſtitution of ſome Places which *Lewis* had taken. During this Truce, *Lewis* left no Stone unturn'd to keep *Edward* in a Neutrality ſo advantagious to *France*. He had already ſeiz'd part of the Succeſſion of the late Duke of *Burgundy*, and did not deſpair of making himſelf Maſter of thoſe Provinces of the *Netherlands* which join to *France*, and that the reſt would fall into the Hands of ſome of the Princes his Friends. In a Word, if *Philip de Comines* may be believ'd, who poſitively affirms it, his Project was to ſtrip *Mary* entirely of her Dominions.

Dutcheſs of Burgundy's Marriage.

Truce for the Netherlands, &c.

IN 1478, immediately after the Expiration of the Truce, *Maximilian* enter'd *Burgundy*, where he took ſeveral Places, and had he been well ſupported, would in all probability have robb'd *Lewis* of all his Conqueſts. And really *Lewis* could not help fearing that *Edward* would at length open his Eyes to ſee the true Intereſts of his Kingdom, and that he would hearken to the Advice given him by ſome honeſt Men to make an Alliance with the Dutcheſs of *Burgundy*, in order to hinder the Aggrandiſement of *France*. To divert him from any ſuch Thought, he laid a Snare for *Edward*, in which he infallibly caught him. The Character of *Lewis* XI is ſo well known, that it is unneceſſary to inſiſt upon it here. Every body knew that he was no Slave to his Word; and therefore it is ſurprizing that a Prince who had that Character univerſally, ſhould find any body ſo weak as to truſt him. In *July* 1478, he ſent *Charles de Martigny*, Biſhop of . . . . . into *England* with a full Power to prolong the Truce, which, by a Treaty lately made, was to continue but a Year after the Death of either of the Kings, to an hundred Years after the Death of him who died firſt, and to oblige himſelf to pay the yearly Penſion of 50,000 Crowns as long as the Truce ſhould laſt. Nothing could be better calculated to flatter the Vanity of *Edward* than this Propoſal. Though he was not perſonally concern'd in the continuance of this Penſion, which was ſecur'd to him during his own Life by the Treaty of *Amiens*, yet he pleas'd

Maximilian's Succeſs in Burgundy.

Lewis's Fears.

His Character.

Propoſal to prolong the Truce betwixt England and France. 100 Year's beyond the Death of either King.

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himſelf with the Thought how glorious it would be for him to extend it to a hundred Years after his Death. Such a long Term gave it much more of the Air of a Tribute than the continuance of the Life of either of the two Kings, to which it had been limited by the Treaty of *Amiens*. This Negotiation was ſomewhat delay'd, becauſe *Edward*, ſurpriz'd to hear no mention made of the Marriage of his Daughter to the Dauphin, choſe to ſend Ambaſſadors to *Lewis* to preſs him to the Celebration of the Eſpouſals. But this Prince, too crafty for *Edward*, always found one Pretence or another to ſhuffle it off. *Philip de Comines* in his Memoirs tells us the many Wiles and Shifts which *Lewis* made uſe of to gain time, and to baffle *Edward*'s Inſtances.

Lewis too crafty for Edward.

The Treaty concluded.

AT length, in *February*, 1479, the Treaty for prolonging the Truce was concluded, and ſign'd on the ſame Foot as it had been propos'd by the Ambaſſador of *France*. Beſides the Treaty it ſelf which the Ambaſſador ſign'd, he gave Letters Patent, whereby he engag'd the King his Maſter to the ſame Conditions, by vertue of a Power which had been given him for that purpoſe. Theſe Letters were drawn up in the ſtrongeſt Terms that can be imagin'd, and agreeable to his full Power, or his Letters of Attorney. I have obſerv'd, in this Collection of Records, that this is not the only Inſtance of Princes ſending Biſhops or other Eccleſiaſticks in Embaſſies when they had a Deſign to deceive. But Ambaſſadors are not always let into their Maſters Intentions. However this was, it was not more eaſy to conclude the Truce with the Ambaſſador, than it was difficult to get it ratify'd by *Lewis*, who was never at a loſs for Excuſes to ſhuffle it off; all he had in view being to amuſe *Edward*, and to hinder him from making an Alliance with the Dutcheſs of *Burgundy*. In fine, he acted his Part ſo well, that he never ratify'd the Treaty, the Dauphin never marry'd the Princeſs of *England*, and *Edward* did not concern himſelf in the Affairs of *Maximilian* and *Mary*; or at leaſt did not think of it 'till too late, when Death ſurpriz'd him before he could take juſt Meaſures to be reveng'd.

A Remark on Princes ſending Biſhops or other Clergy as Ambaſſadors.

Marriages propos'd for Edward's *Daughters.*

DURING all that time *Maximilian* perceiving he could not be able to make Reſiſtance againſt *France* without the Aſſiſtance of *England*, left no Stone unturn'd to attach *Edward* to his Intereſt. That ſame Year he made a Propoſal to the Court of *England* of marrying his Son *Philip*, who was about a Year old, to *Edward*'s third Daughter *Anne*, at the ſame time when *Edward* thought of marrying his fourth Daughter *Catherine* with Prince *John*, Son to *Ferdinand* and *Iſabel*, who was ſcarce older than *Philip*.

EDWARD IV.

MEAN while *Edward* being ſurpriz'd at the affected Delays of the King of *France*, as well with reſpect to the Ratification of the late Treaty as to his Daughter's Marriage with the Dauphin. held a great Council in 1480, wherein it was reſolv'd to ſend Ambaſſadors to *Lewis*, peremptorily to demand of him the entire Execution of the Treaty of *Amiens*, and the Ratification of that of *London*. The Lord *Howard*, who, according to *Philip de Comines*, receiv'd a yearly Penſion of 2000 Crowns from the King of *France*, was choſe to be the Head of this Embaſſy. *Lewis*, according to Cuſtom, return'd a prevaricating inſignificant Anſwer, not in the leaſt doubting but *Edward* would ſtill ſuffer himſelf to be trifled with. Nevertheleſs, it appears that *Edward*, immediately upon the Return of his Ambaſſadors, began to take his Meaſures to put himſelf into a Condition to be reveng'd for the Affront put upon him; and for this end made ſeveral Alliances with diverſe Princes, particularly with *Maximilian* and *Mary*, and with the Duke of *Bretagne*.

Ambaſſadors ſent to the French King *to demand the Execution of the Treaty of* Amiens, &c.

Edward *ſtrengthens himſelf by foreign Alliances.*

IT looks as if *Lewis*, who had good Spies abroad, had ſome notice of his Deſign, becauſe in 1481, he ſtir'd up the King of *Scotland* to make War againſt him; which kept him employ'd 'till the end of the next Year.

His War with Scotland.

IN a word, during *Edward*'s War with *Scotland*, *Lewis* XI pull'd off the Mask. The Dutcheſs of *Burgundy* dying in 1481, of a Fall from her Horſe, the Citizens of *Ghent* took her Children, *Philip* and *Margaret*, into their own Cuſtody; which bred a great Diviſion between them and the Archduke. *Lewis* taking hold of this Opportunity, repreſented the Power of the Houſe of *Auſtria* in ſuch a terrible Light to the People of *Ghent*, that at laſt he frighten'd them to agree to deliver up young *Margaret* to him, in order to be married to his Son the Dauphin, and *Maximilian* was oblig'd to conſent to it.

Dutcheſs of Burgundy's *Death. The People of* Ghent *take her Children into their Cuſtody, but deliver up* Margaret *to the* French *King.*

UPON the Concluſion of the War with *Scotland* in *October*, 1482, *Edward* aſſembled all the Lords in and about *London*, and declar'd to them the Reaſons he had for making War againſt the King of *France*; which being approv'd of, they all promis'd to ſerve him to their utmoſt in ſo juſt a Quarrel. But while he was making Preparations for the War, he was ſnatch'd away by Death on the 9th of *April*, 1483; and *Lewis* the Eleventh ſurviv'd him but a few Months. *Mezeray* ſays, *That* Edward *finding himſelf baffled by the* French, *and ridicul'd by his own Subjects for his groſs Folly, dy'd for very Shame.* But one would have thought it had been better for *Mezeray* to have ſet off all this Fraud to the Score

Edward's *Death. Death of* Lewis. Mezeray's *unjuſt Reflection on* Edward.

of

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of *Lewis* XI, than to boaſt of it as he does to the Honour of the *French* Nation, who had no hand in it. Beſides, it little became an Hiſtorian to banter a Prince for his Faith in thoſe Treaties and Oaths which were made uſe of to decoy him.

THE Acts which have any Connection with the foregoing Hiſtory, are theſe.

Duke of Bretagne's Alliance with Edward. 22.

1. THE Duke of *Bretagne*'s Confirmation of the Treaty of Alliance concluded with *Edward* in 1468, and which, after being broke by the Earl of *Warwick*, was renew'd in 1471 upon *Edward*'s Reſtoration; dated *January* the 22d, 1476 [r].

Edward and the Duke recede from each other's Demands. 23.

2. *EDWARD* the Fourth's Letters Patent, whereby he gives up his Demand of Charges on account of the Armament which he had made for the Aſſiſtance of the Duke of *Bretagne*, in conſideration of the Duke's having receded from his Demand of Satisfaction for the Loſſes his Subjects had ſuſtain'd by Sea, during the Adminiſtration of the Earl of *Warwick*, and which amounted to 50,000 Crowns; dated *March* the 16th, 1476, [s].

His Reaſons to keep fair with the Duke.

"*EDWARD* had two weighty "Reaſons to keep fair with the Duke of "*Bretagne*; the one, that if need were, "he might be able to give *France* Diverſion on that ſide; and the other, that "he might engage the Duke to have a "ſtrict Guard over the Earl of *Richmond*.

His Acquittances for Lewis's Annuities. 30, 38.

3. Two Acquittances given to *Lewis* XI, for the Payment of two Terms of the Annuity of 50,000 Crowns, the laſt of which was due on the Feaſt of St. *Michael*; dated *July* the 31ſt, 1476 [t], and *December* the 7th following [u].

Commiſſion for the Marriage-Treaty betwixt his Son and the Infanta of Spain. 42.

4. A COMMISSION from *Edward* IV, to certain Perſons to treat with *Ferdinand* and *Iſabella*, King and Queen of *Caſtile*, concerning the Marriage of their only Daughter the Infanta *Iſabel* with *Edward* Prince of *Wales*; dated *March* the 31ſt, 1477 [x].

5. ANOTHER of his Commiſſions for treating in *Flanders* with the Ambaſſadors of the Emperor *Frederic*; dated *May* the 20th, 1477 [y].

Marriage Treaty betwixt Maximilian and the Dutcheſs of Bugundy.

THESE Ambaſſadors of the Emperor came into the *Netherlands* to conclude *Maximilian*'s Marriage with *Mary* Dutcheſs of *Burgundy*; and *Edward* ſent over this Embaſſy purely at the Sollicitation of his Siſter *Margaret* the Ducheſs-Dowager.

Another Receipt for the Annuity. 45.

6. ANOTHER Acquittance given by *Edward* to *Lewis* XI, for his Payment of the Term of the Annuity due at *Eaſter*; dated *July* the 5th, 1477 [z].

7. A TREATY betwixt *Lewis* XI and *Edward* IV, for prolonging the Truce to the end of a Year after the Death of either of the two Kings that dy'd firſt; dated *July* 20th, 1477 [a].

Commiſſion to Ambaſſadors going to France. 50.

8. A COMMISSION to the Lord *Howard* and others who were going as Ambaſſadors to *France*; dated *November* 30th, 1477 [b].

Power to prolong the Term of Arbitration. 52.

9. A POWER to the Ambaſſadors of *England* to prolong the Term of Arbitration mention'd in the Treaty of *Amiens* to what time they ſhall think fit; dated *March* the 13th, 1478 [c].

The Prolongation ratify'd. 61.

10. THE Prolongation of the ſaid Term for three Years [d].

Acquittance for the Annuity. 65.

11. ANOTHER Acquittance from *Edward* to *Lewis* XI, for 25,000 Crowns; dated *June* the 14th, 1478 [e].

French King's Power to his Ambaſſadors about the Truce and his Annuity. 86.

12. *LEWIS* the Eleventh's Power to *Charles de Martigny* Biſhop of .... whom he ſent Ambaſſador to *England*, to prolong the Truce with *Edward* for 100 Years after the Deceaſe of either of the Kings that dy'd firſt, and to oblige himſelf (*Lewis*) and his Succeſſors to the Payment of the Annuity of 50,000 Crowns 'till the Expiration of the ſaid Term.

"THIS *Charles de Martigny* is ſtil'd "*Epiſcopus Eluenſis*; what Biſhoprick this is I know not: If the "Word was not ſpelt exactly the "ſame in many places, I ſhould have "thought it a Miſtake for *Eluſenſis*, "i. e. *Eluſe* in *Gaſcoigne*, a Biſhoprick "which was united to the Biſhoprick of "*Auch*, but when I know not *."

SINCE no Hiſtorian has made mention of this Power granted by *Lewis* XI, nor of the Treaty made in conſequence thereof; and as there cannot be a fuller Demonſtration of this Prince's Inſincerity, it may not be improper to inſert the very Terms of the Full Power in this place.

DANTES & Concedentes eidem Oratori, Procuratori, Legato, Ambaſſiatori, Commiſſario, atque Nuncio noſtro, plenam perfectam & ſufficientem Poteſtatem & Auctoritatem, ac mandatum generale & ſpeciale, nomine noſtro, & pro nobis, Hæredibus, & Succeſſoribus noſtris, Regno, Patriis, &c. cum illuſtriſſimo Principe Confratre & Conſanguineo noſtro, præcariſſimo Edwardo Rege Angliæ, vel Deputatis ſuis ſimilem Poteſta-

[r] At *Nantes*. [s] At *Bukden*. [t] At *Fotheringay* Caſtle. [u] At the Royal Manor of *Greenwich*. [x] At *Woburn*. [y] At *Weſtminſter*. [z] At *Weſtminſter*. [a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] At *Weſtminſter*. [d] Ratify'd by the King at *Weſtminſter*, *June* the 6th, 1478. [e] At *Weſtminſter*.

* Perhaps it may be the City of *Euſe*, which *Bleau* makes to be the Capital of the *Euſan*, four Leagues Eaſt from *Auch*, the rather becauſe, as he ſays, it was built from the Ruins of *Eluſa*, ſo famous in the time of the *Romans*, and was an Archbiſhop's See, 'till after being ruined by the *Saracens*, and then by the *Normans*, it was remov'd to *Auch*.

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tem habentibus Communicandi, Tractandi & Conveniendi.

ATQVE Treugas concluſas prorogandi, elongandi & extendendi ad centum annos, poſt Mortem primò noſtrum decedentis duraturas, & inconcuſſè, obſervandas.

NEC non promittendi & obligandi nos, Hæredes & Succeſſores noſtros, Regnum, Patrias, Terras, omniaque & ſingula Dominia noſtra, & ſubditos noſtros, eorumque bona quæcumque, ubicunque fuerint reperta, ad ſolvendum pro nobis, Hæredibus & Succeſſoribus noſtris, dicto Conſanguineo noſtro Regi Angliæ, in civitate Londoniæ in Anglia, quinquaginta millia Scutorum Auri ejuſdem Valoris, & Æſtimationis, prout ſunt inpræſentiarum in Regno Franciæ, ſingulis annis centum Annorum, poſt Mortem primò noſtrum decedentis proximè futurorum, aſtringendique nos, Hæredes & Succeſſores noſtros obligari jurejurando, & ſub pœna Cameræ Apoſtolicæ, nec non aliis, modis ſicuti eis videbitur, ad firmam & ſecuram ejuſdem ſolutionis obſervantiam, &c.

Datum in Civitate noſtra Attrebatenſi Die decima tertia Menſis Julij Anno 1478, *& Regni noſtri Decimo Septimo.*

LOYS.

Sub ſigillo magno ſuo Ceræ albæ, pendente a Cauda Pergamenæ.

i. e. " Giving and granting to our ſaid " Orator, Attorney, Legate, Ambaſſador, " Commiſſioner and Meſſenger, full, per- " fect, and ſufficient Power and Authori- " ty, and a general and ſpecial Command " to confer, treat and agree in our Name, " and for Us, our Heirs and Succeſſors, " for the Realm, Country, *&c.* with the " moſt illuſtrious Prince our moſt dear " Brother and Couſin *Edward* King of " *England*, or his Deputies, having the " like Power.

" AND to prorogue, lengthen and ex- " tend the Truce concluded, ſo as to en- " dure and be inviolably obſerv'd for a hun- " dred Years after the Deceaſe of which- " ſoever of us dies firſt.

" ALSO to promiſe and oblige our ſelves, " our Heirs and Succeſſors, with the " Kingdom, Countries, Territories, and " all and ſingular our Dominions and Sub- " jects, together with all their Goods " whatſoever and whereſoever they ſhall " be found, to pay to our ſaid Couſin the " King of *England* in the City of *London*, " for Us, our Heirs and Succeſſors, 50,000 " Scutes of Gold, of the ſame Value and " Rate as they are worth at this preſent " in the Kingdom of *France*, every Year, " during a hundred Years after the Deceaſe " of either of us who dies firſt, and to " bind our ſelves, our Heirs and Succeſ- " ſors by an Oath, and under the Pe- " nalties to be inflicted by the Apo- " ſtolical Chamber, and by other means, " as to them ſhall ſeem good for the ſure " and punctual Payment thereof, *&c.* EDWARD IV.

Given at our City of *Arras* the 13th of *July*, *A. D.* 1478, and the 17th of our Reign.

LEWIS.

Seal'd with his Great Seal of White Wax, appendant at the Tail of the Parchment.

13. A COMMISSION to *Richard Tunſtal* and *Thomas Langton* to celebrate the Eſpouſals of *Edward*'s Daughter *Elizabeth* with the Dauphin; dated *Auguſt* the 26th, 1478 [f]. *Marriage of Edward's Daughter with the Dauphin.* 89

14. A RECEIPT for 10,000 Crowns towards the Ranſom of Queen *Margaret* [g]. *Queen Margaret's Ranſom.* 91.

15. A COMMISSION to the Biſhops of *Bath* and *Wells*, and *Ely*, to the Earls of *Eſſex* and *Rivers*, to *John Dudley*, *John Dynam*, *John Howard*, and *John Gunthorp*, to treat with *Charles de Martigny* Biſhop of .... the Ambaſſador of *France*; dated *January* the 21ſt, 1479 [h]. *Commiſſion to treat with the French Ambaſſador.* 97.

16. THE Ambaſſador's Letters Patent founded on his Letter of Attorney. *Ambaſſador's Patent.* 101.

UNIVERSIS & ſingulis ad quos Præſentes Literæ pervenerint, Carolus de Martigny, Divina permiſſione Eluenſis Epiſcopus, Chriſtianiſſimi Principis Ludovici Francorum Regis Legatus, Procurator, & ad infra ſcripta ſufficienter Deputatus, Salutem; Auctoritate mihi ab ipſo Rege per ſuas Literas Patentes in hac parte nuper commiſſa, Conceſſionem, Promiſſionem, & Obligationem Annuæ Solutionis dictorum quinquaginta millia Scutorum, ad centum annos poſt mortem alterius dictorum Principum primo decedentis proximè futuros, *& ad eorundem centum Annorum finem, Prolongo, Extendo, Continuo, & Prorogo.*

SPONDEO & Promitto dicto Regi Angliæ, nec non eundem ſereniſſimum Principem Ludovicum, ſuoſque Hæredes & Succeſſores, eidem Angliæ Regi aſtringo & obligo, quod ipſe Ludovicus ſolvet, & realiter deliberabit, ſingulis Annis durante Vita ſua, & poſt ejus Mortem, ipſius Hæredes & Succeſſores ſolvent annuatim per centum Annos quinquaginta millia Scutorum Auri.

[f] At *Weſtminſter*. [g] Sign'd by the King at *Weſtminſter*, *October* the 4th, 1478. [h] At *Weſtminſter*.

ATQVE

ATQVE Nomine ipſius Regis Franciæ, ſuorumque Hæredum & Succeſſorum, nec non pro eo & eis renuncio cuicunque Exceptioni Doli mali, Vis, Metus, Fraudis in Factum, Actioni, Conditioni indebitæ ob turpem Cauſam, ſine cauſa & ex injuſta cauſa, non ſic celebrati Contractus, alter fuiſſe Dictum ſive Recitatum quam Scriptum vel Factum, & è converſo, Petitioni Libelli, nec non Privilegiis Feriarum, Meſſium, Vindemiarum, Appellationum, Querelarum, & Supplicationum, Remedio & Recurſui ad arbitrium boni Viri, quibuſcumque Conſtitutionibus, Gratijs, Privilegijs, Indultis aut Indulgendis, Statutis ſpecialibus & generalibus, localibus & temporalibus a Jure vel ab Homine editis, ac in genere & ſpecie conceſſis vel concedendis, omnibuſque & ſingulis alijs Exceptionibus, Juribus & Defenſionibus, per quos, quas & quæ hujuſmodi Summæ Quinquaginta millium Scutorum, *ut prædicitur, ſolutio ullo modo impediri quomodolibet vel differri poterit, & ſpecialiter Juri dicenti generalem Renunciationem non valere, niſi præceſſerit ſpecialis.*

INSUPER, pro eodem Sereniſſimo Principe Ludovico Francorum Rege, ejuſque Nomine Spondeo & Promitto, imo eundem Ludovicum Regem aſtringo & obligo, quod ad omnium præmiſſorum inviolabilem Obſervantiam, obligavit ſe ſolenni Juramento, tactis per eum corporaliter Evangelijs, atque ſub pœnis Cameræ Apoſtolicæ, & per Obligationem de Niſi.

QVODQVE procurabit & faciet Societatem & Socios Banci de Medicis *proinde Obligari, eorumque cautionem, in ſcriptis ritè ſuperinde confectam, dicto Regi Angliæ deliberabit, deliberarive faciet.*

AVT Reſcriptum Apoſtolicum Sigillo Plumbeo munitum, quo omnia & ſingula Præmiſſa Sedis Apoſtolicæ Auctoritate confirmentur, appoſitis Pœnis interdicti in Regnum, Patrias, & Dominia ſua, atque Excommunicationis in Perſonam ſuam & Hæredum atque Succeſſorum ſuorum ſi ea, ut præfertur, non ſervaverit & non perimpleverit, aut non ſervaverint & non impleverint, ſumptu & ære proprio impetrabit & obtinebit, impetrarivè & obtineri faciet.

IPSAMQVE Obligationem ſive Cautionem Sociorum Banci de Medicis, *aut Reſcriptum Apoſtolicum ſic per ipſum impetratum, dicto ſereniſſimo Regi Angliæ, ejuſve Deputato, infra octodecim Menſes poſt Datam Præſentium proximè ſequentes, in Anglia deliberabit, deliberarive faciet.*

QVODQVE præfatus Francorum Rex omnia & ſingula Præmiſſa in his Literis contenta, ſuis Literis Patentibus, magno ſuo ſigillo ſigillatis, manuque propria ſubſcriptis innovabit aut ratificabit & confirmabit, & ea, ſic per ipſum innovata aut ratificata & confirmata per tres Status Franciæ, videlicet per Prælatos & Clerum, Nobiles & Plebem} ejuſdem Regni, infra duodecim Menſes proximos poſt Datam Præſentium Ratificari, Confirmari & Auctorizari faciet; nec non a ſede Apoſtolica, & per Auctoritatem ejuſdem Confirmari, Vallari & Roborari procurabit & cum effectu faciet.

Datum in Civitate Londoniarum, die decima quarta Menſis Februarij, Anno Domini ſecundum Curſum & Computationem Eccleſiæ Anglicanæ, milleſimo quadringenteſimo ſeptuageſimo Octavo.

CAROLUS ELUENSIS Epiſcopus.

Sub Sigillo ſuo Ceræ rubræ pendente a Cauda Pergamenæ.

i. e. " To all and every one to whom " theſe preſent Letters Patent ſhall come. " *Charles de Martigny*, by the Divine " Permiſſion, Biſhop of . . . . . Ambaſſa- " dor, Proctor, and Deputy ſufficiently " authoriz'd for theſe Preſents from the " moſt Chriſtian Prince *Lewis* King of " *France*, ſendeth greeting : By the Au- " thority lately committed to me from " the King himſelf by theſe Letters Pa- " tent, I prolong, extend, continue, and " prorogue the Grant, Promiſe, and Ob- " ligation for the yearly Payment of the " 50,000 Scutes to one hundred Years " after the Deceaſe of either of the Prin- " ces who ſhall happen to die firſt, and " to the end of the ſaid Term. And I " not only engage and promiſe to the " King of *England* for my own part, but " alſo bind and oblige the ſaid moſt ſerene " Prince *Lewis*, and his Heirs and Suc- " ceſſors, to the ſaid King of *England*, " that the ſaid *Lewis* ſhall pay and re- " ally deliver every Year during his Life, " and that after his Death his Heirs and " Succeſſors ſhall pay 50,000 Scutes of " Gold every Year for the Term of an " hundred Years.

" AND in the Name of the ſaid King " of *France*, and his Heirs and Succeſ- " ſors, I do for him and them renounce " every Exception of Deceit, Force, Fear, " actual Fraud, Plea, or Condition unduly " ſtarted againſt ſo ſolemn a Contract for " a baſe and unjuſt Cauſe, or for no " Cauſe at all, whereby the ſame may be " conſtrued or rehears'd in any other Senſe " than

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" than it was written or made. And on " the other hand, I likewiſe renounce the " Method of petitioning or libelling, as " alſo the Privileges of Holydays, Har- " veſts, Vintages, Appeals, Complaints " and Requeſts, and all Reference and " Recourſe to the Arbitration of good " Men, and alſo all Conſtitutions, Fa- " vours or Privileges indulg'd, or to be " indulg'd, all ſpecial and general Sta- " tutes, local and temporal, iſſuing from " Law, or from Men, and granted or to be " granted in kind or in ſpecie, and all and " every other Exception, Law and De- " fence, by which, or any of which, the " Payment of the 50,000 Scutes of Gold, " as aforeſaid, may in any wiſe be hin- " der'd or delay'd, and particularly the " Law, which ſays, that a general Re- " nunciation is not valid, unleſs a parti- " cular one precedes it.

" MOREOVER, I undertake and promiſe " for the ſaid moſt ſerene Prince *Lewis*, " and in his Name, nay, and bind and " oblige the ſaid King *Lewis*, that he " ſhall engage himſelf inviolably to ob- " ſerve all the Premiſes by ſolemn Oath, " with laying his Hand on the Goſpels, " and under the Penalties to be inflicted " by the Apoſtolical Chamber, and by " the Obligation of *Niſi*.

" AND that he ſhall cauſe the Society " and Members of the Bank of *Medicis* " to be henceforth engag'd, and ſhall de- " liver, or cauſe to be deliver'd to the " ſaid King of *England*, their Bond drawn " up in due Form; or that he ſhall at " his own Coſt and Charge ſue for and " obtain, or cauſe to be ſued for and ob- " tain'd, the Apoſtolical Reſcript, ſeal'd " with a Leaden Seal, that all and ſingu- " lar the Premiſes may be confirm'd by " the Apoſtolical See, on pain of having " his Kingdom, Countries, and Dominions " interdicted, and of Excommunication to " be iſſued againſt his Perſon, or his Heirs " and Succeſſors, if He or They do not " obſerve and fulfil the Terms aforeſaid.

" AND that the ſaid King *Lewis* ſhall " deliver, or cauſe to be deliver'd, in " *England*, the ſaid Bond or Security of " the Bank of *Medicis*, or the Apoſtolical " Reſcript by him ſo ſollicited, to the " ſaid moſt ſerene King of *England*, or " his Deputy, within eighteen Months " next enſuing after the Date of theſe " Preſents.

" AND that the ſaid King of *France* " ſhall ratify and confirm all and ſingular " the Premiſes in theſe Letters contain'd, " by his Letters Patent ſeal'd with his " Great Seal, and ſubſcrib'd with his own " Hand, and ſhall cauſe the ſame ſo by " him ratify'd and confirm'd to be like- " wiſe ratify'd, confirm'd, and made au- " thentick by the three Eſtates of *France*. " *viz.* by the Prelates and Clergy, and " by the Nobility and Commoners of the " ſaid Kingdom, within twelve Months " after the Date of theſe Preſents, and " ſhall alſo effectually cauſe the ſame to " be confirm'd, ſecur'd and fortify'd by " the Apoſtolick See.

EDWARD IV.

" Done at *London* the 14th Day of " *February*, *Anno Domini* 1478, " according to the Stile and Compu- " tation of the Church of *England*.

CHARLES *Biſhop of* ....

" Seal'd with his Seal of Red Wax " Appendant to the Tail of the " Parchment."

Now, as to the aforeſaid Letter of Attorney from *Lewis* XI and his Ambaſſador's Letters Patent, there is only this Remark to be made, That ſuch Perſons as have a Deſign to deceive, take more Precautions to hinder their being ſuſpected, than they do, who act *bona fide*; and that, generally ſpeaking, ſuch mighty Precaution does in the end produce an Effect very contrary to what they intended.

Remarks on it.

16. THE Treaty concluded between *Edward*'s Commiſſioners and *Charles de Martigny* Biſhop of .... and Ambaſſador of *France*, which prolongs the Truce and the Payment of the Annuity of 50,000 Crowns for the Term of an hundred Years; dated at *London February* the 15th, $147\frac{8}{9}$.

The Treaty itſelf. 103.

THIS Treaty is exactly conform to *Lewis* the Eleventh's Letter of Attorney, and to the Letters Patent juſt now menti- on'd. And nothing more was wanting to compleat the Affair than *Lewis*'s Ratifi- cation of it, which he was fully deter- min'd never to grant when he ſent his Ambaſſador.

Remarks on it.

I DON'T know one Hiſtorian, either *French* or *Engliſh*, that has made any mention of this Treaty.

17. *EDWARD*'s Letters Patent, whereby he obliges himſelf for the Term of three Years to grant his Daughter *Anne* in Marriage to no other Perſon but *Philip*, the Son of *Maximilian* and *Mary*; dated *Auguſt* the 16th, 1479 [1].

Edward's *Engagement for the Marriage of his Daughter* Anne. 110.

IT appears by this Inſtrument that *Maximilian* and *Mary* had ſign'd a Contract of the ſame Nature at *St. Omers* on the 18th of *July*.

18. A COMMISSION to *John Cook*, Doctor of Laws, and to *Bernard de la Force*, Eſq; to treat of the Marriage of *Edward*'s Daugh- ter

Treaty for Marriage of his Daughter Catherine.

[1] At *Guildford*.

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ter *Catherine* with *John* the Infante of *Caſtile*; dated *Auguſt* the 28th, 1479 [k].

Acquittances for two of Lewis's *Payments.* 111, 112.

19. AN Acquittance to *Lewis* XI for his Payment due at *Eaſter*; dated *September* the 8th, 1479 [l].

20. ANOTHER Acquittance for a Payment due at *Michaelmas*; dated *March* 21ſt, 1480 [m].

And for Queen Margaret's *Ranſom.* Ibid.

21. A RECEIPT in full for the 50,000 Crowns paid for the Ranſom of Queen *Margaret*; dated as above.

A Demand of Lewis's *Ratification of his Treaty.* 113.

22. A COMMISSION to the Lord *Howard* and *Thomas Langton* to demand of *Lewis* XI the Ratification of the Treaty concluded at *London* the 15th of *February*, 1479, and the Performance of the Treaty of *Amiens* with regard to the Marriage of the Dauphin to *Elizabeth*; dated *May* the 12th, 1480 [n].

N. B. *The following Treaties or Acts ought to be conſider'd as having a Dependency on* Edward's *Affairs with* France, *becauſe his View thereby was to put himſelf into a Condition to be reveng'd on* Lewis XI.

Commiſſion for repairing the Breach of the Treaty with Spain. 119.

1. A COMMISSION to treat with the King and Queen of *Spain* about the Infringements made on both ſides in the reciprocal Alliance betwixt *England* and *Spain*; dated *June* the 20th, 1480 [o].

A Treaty with Denmark. Ibid.

2. THE Ratification of an Alliance concluded with *Chriſtiern* King of *Denmark*; dated *July* the 5th, 1480 [p].

Acquittance for a Penſion paid by Lewis. 123.

3. AN Acquittance given to *Lewis* XI for 25,000 Crowns due at *Eaſter*; dated *July* the 27th, 1480 [q].

Ratification of Edward's *Treaty with the Duke of* Burgundy. 123, 125.

4. *MAXIMILIAN*'s and *Mary*'s Confirmation and Ratification of the perpetual Alliance concluded betwixt *Edward* and the late Duke of *Burgundy*; dated *Auguſt* 1ſt, 1480 [r].

5. AN Act of the like Nature on the Part of *Edward*; dated *Auguſt* the 1ſt, 1480 [s].

126. 6. ANOTHER particular Confirmation of the Article concerning the Succours mutually ſtipulated between *Edward* and the late Duke of *Burgundy*; dated *Auguſt* the 3d, 1480 [t].

BY this Act *Edward* engag'd to ſend *Maximilian* and *Mary* a Supply of 6000 Men.

Maximilian's Engagement to Edward *about* Lewis's *Penſion.* 136.

7. *MAXIMILIAN*'s and *Mary*'s Letters Patent, whereby they engage to make good to *Edward* the Penſion of 50,000 Crowns due to him from *France*, in caſe that *Lewis* XI ſhould ſtop payment thereof upon account of the Succours which *Edward* was to ſend them; dated *Auguſt* the 4th, 1480 [u].

8. THE Marriage-Treaty of *Philip* Count *de Charolois*, Son of *Maximilian* and *Mary*, to *Anne*, *Edward*'s third Daughter; dated *Auguſt* the 5th, 1480 [x].

EDWARD IV.

Marriage Treaty of the King's Daughter Anne. 128. P. 133.

9. *EDWARD*'s Letters Patent, whereby he gives up the Penſion of 50,000 Crowns which *Maximilian* and *Mary* promis'd to make good to him, in Conſideration of their not inſiſting on the Portion of 100,000 Crowns promis'd to *Anne* by the foregoing Treaty; dated *Auguſt* the 10th, 1480 [y].

134. 10. *MAXIMILIAN*'s and *Mary*'s Letters Patent for acquitting *Edward* of the Portion of 100,000 Crowns, *&c.* dated [z] *Auguſt* the 20th, 1480.

Edward's *Engagement to decide the Quarrel betwixt* Lewis *and* Maximilian. 133.

11. *EDWARD*'s Letters Patent, whereby he engages to obtain a Truce from *Lewis* XI for the *Netherlands*, and to offer him his Arbitration for putting an end to his Differences with *Maximilian* and *Mary*, and to declare War againſt him in caſe he refus'd to ſtand to his Award, or to take him for Arbitrator; dated *Auguſt* the 14th, 1480 [a].

Match betwixt the Dauphin and Elizabeth. 135.

12. A COMMISSSION to *John Weſton*, and others, to go to *Lewis* and demand the Celebration of the Dauphin's Marriage with *Elizabeth*; dated *Auguſt* the 24th, 1480 [b].

Commander of the Fleet. 137.

13. A COMMISSION to *John Middleton* to command the Fleet deſign'd for the Relief of the *Netherlands*; dated *September* the 12th, 1480 [c].

Match betwixt Anne *and* Philip. 138.

14. A PUBLICK Inſtrument concerning the Oath taken relating to the Marriage of *Anne* with *Philip*; dated *December* the 16th, 1480, at *Bruges*.

Betwixt the Prince of Wales *and the Duke of* Bretagne's *Daughter.* 142.

15. A TREATY of Alliance betwixt *Edward* and *Francis* II, Duke of *Bretagne*, and a Convention for the Marriage of *Anne*, the Duke's eldeſt Daughter, to the Prince of *Wales*, together with the Duke of *Bretagne*'s Ratification; dated [d] *June* the 22d, 1481.

Another of Lewis's *Payments.* 145.

16. ANOTHER Acquittance given to *Lewis* on the 24th of *Auguſt*, 1481 [e], for the Payment of 25,000 Crowns of the Penſion due at *Eaſter*.

EDWARD was employ'd all this Year and the next, in the War which *Lewis* XI had ſtirr'd up againſt him in *Scotland*.

Edward's *Alliance with* Portugal. 145.

17. A RENOVATION of the Alliance between *Edward* and *John* King of *Portugal*, and King *John*'s Ratification; dated [f] *February* the 8th, 1482.

Match betwixt Catherine *and the Infante of* Spain. 147.

18. A COMMISSION to *Henry Aynſworth* and *Bernard de la Force*, Eſq; Domeſtick Servant of *Edward*, to treat of and conclude the Marriage of *Edward*'s Daughter *Catherine* with *John* the In-

[k] At *Guildford*. [l] At *Chicheſter*. [m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] At *Weſtminſter*. [p] At *Weſtminſter*. [q] At *Weſtminſter*. [r] At *Bruſſels*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [u] At *Bruſſels*. [x] At *Bruſſels*. [y] At *Weſtminſter*. [z] At *Namur*. [a] At *Weſtminſter*. [b] At *London*. [c] At *Weſtminſter*. [d] At *Nantes*. [e] At *Weſtminſter*. [f] At *Monte-Mayor*.

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fante of *Spain*; dated 8 *March* the 2d, 1482.

Conventions with Guipuſcoa. 148.

19. Conventions betwixt *Edward* and the Province of *Guipuſcoa*, with the Conſent of the King of *Spain* [h].

Two more of Lewis's *Payments.* 153, 163.

20. Two Acquittances given to *Lewis* XI for two Payments of 25,000 Crowns each, the firſt due at *Michaelmas*, 1481, and the laſt at *Eaſter*, 1482; dated the 25th of *Auguſt*.

Treaty with Portugal. 163.

21. A Ratification of the Alliance with *John* King of *Portugal* [i].

In the Year 1483, we find nothing relating to *France*.

II. Edward's *Affairs with* Scotland.

Character of James III, *King of* Scotland.

James III, King of *Scotland*, had been guilty of ſo many Acts of Outrage and Violence ſince he came to Age, that he had entirely loſt the Affection of his People, and particularly of the Nobility, who could get no Acceſs to him. Three Favourites, whom he had rais'd from the Duſt, who had no Talents for Buſineſs, and were hated for their Pride and Avarice, compos'd his whole Council. He had two Brothers, *Alexander* and *John*: The latter having taken the liberty to ſpeak too freely of the King and his Miniſtry, was committed to Priſon, where he was put to Death by the opening of his Veins. And ſome time after, *Alexander*, who had the Title of Duke of *Albany*, was alſo ſhut up in a Caſtle for fear he ſhould contrive a Way to revenge the Death of his Brother.

His Brother John *put to death.*

His Brother Alexander *impriſon'd.*

Truce with England *broke.*

While this Prince was in Priſon, *James*, at the Sollicitation of *Lewis* XI, and no doubt of the three Favourites, whom he had corrupted, broke the Truce he had made with *England*, which was to laſt 'till the Year 1519, without the leaſt Colour or Pretence for it. This falling out juſt at the time when *Edward* was ſeriouſly bent upon a War with *France*, he therefore did whatever he could to prevent a Rupture with *Scotland*. But in the Month of *June*, 1481, *James* III broke into the *Engliſh* Frontiers, and carry'd off great Booty. The Hoſtilities being thus begun, *Edward* would have been inexcuſable if he had not prepar'd for a War.

Duke of Albany *eſcapes.*

During this, the Duke of *Albany* making his Eſcape from Priſon, went for Refuge to *Edward*, who promis'd him his Protection, in hopes that he might make uſe of him to embarraſs the King of *Scotland*. And they concluded a Treaty with one another ſoon after, in which the Duke of *Albany* took the Title of King of *Scotland*. *Edward* engag'd to aſſiſt in placing him upon the Throne; and the Duke promis'd on his Part to give him *Berwick*, to break the old Alliance betwixt *France* and *Scotland*, and to marry *Cæcilia*, who was betroth'd to the King his Brother, provided he could get a Separation from his Wife. This Treaty being ſign'd, *Edward* gave the Command of an Army to the Duke of *Glouceſter* his Brother, who march'd towards *Scotland*, accompany'd with the Duke of *Albany*, ſoon made himſelf Maſter of the Town of *Berwick*, and then attack'd the Caſtle.

He takes the Title of King of Scotland *in a Treaty with* Edward.

Edward IV.

The Duke of Glouceſter *marches towards* Scotland *with an Army, and takes* Berwick.

Mean while King *James* was very much confounded at the firſt News which was brought him of the March of the *Engliſh* Forces. The moſt ſpeedy Way to have an Army capable to make a ſtand againſt the *Engliſh*, was to aſſemble the Nobility, together with the Troops they were oblig'd to furniſh upon ſuch Occaſions. But this was a Remedy which neither the King nor his Miniſters car'd for, becauſe the Nobility were diſſatisfy'd, and it was feared they would be too ſtrong when they had their Troops about them. Nevertheleſs, the taking of *Berwick* made the Diſeaſe ſo deſparate, that the King was oblig'd to cauſe the Great Men to be ſummoned; who were no ſooner aſſembled; but the firſt thing they did was to go and ſeize the the King's three Favourites, and to hang them up in the middle of the Camp. *James* was put into a ſad Fright, and agreed to whatever the Lords were pleas'd to demand of him. But watching his Opportunity, he ſtole away from them, and went and ſhut himſelf up in *Edinburgh* Caſtle.

James ſummons the Heads of the Clans, who ſeize his Favourites and hang them.

Duke of Glouceſter *enters* Edinburgh, *and threatens the Kingdom with Fire and Sword.*

The Duke of *Glouceſter* hearing this News, and that the *Scotch* Army was disbanded after the King's Flight, left the Caſtle of *Berwick* inveſted, and march'd towards *Edinburgh*, which he enter'd without Oppoſition. It was in vain for him to hope for a Conference with King *James*, who would not ſo much as receive any Meſſage: Which Obſtinacy oblig'd the Duke of *Glouceſter* to make Proclamation in *Edinburgh* with Sound of Trumpet, that if *James* did not give the King of *England* entire Satisfaction before the 1ſt of *September*, all *Scotland* ſhould be laid waſte with Fire and Sword. *Edward* complain'd of the Breach of the Truce, in the firſt Place, the rather becauſe *James* ſhew'd by it that he had no mind to have the Marriage of the Prince his Son with *Cæcilia* conſummated, tho' he had already receiv'd her Dowry beforehand; for this Match had been made with no other View than to keep up the good Underſtanding betwixt the two Kingdoms.

[g] At *Weſtminſter*. [h] Dated at *London*, *March* the 9th, 1482. [i] Dated at *Weſtminſter*, *September* the 13th, 1482.

He

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Edward's Complaints and Demands upon King James.

He demanded moreover, that the Duke of *Albany* ſhould be reſtor'd to his Eſtate and Honours. King *James* being ſtill obſtinately reſolv'd to give no Anſwer, the Nobility who were re-aſſembled at *Hadington*, ſent Deputies to the *Engliſh* General to repreſent to him, that it was not their Fault that the Truce was not obſerv'd, and the Marriage not conſummated; and that they would endeavour to procure him Satisfaction in both thoſe Articles. The Duke anſwer'd, That as to the Truce, the King his Brother was diſpos'd to obſerve it inviolably, provided the Caſtle of *Berwick* be deliver'd up to him, or at leaſt that no Relief be granted to the Beſieged: And that as to the Marriage, he did not know whether the King his Brother intended to have it conſummated; but that 'till ſuch time as he receiv'd his Orders, he hop'd to have the Money refunded, which the King of *Scotland* had already receiv'd for the Princeſs *Cæcilia*'s Dowry.

Duke of Albany's Treaty with the Scotch Nobility, &c.

NOT many Days after, the Duke of *Albany* had a Conference with ſome of the Nobility, and concluded a Treaty with them, by which the Caſtle of *Berwick* was to be deliver'd up into the Hands of the Duke of *Glouceſter*; and the Citizens of *Edinburgh* gave Bonds to pay the Money due to *Edward*, in caſe he ſhould not approve of the Conſummation of the Marriage. If *Edward* had not had his Head full of the War he deſigned againſt *France*, it is undoubtedly certain that *Scotland* would not have come off ſo cheap. As to the Duke of *Albany*, he was glad to ſtipulate for himſelf a general Pardon for all manner of Crimes, (in particular for his having uſurp'd the Title of King) and his Reſtoration to his Lands and Offices. This gives room to conjecture that he had not taken the Title of King but at the Sollicitation of *Edward*, and that he never had any Deſign to dethrone the King his Brother, becauſe, on the contrary, he reſtor'd him to his former State, and took the Oath of Allegiance to him.

Makes his Peace with the King, who has a Deſign upon him, but he eſcapes.

AT firſt *James* ſeem'd to like the manner of Proceeding; but it was not long before he reſolv'd to get rid of the Duke of *Albany*, who had Notice of it time enough to go on board a Fiſher-Boat that carry'd him to *Dunbar*, of which he was Governour. When he found himſelf ſafe, he ſent the Earl of *Angus*, and ſome others, to King *Edward* to beg his Protection. *Edward* readily granted it, and made a new Treaty with him, which was ſign'd by the Duke's Envoys in the beginning of the Year 1483. We ſhall ſee the Subſtance of it hereafter. In all appearance there was a Secret Article, whereby the Duke engag'd himſelf to deliver up *Dunbar* Fort to the *Engliſh*, becauſe he did it upon the ſpot. *Edward*'s Death, which happen'd ſoon after, broke the Duke of *Albany*'s Meaſures: And the Alterations which enſued in *England* having depriv'd him of all Hopes of being ſupported by the *Engliſh*, he retir'd to *France*, where he was kill'd by a Lance in a Tournament with the Duke of *Orleans*, who was afterwards King of *France* by the Title of *Lewis* XII. When we come to the Reign of *Henry* VIII, we ſhall have occaſion to ſpeak of his Son, who was born in *France*, and ſucceeded him in the Title of Duke of *Albany*.

Edward grants him Protection, and makes a Treaty with him.

Duke of Albany retires to France, and is kill'd in a Tournament by the Duke of Orleans.

It is obſervable, that neither *Buchanan* nor *Leſley* in their Hiſtories of *Scotland* make any mention of theſe two Treatles made between *Edward* and the Duke of *Albany*. *Leſley*, who relates this Affair ſomewhat different from *Buchanan*, only ſays, that *Edward* promis'd the Duke of *Albany* to place him upon the Throne of *Scotland*.

Omiſſion of Buchanan and Leſley.

The Acts in this Tome, which have any relation to the Affairs of Scotland *from* 1475 *to* 1483, *are as follow.*

1. A SAFE-Conduct for the King of *Scotland*, who was going to *Amiens*, and from thence to *England*, which was to hold good for 15 Months; dated *May* the 15th, 1475[k].

Safe-Conduct for the King of Scotland. 4.

2. THE King of *Scotland*'s Acquittance given to *Edward* for 2000 Marks, being the ſecond Payment of the Princeſs *Cæcilia*'s Dowry; dated [l] *February* the 3d, 1476.

2d and 3d Payments of Cæcilia's Dowry. 23.

3. ANOTHER Receipt for the third Payment; dated [m] *February* the 3d, 1477.

4. A SAFE-Conduct for the King of *Scotland* to go to *Amiens* with 1000 Perſons in his Retinue; dated [n] *March* the 17th, 1478.

Another Safe-Conduct for the King of Scotland. 53.

5. SEVERAL Orders to prepare for the War againſt *Scotland*; dated [o] *May* the 12th, and *June* the 20th, 1480.

LESLET ſays, that in 1480, *James* III ſent Word to *Edward*, that if he aſſiſted *Maximilian* againſt *France*, he would declare War againſt him. Now *Edward*'s firſt Treaty with *Maximilian* was dated the 1ſt of *Auguſt*, 1480; and yet we find here that *Edward* makes Preparations againſt *Scotland* in the Months of *May* and *June*. Therefore from hence it may be inferr'd, that the King of *Scotland* had begun his Preparations againſt *England* before he knew that *Edward* had treated with *Maximilian*: By con-

James III's groundleſs Pretence for a War with England.

[k] At *Weſtminſter*. [l] At *Edinburgh*. [m] At *Edinburgh*. [n] At *Weſtminſter*. [o] At *Weſtminſter*.

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sequence, this League betwixt *Edward* and *Maximilian* was a mere Pretence which *James* the Third made use of, after he had resolv'd, upon *Lewis* the Eleventh's Sollicitations, to break with *England*.

More Orders relating to the War with Scotland. 139, 140.

6. Two more Orders relating to the Preparations for the War with *Scotland*; dated [p] *February* the 15th, and *March* the 2d, 1481.

A Treaty with the Earl of Ross. 140.

7. A COMMISSION to treat with the Earl of *Ross*, Lord of the Isles; dated *June* the 22d, 1481 [q].

THIS was to engage him to revolt from the King of *Scotland*.

Duke of Albany's *Engagement to* Edward. 156.

8. THE Letters Patent of *Alexander* Duke of *Albany*, stiling himself King of *Scotland*, whereby he obliges himself, 1. To take the part of *Edward*. 2. To do him Homage for the Kingdom of *Scotland* in six Months after he is in Possession of the Throne. 3. To break the ancient Alliance between *France* and *Scotland*. 4. To make over to *Edward* for ever the Town and Castle of *Berwick*. They are dated at *Fotheringhay*-Castle, *June* the 10th, 1482, and sign'd *Alexander R.*

157.

9. CONVENTIONS between *Alexander* and *Edward*, pursuant to the said *Alexander*'s Letters Patent; dated the *June* 11th, as above.

IN these Conventions there's one Article more than in the Letters Patent, *viz.* That if *Alexander* can get a Divorce from his Wife according to the Laws of the Church, *Edward* obliges himself to give him *Cæcilia* his Daughter in Marriage.

Commission to the Duke of Gloucester. 157.

10. A COMMISSION to *Richard* Duke of *Glouceſter* to command the Army which is to march to *Scotland*; dated *June* the 12th, 1482 [r].

Lesley's Mistake about the Siege of Berwick.

THIS Date may be of use to correct a Mistake in *Lesley*'s History, who says that the *English* besieg'd *Berwick* all the Winter of the Years 1481 and 1482. See also the following Act.

Commission to Robert Radclyff. 159.

11. ANOTHER Commission to *Robert Radclyff*, Esq; to command the Fleet; dated *July* the 8th, 1482 [s].

Engagements of certain Scotch *Lords to get Pardon, &c. for the Duke of* Albany. 160.

12. AN Engagement by *William* Archbishop of *St. Andrews*, *James* Bishop of *Dunkeld*, *Andrew* Lord of *Annandale*, and *Colin* Earl of *Argyle*, that they will cause the Duke of *Albany* to be restor'd to his Estate and Offices; that they will obtain a general Pardon for him of all Offences committed by him against the Laws, and particularly his having aspir'd to the Throne; and that they will cause the whole to be ratify'd by the King and the States under the express Condition, that he be faithful to King *James*, *&c.* Dated at *Edinburgh*, *August* the 2d, 1482.

EDWARD IV.

Of the Provost, &c. of Edinburgh *to refund the Money paid by* Edward *to their King for* Cæcilia's *Dowry.* 161.

13. THE Engagement of the Provost of *Edinburgh*, the whole Society of Merchants, Burgesses, and Community of the same, to repay to the King of *England* all the Sums which he had paid to King *James* for the Dowry of *Cæcilia* his Daughter, in case the said King of *England* does not think fit to have the Marriage consummated; dated *August* the 4th, 1482 [t].

Safe-Conduct for Margaret *to come over to marry the Earl of* Rivers. 162.

14. A SAFE-Conduct for *Margaret*, Sister to the King of *Scotland*, to come with 300 Persons into *England*, to solemnize her Marriage with *Anthony* Earl of *Rivers* and Lord of *Scales*; dated *August* the 22d, 1482 [u].

THE Earl of *Rivers* being Brother to *Edward*'s Queen, it is not improbable that in the Accommodation with *Scotland*, *Edward* took care of this Match for his Brother-in-law.

Edward's *Declaration about his Daughter's Dowry.* 165, 167.

15. *EDWARD*'s Notification that he chuses to have the Dowry return'd, rather than that his Daughter *Cæcilia* should be marry'd to the Prince of *Scotland*; dated *October* the 12th, 1482 [x].

16. A PUBLICK Instrument of the said Notification; dated *October* the 27th, 1482 [y].

Safe-Conduct for the King of Scotland *to go to* Amiens. 170.

17. A SAFE-Conduct for the King of *Scotland* going to *Amiens*, there to visit the Relicks of St. *John*, with a Retinue of 1000 Persons; dated *November* the 3d, 1482 [z].

THIS is the third Safe-Conduct which we find here granted to this King for his Voyage to *Amiens*. Probably he only wanted it as a Colour for his going to confer with *Lewis* XI. But we don't find that he put this Design in execution. As for the Retinue of 1000 Persons mention'd in the Safe-Conduct, this was only for the sake of doing him Honour; for the King of *Scotland* was never attended with so great a Train, especially out of his Dominions.

Edward's *Consent to the Marriage of the Earl of* Rivers. 171.

18. *EDWARD*'s full Power to the Bishop of *Rochester* and *Edward Woodville* to consent in his Name to the Marriage of the Earl of *Rivers* to *Margaret*, Sister to the King of *Scotland*; dated *December* the 14th, 1482 [a].

Duke of Albany's *Treaty with* Edward. 172.

19. A COMMISSION from *Alexander* Duke of *Albany* to *Archibald Douglas* Earl of *Angus*, and others, to treat with *Edward*; dated at *Dunbar*, *January* the 12th, 1483.

173.

20. *EDWARD*'s Commission to the Earl of *Northumberland*, and others, to treat with the Ambassadors of the Duke of *Albany*; dated *February* the 9th, 1483 [b].

173.

21. THE Treaty betwixt *Edward* and the Duke of *Albany*; dated at *Westminster*, *February* the 11th, 1483.

[p] At *Westminster*. [q] At *Westminster*. [r] At *Westminster*. [s] At *Westminster*. [t] At *Edinburgh*. [u] At *Guilford*. [x] At *Westminster*. [y] At *Edinburgh*. [z] At *Woburn*. [a] At *Westminster*. [b] At *Westminster*.

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The principal Articles of this second Treaty were, That *Edward* engag'd to furniſh the Duke of *Albany* with 3000 Archers to help put him in Poſſeſſion of the Throne of *Scotland*, with a Promiſe of greater Succours if neceſſary; That the Duke, when King of *Scotland*, ſhould in forty Days after diſſolve the Alliance betwixt that Nation and *France*; That he ſhould aſſiſt *Edward* with all his Power to obtain the Crown of *France* for him, from him who with-held it; That he ſhould quit all Pretenſions to the Town and Caſtle of *Berwick*; That he ſhould reſtore the Earl of *Douglas* who was baniſh'd from *Scotland*; and that if he was at liberty to marry, he ſhould have one of *Edward*'s Daughters, without deſiring any Portion.

Remark on Buchanan and Leſley.

This Treaty might be of uſe to correct ſome Miſtakes which we find in the Hiſtory of *Scotland*, written by *John Leſley* Biſhop of *Roſs*: But it not being my preſent View to illuſtrate the *Scottiſh* Hiſtory, I ſhall not inſiſt on it. It ſhall ſuffice to obſerve in one Word, that what *Buchanan* ſays touching the Duke of *Albany*, is more agreeable to the Acts of this Tome than what *Leſley* ſays of him, tho' both of them were ignorant of the Treaties which this Duke made with *Edward*.

Protection for the Earl of Douglas, whom Edward ſent back to Scotland.

22. A Protection for *James* Earl of *Douglas*, who was ſent into *Scotland* by *Edward*; dated *February* the 15th, 1483 [c].

176.

The Earl of *Douglas* having been baniſh'd a long time from *Scotland*, *Edward* undoubtedly ſent him back into his own Country to foment Troubles there.

III. *Domeſtick Affairs.*

The Acts of theſe laſt eight Years of *Edward* IV, which relate to Domeſtick Affairs, are few in Number, and of very little Importance: Yet it is neceſſary, for preſerving the Thread of the Hiſtory, juſt to mention ſome Events which happen'd in this Interval.

Edward's Tax, which he call'd Benevolence.

In the beginning of the Year 1475, *Edward* rais'd a voluntary Tax upon his Subjects without the Authority of Parliament, to which he gave the Name of *Benevolence*; by which he would have it thought that it was a free Gift which private Men, in good Circumſtances, made to the King for his War with *France*. *Richard* III aboliſh'd this Method of raiſing Money; and in the Reign of *Henry* VIII, Cardinal *Wolſey* attempted to bring it in play again, but met with great Oppoſition.

Edward IV.

Duke of Bretagne delivers up the Earl of Richmond to the Engliſh Ambaſſadors:

In 1476, *Edward* ſent Ambaſſadors to the Duke of *Bretagne*, as was ſaid in the firſt Article, under Pretence of renewing their Alliance: But the true Motive of this Embaſſy was to deſire the Duke that he would deliver up the Earl of *Richmond* to him, who was the only Sprig left of the Houſe of *Lancaſter*. The Duke having ſuffer'd himſelf to be perſuaded, deliver'd up the Earl to the Ambaſſadors, who conducted him to *St. Malo*, in order to carry him over to *England*. But the Duke having repented of his Compliance as ſoon almoſt as he was gone out of his ſight, ſent away *Peter Landais* with all haſte to overtake them; who finding them at *St Malo*, contriv'd it ſo, that the Earl of *Richmond* made his Eſcape, and then *Landais* told the Ambaſſadors, that it was by the Duke's own Order; and he promis'd them in his Name that he would keep him very ſafe. This Earl of *Richmond* was afterwards King of *England*, with the Title of *Henry* VII.

But recovers him again out of their Hands.

Duke of Clarence arreſted, and condemn'd in Parliament.

In 1478, *Edward* caus'd his Brother the Duke of *Clarence* to be arreſted, and condemn'd in Parliament. The grand Crime of which he was impeach'd, was his having call'd the King his Brother a Baſtard; from whence occaſion was taken to interpret ſome of his Words and Actions, as if he had form'd a Deſign to dethrone the King, and to ſet the Crown upon his own Head. There is very great Probability that he was wrongfully accus'd through the Intrigues of the Duke of *Glouceſter* his Brother, and of the Queen. We ſhall ſee hereafter, that this falſe Accuſation, intended to take away the Life of this Prince, gave occaſion to the Duke of *Glouceſter* to deprive *Edward*'s Children both of their Royalty and Life. The Duke of *Clarence* being put to his Choice what ſort of Death he would die, choſe to be drown'd in a Butt of Malmſey.

His being drown'd in a Butt of Malmſey.

We find in theſe laſt eight Years of *Edward* a great many other ſeparate Acts which have no dependance upon one another, and of which many are of very little Importance. As each of theſe would require a particular Explanation, which would run me out too far, I will only take notice of ſome of them which are of the greateſt conſequence.

Treaty of Commerce with the Netherlands.

1. A Treaty of Commerce betwixt *England* and the *Netherlands*; dated at *Liſle*, *July* the 12th, 1478.

67.

This Treaty might be of ſingular Service for Merchants, or for thoſe who would write a Hiſtory of the Commerce betwixt *England* and the *Netherlands*; for in it we find the particular Grievances complain'd of on both ſides by the Inhabi-

[c] At *Weſtminſter*.

tants

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tants of the *Netherlands*, and by the *Engliſh* Merchants, who kept the Wool-Staple of *England* at *Calais*; together with the Tricks and Frauds practis'd by each Party.

Office of Chancellor of the Garter ſettled on the Biſhops of Sarum. 93.

2. THE Inſtitution of the Office of Chancellor of the Order of the Garter granted by *Edward* IV to the Biſhops of *Salisbury*; dated *October* the 10th, 1478 [d].

3. A Licence to practiſe Alchymy; dated *June* the 18th, 1476 [e].

Cologn re-admitted into the number of the Hans-Towns. 36.

4. A Certificate from the Magiſtrates of *Lubec*, acquainting *Edward* that the City of *Cologn* is re-eſtabliſh'd in the Society of Hans-Towns; to the end that it might be reſtor'd to the Poſſeſſion of the Privileges which thoſe Towns enjoy'd in *England*; dated *November* the 26th, 1476 [f].

5. ANOTHER Certificate from the ſaid Magiſtrates, ſetting forth that the Town of *Colburgh* has ſeparated it ſelf from the number of the Hans-Towns, dated *June* the 1ſt; 1478 [g]. EDWARD IV. *Colburgh ſeparates it ſelf from that Body. 60.*

6. AN Embaſſy to Pope *Sixtus* IV, and to the Prince of *Sicily* King of *Hungary*, about certain Articles touching Religion and the Orthodox Faith, purſuant to the Inſtructions ſaid to be given to the Ambaſſadors. The Commiſſion is dated *April* the 17th, 1479 [h]; but the Inſtructions therein refer'd to, are not to be met with in the *Fœdera*. *An Embaſſy to Pope Sixtus IV, about Religion and Orthodoxy. 108.*

"THERE are ſeveral Acts likewiſe in "this Tome which relate to *Edward*'s "Affairs with the King of *Denmark* *."

[d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] At *Lubec*. [g] At *Lubec*. [h] At *Weſtminſter*.

* "BUT Mr. *Rapin* paſſes them over, and only adds an Obſervation, That in the *Engliſh* Hiſtories "there is a continued Anachroniſm of one Year, and ſometimes of two, from the Year 1474, to the end "of this Reign, which we are enabled to diſcover by the Acts inſerted in this twelfth Tome of the *Fœdera*."

The REIGN of *EDWARD* V.

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ELIZABETH Woodville, who was *Edward* the Fourth's Queen, had ſo much the aſcendant over the King her Husband, that he could not deny her whatever ſhe requeſted. The chief Uſe ſhe made of her Credit with him, was to promote her Father, Brothers, and her Children by her firſt Husband, to Offices and Honours: And theſe had in the like manner advanc'd their own Friends and Creatures. Under a Pretence that many Families of the ancient Nobility were extinct, the King was perſuaded of the abſolute Neceſſity of filling up the number by new Promotions; which became at laſt ſo frequent, that the New Nobility began to be diſtinguiſh'd from the Ancient as a ſeparate Body: And all Advantages deſcending upon the New Nobility by the Favour of the King and Queen, it gave very great Umbrage to the Old Nobility, who could not but be mortify'd to ſee ſo many new Lords eſtabliſh'd upon the Ruins of the ancient Peerage. This gave riſe to two Factions in the Reign of *Edward* IV, which the Queen's Partiality to one of them render'd irreconcileable, becauſe ſhe took care to remove from Court, and from the great Poſts, all thoſe of the ancient Nobility that were capable of giving her any Umbrage, and to beſtow their Places on her own Creatures. Nevertheleſs there were three Noblemen at Court, that *Edward* IV could not be prevail'd on to part with, becauſe they had done him great Services, though the Queen did not like them. Theſe were the Duke of *Buckingham*, the Lord *Haſtings*, and the Lord *Stanley*. The latter had marry'd *Margaret* Counteſs of *Richmond*, Mother to the Earl of *Richmond*, who was a Refugee in *Bretagne*. EDWARD V.

Ancient Nobility diſguſted by frequent Creations.

AFTER the Death of *Edward* IV the Prince of *Wales*, his eldeſt Son, who was thirteen Years of Age, was proclaim'd King by the Stile of *Edward* V. The Queen's Intention was to govern every thing in the Name of the King her Son, during his Minority; and ſhe had actually laid a Scheme for that Purpoſe; but *Richard* Duke of *Glouceſter*, who was the young King's Uncle by the Father's ſide, made a League with the three Noblemen above-mention'd, and thereby found Means to get the King's Perſon into his own Hands, to arreſt *Richard* Lord *Gray* his Governour, with two Knights, and to ſend them Priſoners to *Pontefract*-Caſtle. At this News the Queen was frighten'd, and took Refuge in the Sanctuary of *Weſtminſter*, with her five Daughters, and *Richard* Duke of *York* her youngeſt Son, then about nine Years of Age. *Edward V's Proclamation.* *Duke of Glouceſter gets the King into his own Hands, and impriſons his Governour, &c.* *Queen flies to the Sanctuary of Weſtminſter with her Children.*

THE Duke of *Glouceſter* had no ſooner got the young King in his own Hands, but he form'd a Deſign to deprive him of the Crown, and to place himſelf upon the Throne. The Duke of *Buckingham* enter'd into the Conſpiracy, and ſerv'd the Duke with all his Power, upon his poſitive Promiſe that as ſoon as he came to the Throne, he would reſtore him half of the Succeſſion of *Humphrey Bohun* Earl of *Hereford*, which was devolv'd to the Crown, *Duke of Glouceſter aims at the Crown.* *His Promiſe to the Duke of Buckingham.*

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Crown, and to which the Duke of *Buckingham* imagin'd he had an indiſputable Right. *Haſtings* and *Stanley* were not let into the Project, becauſe, tho' they were both of 'em Enemies to the Queen, yet they were thought too well affected to the Family of the late King their Benefactor. Therefore they were only made to believe that the Duke of *Glouceſter* had no other Intention than to procure to himſelf the Adminiſtration of the Government during the King's Minority: And for this Reaſon they adher'd cloſely to him, in order to hinder the Queen from having any Share in the Regency. Theſe three Lords ſerv'd the Duke of *Glouceſter* with ſo much Zeal, that in an Aſſembly of Perſons of the greateſt Diſtinction at *London*, they caus'd him to be elected and declared Protector of the King and Kingdom.

Duke of Glouceſter *choſe Protector.*

NOT long after, the new Protector procured a Reſolution in Council, that the young Duke of *York* ſhould be demanded out of the Queen's Hands, to be brought up with the King his Brother; and that if ſhe refus'd to give him up voluntarily, he ſhould be taken away by Force. The Cardinal Archbiſhop of *Canterbury* was deputed on this Errand, who being a Stranger to the ſecret Views of the Protector, diſplay'd all his Rhetoric to perſuade the Queen to deliver up the young Prince. He was the more earneſt in the matter for fear leſt the Council ſhould incline to violate the Sanctuary, which he dreaded as one of the greateſt of Misfortunes. In fine, he obtain'd his Requeſt, tho' with very great Difficulty.

Archbiſhop of Canterbury *ſent to get the Duke of* York *out of the Queen's Hands.*

THE Protector having now both the King and the Duke in his own Power, haſten'd to put his Project in Execution. To ſucceed in it with the more eaſe, he caus'd the Lord *Haſtings* to be ſifted, that he might ſecure him in his Intereſt, becauſe he had very great Credit in *London*. But *Haſtings* ſeeming too ſtrongly attach'd to the Royal Family, and the Protector being afraid he had made too open a Diſcovery to him, he therefore reſolv'd to ruin him. For this end he accus'd him, in a Council held at the Tower, of a Conſpiracy againſt his Life, and without producing any Proof of it, caus'd him to be beheaded on the Spot. The Archbiſhop of *York*, the Biſhop of *Ely*, and the Lord *Stanley*, all three Members of the Council, were arreſted and committed to Priſon as Accomplices in his Conſpiracy. But the true Reaſon was, that the Protector very well knew that they did not approve of his Deſigns. The ſame Day the Priſoners who had been ſent to *Pontefract* were executed without any form of Law, by order of the Duke of *Glouceſter*.

Lord Haſtings *accuſed by the Protector of a Conſpiracy, and beheaded.*

His Friends arreſted as Accomplices.

Priſoners at Pontefract *executed.*

EDWARD V.

THIS firſt Step being taken, and there being a general Conſternation in the Minds of the People, a Report was ſpread in *London*, and it was publickly preached in St. *Paul's* Church, that *Edward* IV, and his Brother the Duke of *Clarence* were not the Sons of the late Duke of *York*, his Dutcheſs having taken ſome Perſons into her Bed whom they perfectly reſembled; but that the Duke of *Glouceſter* was the very Picture of the Duke his Father: Moreover, that *Edward* IV had a former Wife living when he married *Elizabeth Woodville*; from whence it was inferr'd, that all the Children he had by this laſt Wife were Baſtards. Upon theſe Suppoſitions the Duke of *Glouceſter* excluded the ſeven Children of *Edward* IV from the Succeſſion, as well as the young Earl of *Warwick*, and *Margaret* his Siſter, Children of the Duke of *Clarence*, to clear the way only for his own Succeſſion. The Duke of *Buckingham* back'd the matter in an Aſſembly of the Magiſtrates and chief Citizens of *London*, among whom ſome Perſons were hir'd to cry *God bleſs King Richard the Third*; which forc'd Acclamations being look'd upon as the general Conſent of the People, the Duke of *Buckingham* went next Day, at the Head of the Common Council, and offer'd the Crown to the Protector, who after ſome pretended Scruples was willing to undertake the Burden of it. Thus was it that the Duke of *Glouceſter* aſcended the Throne with the Stile of *Richard* III.

Reports ſpread about the Illegitimacy of Edward IV *and the Duke of* Clarence.

Duke of Glouceſter *aſcends the Throne with the Title of* Richard III.

IT may naturally be ſuppos'd that the publick Acts contain nothing very remarkable in the Reign of *Edward* V, which laſted but about two Months and a half, and wherein the Duke of *Glouceſter* continually labour'd the Accompliſhment of his wicked Deſigns: And it was only for preſerving the Thread of the Hiſtory that I thought fit to inſert an Abridgment of this ſhort Reign: Theſe three Acts only can be of any Service.

1. *EDWARD* the Fifth's Letters Patent, whereby he impower'd the Duke of *Buckingham*, when he ſaw it neceſſary, to arm the Inhabitants of the Counties of *Salop*, *Hereford*, *Somerſet*, *Wilts*, and *Dorſet*; dated *May* the 16th, 1483 [a].

Commiſſion to the Duke of Buckingham *to arm ſeveral Counties.* 180.

It was the Duke of *Glouceſter* who procured him this Commiſſion for his own Ends; but we find afterwards that the Duke of *Buckingham* made uſe of it againſt him.

BY two other Acts we perceive that the Duke of *Glouceſter* was not declar'd Pro-

Duke of Glouceſter *firſt ſtil'd Protector.* 184. 185.

[a] At *Weſtminſter*.

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tector 'till between the 24th and 27th of *May*, becauſe in an Act dated on the 24th, there is no mention of a Protector; whereas in an Act of the 27th, and two others that follow, it is ſaid, *By the Advice of our moſt dear Uncle the Duke of* Glouceſter, *Protector of our Kingdom.*

EDWARD V.

By another Act we find that the Coronation of *Edward* V was fix'd on the 22d of *June*, which was the very Day that *Richard* III was proclaim'd.

Edward V's Coronation appointed, but never ſolemnized. 185.

The REIGN of *RICHARD* III.

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THE only Concern of *Richard* III, during his whole Reign, which laſted but two Years and two Months, was how to maintain himſelf upon the Throne, to which he was advanc'd by illegal Methods, and by a ſort of Election which was very irregular. And if he made any Treaties with Foreign Princes, it was only with that View. Therefore the publick Acts of this Reign relate only to domeſtic Affairs.

RICHARD III.

Proclamation and Coronation of Richard III.

THE new King was proclaim'd on the 22d of *June* 1483, and crown'd on the 6th of *July* following. Betwixt his Proclamation and Coronation he took the Great Seal from the Archbiſhop of *York*, who had ſhown too ſtrong an Attachment to the Family of *Edward* IV, and gave it to the Biſhop of *Lincoln*. Next Day he ſettled the Poſt of Great Marſhal on the Lord *John Howard*, and his Heirs Male; and not many Days after, he created him Duke of *Norfolk*, and *Thomas* his Son Earl of *Surry*.

His Advancements of the Family of the Howards.

AMONG the Priſoners that *Richard*, while he was only Protector, had clapp'd up in the Tower, there were three Perſons of great Conſideration, namely, *Rotheram* Archbiſhop of *York*, Dr. *Merton* Biſhop of *Ely*, and the Lord *Thomas Stanley*, whoſe Crime was their diſcovering too great an Attachment to the young King, and too much Affection for the whole Family of *Edward* IV. Conſequently the ſame Reaſon which had induced *Richard* to put them out of a Capacity to hurt him, ſtill ſubſiſted to engage him to detain them in Priſon 'till he was well fix'd upon the Throne. Nevertheleſs, his Fear of diſobliging the Clergy made him ſet the Archbiſhop of *York* at liberty. As to the Biſhop of *Ely*, the Univerſity of *Oxford*, whereof he was a Member, made ſuch ſtrong Intereſt for him, that the King did not think it proper to give them an abſolute Denial; but as he knew the Prelate was a Man of Parts, and capable of forming great Projects, when he releas'd him from the Tower he committed him to the Care of the Duke of *Buckingham*, who ſent him to his Caſtle of *Brecknock* in *Wales*, where he had a little more liberty than in his former Priſon. *Richard* was moſt of all puzzled what to do with Lord *Stanley*, becauſe he was ſenſible how much it would be in his Power to make him uneaſy when once he was at liberty. Nevertheleſs, this Lord being very well beloved by the People, and there being no plauſible Reaſon for detaining him in Priſon, and beſides, his Son the Lord *Strange* having begun to raiſe Troops in *Lincolnſhire*, the King was afraid that this Spark might occaſion a great Conflagration; and for this Reaſon he choſe to win him with Kindneſs, by delivering him out of the Tower, and giving him the Poſt of Steward of his Houſhold.

Archbiſhop of York *ſet at liberty.*

Biſhop of Ely *removed from the Tower to* Brecknock *Caſtle.*

Lord Stanley *releas'd and promoted.*

THE preſent Conjuncture ſeem'd as favourable for maintaining the King upon the Throne, as he could wiſh for. The young King *Edward* and the Duke of *York* his Brother were Priſoners in the Tower, and the Queen their Mother with her Daughters were in the Sanctuary at *Weſtminſter*, from whence they could not ſtir. The Marquiſs of *Dorſet*, the Queen's eldeſt Son by her firſt Husband, was fled for Refuge to another Aſylum, and *Richard Gray* his younger Brother had loſt his Head at *Pontefract*. The Earl of *Rivers* labour'd under a Diſtemper from which he was never like to recover, and which actually carry'd him off that very Year. *Richard Woodville* his Son was abſconded, and more intent how to ſave his own Life, than to do any harm to the new King. On the other hand, there was not a Prince of the Houſe of *Lancaſter* left in *England*, the preceeding Wars having ſwept them all away. *Margaret* Counteſs of *Richmond*, was the only Perſon in the Kingdom that could pretend any Right to the Crown; but even that Right was far from being clear: Beſides that, ſhe was in the Power of her Husband the Lord *Stanley*, whom the King had lately attach'd to his Service by a very conſiderable Poſt. As to the Earl of *Richmond*, he could not derive any Right but from his Mother, and he was ſo far from thinking of the Crown, that all his Care was to reconcile himſelf to the Affections of the Duke of *Bretagne*, to prevent his being deliver'd up into the Hands of his Enemies. In fine, the Princes and Princeſſes, who deſcended from the two firſt Marriages of *John* of *Gaunt*, Chief of the *Lancaſter* Family, were all

The favourable Poſture of Richard's *Affairs.*

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in *Caſtile*, *Portugal*, *Germany*, and the *Netherlands*, and did not ſeem inclin'd to aſſert the Rights of their Family. There was another thing too which might contribute to make *Richard* very eaſy in his Mind, *viz.* the Conſideration that moſt of the ancient Families in *England* were extinct by the Civil War which had ſo long rag'd in the Kingdom, and that of thoſe which ſtill ſubſiſted, there were but few which were not ruin'd, and ſtood in need of the King's Bounty to ſupport them. Among theſe ancient Families of the greateſt Rank, were that of *Howard*, whoſe Chief *Richard* had juſt promoted to be Duke of *Norfolk*, and Great Marſhal; the Family of *Stafford*, at the Head of which was the Duke of *Buckingham*, his Friend and Creature; that of *Piercy*, whoſe Chief was the Earl of *Northumberland*, who made no Scruple to declare for him in the Revolution that had lately happen'd; that of *Strange*, which he had newly ſecur'd to his Intereſt, by attaching the Lord *Stanley* to his Service: In fine, the Earl of *Oxford*, Chief of the ancient Family of *Vere*, was Priſoner at the Caſtle of *Ham* in *Picardy*, to which he had been committed by *Edward* IV. Conſequently *Richard* ſaw nothing in the Kingdom which was likely to endanger his Repoſe. Yet as the Acts of Violence whereof he had been guilty, could not but breed ill Blood, he thought it high time to deprive the Malecontents of any Succours they might expect from abroad, by ſending Ambaſſadors to the Kings of *Caſtile* and *Portugal*, and to the Duke of *Bretagne*; in order to renew the Alliances which his Predeceſſors had made with them. At the ſame time he made a Propoſal to the Court of *France* of a Congreſs of Ambaſſadors, to determine the Differences which had been betwixt the two Crowns; but *Lewis* XI, who was then in the Agonies of Death, was not in a Condition to take any Reſolution upon that Head.

RICHARD III.

His Precautions againſt the Malecontents.

THESE were *Richard*'s firſt Cares after his Coronation; yet how much ſoever he might ſeem to pleaſe himſelf with the Thoughts of being out of Danger, he could not be perfectly eaſy while his Nephews were alive; not that he had any thing to fear from them, they being too young, and too well guarded to attempt any thing. But as one ill Action commonly draws on another, he reſolv'd to make all ſafe, by putting thoſe Princes out of the World; and under colour of ſome Violences committed by the Soldiers in the Northern Counties, he propos'd to make a Journey to *York*, becauſe he would not be at *London* when the two Princes were diſpatch'd. But as on the other hand he did not care to be too far off, by reaſon of Accidents which might happen, he pretended ſome Buſineſs at *Glouceſter*, where he ſtay'd ſome time. As ſoon as he arriv'd there, he ſent an Order to *Brackenbury*, Governour of the Tower of *London*, to put the two Princes to death. *Brackenbury* excus'd himſelf by a moſt reſpectful Repreſentation that he could not undertake it; and the King ſent one *James Tyrrel* to him with an Order ſigned by his own Hand, enjoining him to ſurrender the Government of the Tower to him for twenty four Hours, and to give him the Keys of all the Rooms. *Tyrrel* being thereby Maſter of the Tower, took away the Lives of the two Princes, and caus'd them to be bury'd under a little Step, where 'tis ſaid their Bones were found in the Reign of *Charles* II.* This

Murder of the two Princes in the Tower.

* That induſtrious Antiquary Mr. *Strype*, in his Animadverſions upon Mr. *Buck*'s Hiſtory of this Reign, ſays, They were diſcover'd by ſome Labourers who were digging at the Foot of the old Stairs leading into the Chapel of the White Tower, in order to make new ones for the eaſier Conveyance of great Heaps of Records, which were brought from the Six-Clerks Office, to be repoſited in this Tower: And that King *Charles* II cauſed them to be tranſlated to *Henry* the Seventh's Chapel, and decently interr'd there, near two other Royal Children, *Mary* and *Sophia*, the Daughters of King *James* I, where they lie with a Monument of white Marble, and this Inſcription, ſhewing that they were ſmother'd in a Feather-Bed.

H. S. S.

Reliquiæ EDWARDI *quinti, Regis Angliæ, &* RICHARDI *Ducis Eboracenſis. Hos fratres germanos turre Londinenſi concluſos, injectiſq; Culcitris ſuffocatos, abdite & inhoneſtè tumulari juſſit Patruus* RICHARDUS, *perfidus Regni prædo. Oſſa deſideratorum diu & multum quæſita, poſt Annos* 191 *Scalarum in ruderibus (Scalæ iſtæ ad Sacellum Turris Albæ nuper ducebant) altè defoſſa, indicijs certiſſimis ſunt reperta* 17° *die Julij Anno Dom.* 1674. CAROLUS II. *Rex Clementiſſ. acerbam ſortem miſeratus inter avita Monumenta Principibus infeliciſſimis juſta perſolvit, Anno Dom.* 1688, *Annoq, Regni ſui* 30. J. S.

Mr. *Strype* mentions likewiſe the extraordinary Gratifications which the King granted to the Murderers, *viz.* to *James Tyrrel*, whom he knighted, the Office of Steward of ſeveral Lordſhips in *Wales*, and the Marches, for his Life; the chief Government of *Glamorganſhire*, the Wardſhip and Marriage of *Robert Arundel* of *Trerrice*, Eſq; with the keeping of his Eſtate during his Minority; the Cuſtody of the Caſtle of *Guiſnes*, and an Eſtate in the Counties of *Devon* and *Cornwal* which belong'd to Sir *Thomas Arundel*. To *Brackenbury*, Lieutenant of the Tower, ſeveral Manors in *Romney-Marſh*, all the Lands and Tenements in *Kent*, and elſewhere, lately belonging to the Earl *Rivers*, the *Chenies*, and *Walter Roberts*, of the value of 117 *l.* and upwards; a Manor near *Berkhampſtead*, and the Manor of *Glaſtenbury*. The King alſo appointed him Receiver (for his Truth, Sadneſs, and Diſcretion, as the Letters ran) of the Profits and Revenues of his Lordſhips of *Middleton* and *Merden* in *Kent*, Maſter and Operator of the Monies, and Keeper of the Exchange within the Tower during his Life, and Keeper of the Lions, with the Fees. *Green*, one of the Yeomen of his Chamber, commonly ſaid to be his Meſſenger to *Tyrrel*, was made Receiver of the Lordſhip of the Iſle of *Wight*, and of the Caſtle and Lordſhip of *Portcheſtre*. And *Dighton*, *Tyrrel*'s Horſe-keeper, had, by the King's Gift, the Bailywick of *Aiton* in *Staffordſhire* during his Life.

done,

done, all their Domeſticks were turn'd away, from whence it was naturally ſuppos'd that the two Princes were no longer in being. As ſoon as the King had receiv'd the News, he proceeded on his Journey towards *York*, being glad of a ſhort Abſence from *London* after he had committed ſo baſe an Action.

Duke of Buckingham *claims the King's Promiſe, but is refus'd.*

WHILE he was at *Glouceſter*, the Duke of *Buckingham*, who had 'till then accompany'd him, deſir'd him to make good his Promiſe with reſpect to the Succeſſion of the Earl of *Hereford*, which we mention'd in the Reign of *Edward* V. But *Richard* did not think fit to grant him this Juſtice or Favour, and ſuppos'd he had rewarded him ſufficiently by other Acts of Kindneſs. The Duke receiv'd this Refuſal with a feign'd Acquieſcence, but from that very Moment reſolv'd, whatever it coſt him, to be reveng'd. With this View he deſir'd leave of the King to repair to his Seat at *Brecknock*, whither he went to confer with his Priſoner the Biſhop of *Ely*, about Methods for dethroning the *Uſurper*, as he then call'd him, for whom he had ſo lately procur'd the Crown. The Sum of their Conſultations was to ſet *Henry* Earl of *Richmond* upon the Throne, on condition that he ſhould marry *Elizabeth*, who was *Edward* the Fourth's eldeſt Daughter. They hop'd by that means to unite the two Houſes of *Lancaſter* and *York*, and that all the Adherents of the former, as well as all thoſe of the Houſe of *York* who were well affected to the Family of the late King, would ſide with them; and that conſequently the King would have but a very few Friends left to ſupport him. This was no ſooner reſolv'd upon, but they ſent advice of it to the Counteſs of *Richmond*, who made it known to the Earl her Son. But the latter not being in a Condition to undertake any ſuch thing without the Approbation of the Duke of *Bretagne*, reſolv'd to acquaint him with the whole Secret, and made him ſenſible that it was his Intereſt to furniſh him with a Supply of Money, Men, and Shipping. On the other hand, the Queen Dowager eaſily conſented to the Marriage of her Daughter with the Earl of *Richmond*. Theſe firſt Overtures having ſucceeded as well as the Duke of *Buckingham* could wiſh, he continued the Execution of his Project, and ſent Emiſſaries into the Counties of *Somerſet* and *Cornwal* to engage ſome Gentlemen, who actually promis'd to raiſe Troops privately, and to join the Earl of *Richmond* as ſoon as he landed in thoſe Parts. During this, the Duke himſelf took the ſame Precautions in *Wales*, and in the Counties of *Hereford* and *Salop*, according to a Power which had been granted him in the preceding Reign, to the end that all Hands might be ready at once to join the Earl of *Richmond* in the Weſtern Counties.

He plots againſt him in favour of the Earl of Richmond, *afterwards* Henry VII.

Preparations to join him upon his landing in England.

BEFORE we proceed to give an Account of the Succeſs of this Undertaking, it will not be improper, for the better underſtanding the Sequel of the Hiſtory, juſt to take Notice of the Foundation of the Earl of *Richmond*'s Claim to the Crown of *England*, and of the Objections to which it was liable. *John* of *Gaunt* Duke of *Lancaſter*, the third Son of *Edward* III, had three Wives: The firſt was *Blanche* of *Lancaſter*, by whom he had *Henry* Earl of *Derby*, who was King of *England* by the Name of *Henry* IV, and whoſe Poſterity was extinct at the time we are ſpeaking of. By that ſame Wife he had a Daughter nam'd *Philippa*, who marry'd *John* I, King of *Portugal*, and left a numerous Iſſue, of whom nine Princes and Princeſſes were alive when *Richard* III was upon the Throne of *England*. *John* of *Gaunt*'s ſecond Wife was *Conſtantia* of *Caſtile*, by whom he had no Child but a Daughter nam'd *Catherine*, who was Wife to *Henry* III King of *Caſtile*, and from whom deſcended, in a direct Line, Queen *Iſabel*, who ſat upon the Throne of that Kingdom with *Ferdinand* King of *Arragon* her Husband. *John* of *Gaunt*'s third Wife was *Catherine Roet*, Widow of Sir *Otho de Swinford*, who was his Concubine during the Life of his ſecond Lady, and by whom he had three Sons and a Daughter. After the Death of his Wife *Conſtantia*, he marry'd this Miſtreſs of his, and obtain'd an Act of Parliament for legitimating the Children born before Marriage, together with *Richard* the Second's Letters Patent granted for the ſame Purpoſe, in purſuance of the ſaid Act of Parliament. As to that Act, and the Letters Patent, it is obſervable, in the firſt Place, that thoſe Children born before Marriage were not legitimated by the Name of *Lancaſter*, but by that of *Beaufort*, which was the Name of the Caſtle where they were born. Secondly, the Act and Letters Patent render'd thoſe Children capable of enjoying Eſtates, Titles, Honours, and Offices; but no mention was therein made of any Right of Succeſſion to the Crown, if there had been ever ſo much occaſion for it. *John* of *Beaufort*, the eldeſt of theſe legitimate Children, was created Duke of *Somerſet*, and left ſeveral Children, of whom the ſecond, nam'd *John*, was Duke of *Somerſet* after *Henry* his elder Brother. He left but one Daughter nam'd *Margaret*, who was marry'd to her firſt Husband *Edmund Tudor*, a *Welſhman*, Earl of *Richmond*, and Brother, by the Mother's ſide to *Henry* VI. From this Marriage came

His Claim to the Crown examin'd.

John *of* Gaunt's *Wives and Iſſue.*

FOEDERA Tom. XII. came *Henry* Earl of *Richmond*, the Perſon we are now treating of, whom the Duke of *Buckingham* was for placing upon the Throne of *England*. *Margaret* of *Somerſet*'s ſecond Husband was *Henry Stafford*, by whom ſhe had no Children; and the third was *Thomas Stanley*, who was actually living with her at the time of the preſent Conſpiracy.

THIS now being premiſed, if we only conſider the Right and Laws of *England*, independently of the Circumſtances, three Queſtions occur, as to the Right of the Earl of *Richmond*; 1. Whether *Margaret* his Mother, who was deſcended from a Baſtard born before Marriage, and legitimated, could claim the Crown in that Rank, and enjoy all the Rights of the *Lancaſter* Family, as being a Deſcendant from the only Male Iſſue of *John* of *Gaunt*, whoſe Poſterity ſubſiſted; for all the Poſterity of *Henry* IV was extinct as well as the Male Deſcendants of the firſt Duke of *Somerſet*, from whom *Margaret* deriv'd her Origin? 2. Whether, admitting that *Margaret* could claim the Crown by her own Rank, ſhe ought to be preferr'd to the Poſterity of the Daughters whom *John* of *Gaunt* had by his two firſt Wives; that is to ſay, whether the Legitimation of *John* the firſt Duke of *Somerſet* gave him the ſame Right, and the ſame Rank as he would have had if he had been born after the Marriage of his Father and Mother? 3. Whether *Henry* Earl of *Richmond* could claim the Crown during his Mother's Life, at leaſt without *Margaret*'s expreſs Renunciation of it authoriz'd by Parliament? It is obvious enough that I take no notice of the litigious Titles controverted betwixt the Houſes of *Lancaſter* and *York*, which are foreign to the preſent Caſe; and that I admit what the Duke of *Buckingham* and the Biſhop of *Ely* were contending for, *viz.* that the only legal Title was that of the *Lancaſter* Family. Theſe are Queſtions which I ſhall not undertake to decide, it being my ſole View to ſet the Reader right in point of Fact, not only as to the Time we are now treating of, but alſo with regard to the Reign of Queen *Elizabeth*, when *Philip* the Second, King of *Spain*, claim'd the Crown of *England*, as being deſcended from *John* of *Gaunt*'s two Daughters, and his two firſt Wives. Moreover, what I have now obſerv'd may hereafter the better enable the Reader to account for the Conduct of this ſame Earl of *Richmond*, who aſcended the Throne of *England* by the Name of *Henry* VII.

Richard *creates his Son Prince of Wales.*

WHILE *Richard* was at *York*, little thinking what Miſchief was contriving againſt him, he created his Son *Edward*, who was ten Years of Age, Prince of *Wales*, with a great deal of Solemnity. There it was that he receiv'd the agreeable News, that *Ferdinand* and *Iſabel*, King and Queen of *Caſtile* and *Arragon*, had confirm'd their Alliance with *England*. He was ſo overjoy'd at this Advice, that, to teſtify his Acknowledgments, he made the *Spaniſh* Envoy a Knight, and wrote Letters of Thanks to the King and Queen of *Spain*, and their chief Miniſters; for indeed as his Affairs then ſtood, this Alliance was very advantagious to him. But a few Days after, this Joy was damp'd by ſome Intelligence that a certain Plot was on foot againſt him; but what it was, or by whom carry'd on, he could not learn. Mean time, after having conſider'd with himſelf, who among all the Nobility of the Kingdom were capable of raiſing Diſturbances, he thought it could be no body but the Duke of *Buckingham*. This was the reaſon that in order to obſerve him more narrowly, he went to *Leiceſter*, and from thence ſent him an expreſs Order to repair to Court. The Duke excuſing himſelf on pretence of an Indiſpoſition, he ſent him a ſecond Order, much more preſſing than the former. And then the Duke return'd him Anſwer, without any more Ceremony, that he could not truſt his Perſon with a Prince who had not kept his Word with him. At the ſame time, he caus'd the Troops he had ſecretly engag'd, to rendezvous, and putting himſelf at the Head of them, march'd towards *Glouceſter*, with a Deſign there to paſs the *Severn*, in order to join the Earl of *Richmond*, who was to land in *Cornwal*. But the Rains, which fell at that time in great abundance, had ſo ſwell'd that River, that all the Country on both ſides was drown'd. This Inundation, which laſted ten Days, hindering him from paſſing over; and his Troops being no longer able to endure the Fatigue and Hunger which ſorely preſs'd them, he had the Mortification to ſee them fall off, notwithſtanding all he could do to keep them together; and at laſt had ſcarce any body left to accompany him. In this Extremity he ſaw no other Remedy but to go and hide himſelf at the Houſe of one *Baniſter*, who had been his Domeſtick. The King, hearing that the Duke's Army was thus diſpers'd, publiſh'd a Proclamation, not only againſt the Duke, but againſt the Marquiſs of *Dorſet*, who he ſuſpected was in the Conſpiracy, becauſe he had quitted his Sanctuary; and the King promis'd 1000 *l.* Sterling, to any that ſhould deliver them up dead or alive. *Baniſter* was not Proof againſt this Temptation, but went and made diſcovery to the Sheriff of the County, that he was at his Houſe; upon which the Duke was apprehended, and beheaded at *Shrewsbury* without any Form of Proceſs,

His Joy for the Alliance with S pain.

Miſtruſts the Duke of Buckingham, *and ſends for him to Court.*

Duke of Buckingham *takes Arms againſt him.*

He is abandon'd by his Soldiers and hides himſelf.

But is taken by a Proclamation.

ceſs, juſt as he himſelf had promoted the Execution of the Lord *Haſtings*, and the Priſoners at *Pontefract* *. During this, the Earl of *Richmond* arriv'd on the Coaſts of *England*; but a Spy that he ſent aſhore returning with the News that Things did not go well there for him, he went back to *Bretagne*. After the Duke of *Buckingham*'s Death, the King conferr'd the Poſt of Vice-Conſtable upon one *Aſhton*, with a Power to try and execute upon the Spot, without Appeal, all Perſons guilty of the Conſpiracy, of whom there was a great number put to death.

Earl of Richmond *arrives on the* Engliſh *Coaſts, but returns.*

Aſhton *made Vice-Conſtable with a Commiſſion to try the Rebels.*

THE Parliament aſſembling in the beginning of the Year 1484, did whatſoever the King deſir'd them. The Children of *Edward* IV were declar'd Baſtards, *Richard*'s irregular Election was confirm'd, and an Act of Attainder was paſs'd againſt the Earl of *Richmond*, the late Duke of *Buckingham*, and their Adherents. For thirty Years the Authority of the Parliament was only employ'd in confirming what was done before-hand. The Counteſs of *Richmond*, by good Luck, was not charg'd with having any ſhare in the Conſpiracy; yet the King miſtruſted her, and order'd her Husband, the Lord *Stanley*, to keep her cloſe at home.

Edward's *Children declar'd Baſtards.*

Richard's *Suſpicion of the Counteſs of* Richmond.

BUT while *Richard* was rejoycing with himſelf that he had been thus happily deliver'd from Danger, *Hutton*, his Ambaſſador to *Bretagne*, being return'd from that Country, inform'd him, that notwithſtanding the Duke of *Buckingham*'s Death, the Earl of *Richmond* ſtill perſiſted in his former Deſign; that he had taken a ſolemn Oath in the Church of *Rennes*, that he would marry *Elizabeth*, Daughter to *Edward* IV. That a great number of the *Engliſh* Fugitives were repair'd to him, and that the Duke of *Bretagne* promis'd him freſh Succours. This Advice made *Richard* very uneaſy; for he could never believe that the Earl of *Richmond* would engage in ſuch an Undertaking, if he had not been ſure of Aſſiſtance from ſome foreign Prince beſides the Duke of *Bretagne*. This made him take care to renew the Alliances of *England* with the King of *Portugal*, and with *Maximilian*, who govern'd the *Netherlands* in quality of Guardian to *Philip* his Son. As to *France*, *Lewis* XI dying on the 29th of *Auguſt* the Year before, and the beginning of the Reign of *Charles* VIII, being diſturb'd by domeſtick Quarrels, *Richard* did not doubt but that Court would be very glad to keep fair with *England*, and therefore he ſent an Ambaſſador thither to propoſe the Confirmation of the Truce.

He renews his Alliances with foreign Powers, for fear of an Invaſion from the Earl of Richmond.

BRETAGNE was the Place from whence he had moſt to fear; and therefore he ſent Ambaſſadors to the Duke to renew the Truce with him: And *Richard* could not have wiſh'd for a more favourable Opportunity. The Lords of *Bretagne* were in Arms againſt the Duke, on account of *Peter Landais* his Miniſter and Favourite, whom they aim'd to put in Priſon; but miſſing their Blow, *Landais* prepar'd to reduce them to Obedience by force of Arms: For this Purpoſe it was advantageous for him to be at Peace with *England*; and upon this account it was that *Richard*'s Embaſſy was very well receiv'd; and that ſoon after, the Duke of *Bretagne* ſent Ambaſſadors to *England*, who renew'd the Truce to the Month of *April* following, by a Treaty concluded at *Pontefract*.

Rebellion in Bretagne *on account of* Peter Landais.

MUCH about the ſame time *Richard* alſo concluded a Truce with *Scotland*; and in order to ſecure the Pope in his Intereſt, he ſent him an Embaſſy of Obedience, which he had 'till then neglected. At laſt he had the Pleaſure, moreover, to ſee that *Charles* VIII deſir'd a Safe-Conduct of him for ſome Ambaſſadors that he deſign'd to ſend to him.

BUT all this not being ſufficient to make him eaſy, he reſolv'd to go to the Fountain of the Miſchief, and to try if he could prevail with the Duke of *Bretagne* to deliver up the Earl of *Richmond* into his Hands. He ſent new Ambaſſadors to him on Pretence of prolonging the Truce, which was to expire in the Month of *April*; but really to corrupt *Landais* his chief Miniſter, who directed all his Maſter's Affairs according to his own Will and Pleaſure. Theſe Ambaſſadors found the Favourite as well inclin'd as they could deſire, for the very Buſineſs they came to negotiate. But according to all appearance, the Terms which he demanded were not in their Power to grant, becauſe the Affair took up ſome time. And *Landais* was obliged to ſend the Biſhop of *Laon* to *Richard*, under pretence of ſome Difficulty which occur'd in the Con-

Richard's *Negotiations with the Duke of* Bretagne *to deliver up the Earl of* Richmond.

* The Author of the Hiſtory of *England*, in two Volumes 8vo, has the following Remark on the ſad Fate which attended this noble Family; and on the Divine Vengeance which overtook the ungrateful perfidious Wretch whom they had promoted: "The Duke's Grandfather was kill'd at *St. Albans*, and his Father at "*Northampton*, both in aſſiſting the Houſe of *Lancaſter* againſt the Houſe of *York*, and now this Duke loſt his "Life for endeavouring to unite them. It is ſaid that *Baniſter* who betray'd him not only loſt his Reward from "the King, but was afterwards hang'd for Man-ſlaughter; that his eldeſt Son fell mad, and died in a Hogſtye; "that his ſecond was deform'd; his third drown'd in a ſmall Puddle of Water; and that his eldeſt Daughter was "debauch'd by one of his Carters, and died of a Leproſy." And Dr. *Howel* adds, that *Baniſter* himſelf, in his extreme old Age, was found guilty of Murder, and only ſav'd by his Clergy. From the above-mention'd Account the Reader will perceive the Miſtake of thoſe Authors, and other Hiſtorians, who following the Chronicles of *Hall* and *Hollingſhed*, ſay, that the Duke was executed at *Salisbury*.

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cluſion of the Truce. By that Means the Earl of *Richmond* came to be appriz'd of the Danger which hung over his Head. The Biſhop of *Ely*, who fled from *Brecknock* before the Death of the Duke of *Buckingham*, and was got into *Flanders*, had ſuch good Spies at the Court of *England*, that he was inform'd the King had more frequent and ſecret Conferences with the Ambaſſador of *Bretagne* than the bare Negotiation of a Truce ſeem'd to demand. This made him to ſuſpect that they were plotting the Ruin of the Earl of *Richmond*. He immediately advertis'd him of the whole; and the Earl manag'd it ſo cleverly, that he had the good Luck to eſcape to *France*; and being purſu'd, was within an Hour of being overtaken.

Earl of Richmond *eſcapes to* France.

CHARLES VIII gave the Earl a favourable Reception, but was not in a Capacity to help him, becauſe his Kingdom was ſtill full of Troubles. Mean time, the Earl of *Richmond*'s Friends in *England* continued to ſerve him, by rendring the King more and more odious by their Emiſſaries. As *Richard* had a great many Spies in that Country, he had Intelligence that ſomething was ſtill tranſacting in favour of the Earl of *Richmond*, and that his Friends founded the Succeſs of their Enterprize upon his Marriage with *Elizabeth*. But to break all his Meaſures, he form'd that extraordinary Project of marrying that Princeſs himſelf, though ſhe was his Niece, and the Queen his Wife living, and in very good Health. During this, the Prince of *Wales* his Son dying, he appointed his Nephew the Earl of *Lincoln*, who was Son to *Elizabeth* his Siſter, and to the Earl of *Suffolk*, for his Succeſſor. Not long after, he ſent to tell his Siſter-in-law the Queen Dowager, who was ſtill in her Sanctuary, that as he had no Son left, he intended to ſecure her Succeſſion to the Family of the late King *Edward* his Brother, and to procure advantagious Matches for his Nieces; that tho' he had at firſt deſign'd the Earl of *Lincoln* for his Succeſſor, he had now alter'd his Mind, and that there being no Act of Parliament for the Purpoſe, the Nomination might be revok'd with eaſe. Though the Queen had all the Reaſon in the World to be diffident of a Prince whoſe Infidelity ſhe had already experienc'd, yet ſhe was ſo far blinded by the Advantages he promis'd, that ſhe gave him up her five Daughters. Soon after this, Queen *Anne*, Wife to *Richard*, died ſo ſuddenly, that the Publick could not help believing ſhe had been poiſon'd, notwithſtanding the external Marks of Sorrow put on by the King. She was the Daughter of the Earl of *Warwick* the *King-maker*, and had to her Husband the Prince of *Wales*, Son to *Henry* VI, after whoſe Death ſhe was marry'd to the Duke of *Glouceſter*, who was charg'd with having murder'd her former Husband with his own Hands. The King's affected Sorrow being ſoon over, he made an Offer to his Niece *Elizabeth* of marrying her himſelf. But the Princeſs had ſuch an Abhorrence of the Propoſal, that ſhe told him in plain Terms, ſhe would accept of Death ſooner than ſuch a Match.

Death of Richard's *Queen.*

RICHARD III.

His Propoſal to marry his Niece, receiv'd with her Abhorrence.

MEAN time, *Richard* render'd himſelf ſo odious every Day, that a great many Perſons of Diſtinction quitted the Kingdom, and went to offer their Services to the Earl of *Richmond*, whom they conſider'd as the only Perſon to whom *England* could ſo properly have recourſe to be deliver'd from the Tyrant. The Earl of *Oxford* had not only found Means to eſcape from the Caſtle of *Ham*, where he was a Priſoner, but he had alſo perſuaded the Governour to declare for the Earl of *Richmond*, and had carry'd him to *Paris* to vouch for his own Fidelity. *Richard* no ſooner heard this News, but he laid ſiege to the Caſtle of *Ham*. The Earl of *Oxford* aſſembled a few Troops together in *France*, and advanc'd to relieve it; and tho' he came too late, had the Satisfaction however to carry the Garriſon (which ſurrender'd upon Articles) to the Earl of *Richmond*. The Marquiſs of *Dorſet* was gone to join the Earl at *Paris*; but *Richard*, who continued to wheedle the Queen Dowager, carry'd the Point ſo far, that ſhe had perſuaded her Son to return to *England*; of which the Earl of *Richmond* being inform'd, ſent Meſſengers after him, who brought him back to *Paris*, and he prevail'd upon him to ſtay with him.

Earl of Oxford *flies to the Earl of* Richmond *from the Caſtle of* Ham, *which* Richard *beſieges.*

Marquiſs of Dorſet *ſets out for* England, *but is fetch'd back.*

RICHARD had kept a Fleet at Sea during the Year 1484; but in the beginning of 1485 he unrigg'd it, becauſe of the little Appearance there was that the Court of *France*, in the then Situation of Affairs, would aſſiſt the Earl of *Richmond*. This falſe Step reviv'd the Courage of the Earl of *Richmond*'s Friends in *England*, who continually perſuaded him to improve an Opportunity ſo favourable. At length, the Earl being preſs'd by his Friends, and ſpurr'd on by his own Ambition, repreſented to the King of *France* the Hopes he had to dethrone the Uſurper of *England*, if he had but a little Aſſiſtance. It was with ſome Difficulty that he obtain'd what he requeſted; for the Council of *France* did not think it feaſible. Mean time the King granted him 2000 Men, and ſome Ships, more with a View to give Diſturbance to *England*, than with Deſign to place him upon the Throne. With this Handful of Troops *Henry* ſail'd in the beginning of *Auguſt*, and

Earl of Richmond *gets Aſſiſtance from the* French *King.*

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and on the 6th of that Month, arriv'd happily at *Milford* in *Wales*. Since he could not poſſibly come at his Enemy without paſſing the *Severn*, he was oblig'd to croſs the whole Principality of *Wales* to *Shrewsbury*, the only Town upon that River where he could hope to find a free Paſſage. This gave *Richard* leiſure to aſſemble his Troops; but not being able to be time enough at the *Severn* to diſpute his Enemy's Paſſage, he reſolv'd to wait for him at *Leiceſter*. The Lord *Stanley* and his Brother *Savage* rais'd Troops alſo, as pretended, for the King's Service, but they were ſecretly engag'd for the Earl of *Richmond*; for *Stanley* did not dare to declare himſelf openly, becauſe the King having a Suſpicion of him, had oblig'd him to give him his Son for a Hoſtage. This Levy of Troops without Order having confirm'd the King in his Miſtruſt, he ſent for the two Brothers to come and join him, but they found ſome Pretext or other to be excus'd.

He arrives in Wales.

AT length, the Earl of *Richmond* having very much increas'd his Army in his March, though it was ſtill very inferior to the King's Army; and advancing every Day towards his Enemy, the two Armies met at *Boſworth*, where a Battel enſued on the 22d of *Auguſt* 1485. A little before it began, the Lord *Stanley* and his Brother arriv'd, and divided their Troops, poſting themſelves on the Right and Left of both Armies, over-againſt the Ground which was deſign'd for the Field of Battel, and fronting each other. *Richard* was ſo ſurpriz'd at it, that he knew not what Judgment to form of ſuch an unaccountable Proceeding, for the Poſts which the two Brothers had taken were ſuch that each of the two Armies might very well believe their Deſign was to favour the one, and not the other. Nevertheleſs, *Richard* doubted of their Inclination for him, becauſe they took ſo much Care to conceal it, and therefore he ſent to them to come and join his Army; and upon the equivocal Anſwer which they return'd, he was upon the Point of putting the Lord *Stanley*'s Son to death; but he was prevented by ſome of his General Officers, who repreſented to him, that according to all Appearance the two Brothers poſted themſelves in that manner to be only Spectators of the Battel, and to range themſelves on the Side of the Conqueror whichſoever he was; and that therefore it was by no Means adviſeable to provoke them by ſuch an Act of Violence to ſide with his Enemies. The Battel, which began at that Inſtant, did not permit him to take other Meaſures. All Hiſtorians agree, that upon this Occaſion *Richard* gave undoubted Proofs of his Valour and Intrepidity. He ſought for the Earl of *Richmond*, and having ſingled him out with his Eye, ran at him, and with a Stroke of a Lance kill'd Sir *William Brandon* who bore his Standard, and alſo fell'd down another Knight who ſtood betwixt them. The Earl of *Richmond*, being more cool, was very glad to ſuffer his Men to interpoſe between them, to prevent their coming to a perſonal Engagement. At length *Stanley* and his Brother ſeeing that the Victory was on the Point of declaring againſt the Earl, took off the Mask, and flanking the Right and Left of the King's Army, which had already gain'd a great deal of Ground, entirely turn'd the Scale. The two Wings of the King's Army fled, and the Center gave way of itſelf. Then *Richard* perceiving that the Battel was loſt, ruſh'd into the Enemy's main Body, where he was kill'd. The Duke of *Norfolk*, who commanded the Army under him, loſt his Life alſo upon this Occaſion; and his Son the Earl of *Surry* was taken Priſoner. The Crown which *Richard* wore upon his Head during the Battel, being found by a Soldier, was carry'd to the Lord *Stanley*, who went immediately and plac'd it upon the Head of the Earl of *Richmond*, ſaluting him at the ſame Time with the Title of King *.

RICHARD III.

Battle of Boſworth, *the* 13*th and laſt betwixt the Houſes of* York *and* Lancaſter.

Richard kill'd in the Battel.

His Crown plac'd on the Head of the Earl of Richmond *in the Field.*

AMONG the Acts of the Reign of *Richard* the third, there are ſome that have a manifeſt Relation to the Facts above-mention'd, and which may ſerve to confirm what we meet with in Hiſtories. There are others neceſſary for fixing the Dates of this Reign, and to ſhew the Months and Days of the ſeveral Events. And there are ſome too which ſeem abſolutely unneceſſary with regard to Hiſtory, but may nevertheleſs be of uſe upon other Accounts. But I can only inſiſt upon thoſe of the firſt and ſecond Claſs, becauſe to take Notice of all of them would be endleſs.

1. A Memorandum of the Day upon which *Richard* III gave the Great Seal to the Biſhop of *Lincoln*, viz. *June* the 27th, 1483 [b].

The Great Seal given to the Biſhop of Lincoln. 189.

2. LETTERS Patent creating *John* Lord *Howard* Hereditary Marſhal of *England*, with the ſame Rights and Prerogatives as were enjoy'd by the laſt Duke of *Norfolk*; dated *June* the 28th, 1483 [c].

Lord Howard *created Hereditary Marſhal of* England. 190. *Made Duke of* Norfolk. 191.

* Thus ended the Civil Wars between the Houſes of *York* and *Lancaſter*, which broke out above 30 Years before, fill'd the Realm with Blood and Deſolation; and, as *Comines* affirms, took away the Lives of near 100,000 Men, and 80 Princes of the Blood; but upon conſulting the Genealogical Table of *Edward* III's Poſterity, this laſt Number will appear too much exaggerated.

[b] At *Baynard's-Caſtle* in *Thames-Street*. [c] At *Weſtminſter*.

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IN this Patent *John Howard* has only the Title of a Baron; but in an Order of the 30th of *June* the King gives him the Title of Duke of *Norfolk*. By Conſequence it muſt be the 28th or 29th, that he was inveſted with the Honour of Duke of *Norfolk*.

Bernard de la Force *ſent Ambaſſador to* Spain. 193, 198.

3. A COMMISSION to *Bernard de la Force* to treat in quality of the King's Ambaſſador with the King and Queen of *Spain*; dated *June* the 12th, 1483 [d].

THERE is another Commiſſion of the like kind, dated the 30th of *Auguſt*, wherein the ſame *Bernard de la Force* is ſtil'd one of his Majeſty's Counſellors; whereas in this he has only the Denomination of *Servientis noſtri*. It is not improbable that he was call'd to the King's Council in that Interval.

Thomas Hutton's *Commiſſion to the Duke of* Bretagne. 194.

4. A COMMISSION to *Thomas Hutton* to go and treat with the Duke of *Bretagne*; dated *July* the 13th, 1483 [e].

Congreſs of Engliſh *and* French *Ambaſſadors for confirming the Truce.* 195.

5. A COMMISSION appointing Ambaſſadors for the Congreſs to be held with the Ambaſſadors of *France*, for redreſſing the Violations of the Truce committed on both ſides: *In eventu præfixæ Dietæ hujuſmodi*; dated *July* the 16th, 1483 [f].

Alliance with the King and Queen of Spain. 198.

6. A COMMISSION to *Bernard de la Force* to deliver to *Ferdinand* and *Iſabel* the Ratification of the Alliance concluded with *Edward* IV, on condition of his receiving the like Ratification from them; dated *Auguſt* the 30th, 1483 [g].

7. *RICHARD*'s Ratification of the Treaty; dated *Auguſt* the 31ſt *.

Spaniſh *Ambaſſador knighted.* 200.

8. HIS Letters Patent, certifying that he has conferr'd the Honour of Knighthood on *Jeffery de Saſiola*, Ambaſſador of *Spain*; dated at *York*, *September* the 8th, 1483.

Letters of Thanks to the Spaniſh *Court for renewing the Alliance.* 200, 201, 202.

9. *RICHARD*'s Letters of Thanks to King *Ferdinand*, Queen *Iſabel*, the Cardinal *de Mendoſa*, and the Count *de Leryn*, for renewing the Alliance; dated at *York* the 9th, 10th, and 12th of *December*, 1483.

King ſends for the Great-Seal and keeps it above ſeven Weeks in a Journey. 303.

10. A MEMORANDUM ſignifying, that when the King was upon a Journey, he wrote to the Biſhop of *Lincoln*, the Chancellor, to ſend him the Great-Seal; and that from the 19th of *October*, when he receiv'd it, he kept it 'till the 26th of *November*, after which he reſtor'd it to the Biſhop of *Lincoln*.

PROBABLY the King wanted to have ſome irregular Acts ſeal'd, to which he thought the Chancellor would refuſe to affix the Great-Seal.

His Proclamation for the Reformation of Manners. 204.

11. A PROCLAMATION wherein the King ſets forth the Oath he took at his Coronation to exerciſe Mercy and Juſtice; "That he began his Reign with Mercy, "by granting a general Pardon to his "Subjects, in hopes that it would have "bound them to their Allegiance, *&c.* "but that nevertheleſs, *Thomas* late Mar-"quiſs of *Dorſet*, not having the Fear "of God, nor the Salvation of his own "Soul, before his Eyes, has damnably "debauch'd and defil'd many Maids, Wi-"dows, and Wives, and liv'd in actual "Adultery with the Wife of *Shore*: "That moreover nine other Perſons, men-"tion'd in the Proclamation, are aſſembled "in Arms with the Traitors and Rebels "the Duke of *Buckingham*, and the Bi-"ſhops of *Ely* and *Salisbury*, for the De-"ſtruction of the King and Kingdom, "*&c.*

"WHEREFORE the King, in order to "purge the Realm of Debauchees and "Traitors, promiſes a Reward of 1000 *l.* "Sterling, or 100 *l.* a Year in Land, to "whoſoever ſhould deliver up the ſaid "Duke to him; 1000 Marks in Money, "or 100 *l.* in Land, for the Marquiſs and "each of the Biſhops, and 500 Marks in "Money, or 40 *l.* in Land for each of "the other Perſons. This Proclamation "is dated *October* the 23d, 1483 [h]."

As the Marquiſs of *Dorſet* was not with the Duke of *Buckingham*, and as the King therefore could not accuſe him of Treaſon, he made a Handle of thoſe pretended Debaucheries to get him apprehended; and this perhaps is one of thoſe Acts to which the Chancellor would have ſcrupled to affix the Great-Seal.

Sir Ralph Aſhton *made Vice-Conſtable to try the Rebels.* 205.

12. A COMMISSION appointing Sir *Ralph Aſhton* for the preſent Occaſion, Vice-Conſtable of *England*, for the Trial of Perſons guilty of the Rebellion; dated at *Coventry*, *October* the 24th, 1483.

THIS was another of thoſe extraordinary Inſtruments which the King had a mind to ſeal himſelf. Theſe are the Terms of the Commiſſion.

DANTES & concedentes vobis, tenore Præſentium, poteſtatem & auctoritatem generalem, & mandatum ſpeciale, ad audiendum & examinandum, ac procedendum contra quaſcunque Perſonas, de crimine læſæ noſtræ Regiæ Majeſtatis ſuſpectas & culpabiles; tam per viam examinationis Teſtium, quam aliter, prout vobis melius viſum fuerit ex officio mero, ſeu promoto.

NEC non in cauſis illis judicialiter & ſententialiter, juxta cauſa exigentiam, & Delinquentium demerita, ſine ſtrepitu & figura judicij; appellatione quacunque remota; quandocunque vobis videbitur, procedendum, judicandum, & finali executioni demandandum . . . . . aſſumpto vobiſcum aliquo Tabellione fide digno, qui ſingula conſcribat, &c.

[a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. * As before. [h] At *Leiceſter*.

i. e. "GIVING and granting to you by the Tenor of these Presents a general "Power and Authority, and a special "Command, to hear, examine, and proceed against all Persons whatsoever, "guilty or suspected of the Crime of "High-Treason against us, either by way "of Interrogation of Witnesses, or otherwise, as shall seem to you most expedient and suitable to your Office.

"As also in these Causes judicially "and sententially, according to the Exigency of the Case, and Demerit of the "Delinquent, without the Noise and Formality of Trial, and without regard to "any Appeal whatsoever, to proceed, "determine, and commit to final Execution, whenever you shall think fit.... "taking to your Assistance some Publick "Notary of known Fidelity, who may "commit every thing to Writing, *&c.*"

Pardon of the Archbishop of Canterbury. 208.

13. A PARDON for *Thomas* the Cardinal Archbishop of *Canterbury*; dated *December* the 13th, 1483 [i].

Lord Stanley *created High-Constable.* 209.

14. A PATENT appointing *Thomas* Lord *Stanley* High-Constable of *England*; dated *December* the 16th, 1483 [k].

King's Letter of Obedience to the Pope. 214.

15. *RICHARD* the Third's Letter to Pope *Sixtus* IV, wherein he promises him to pay him his Obedience by the Bishop of *St. David's*, and desires to be excus'd for not having done it sooner, on account of the foregoing Conspiracy; dated before the Calends of *March*, 1484 [l].

Heralds at Arms made a Corporation. 215.

16. HIS Letters Patent for erecting the Society of Heralds at Arms into a Corporation; dated *March* the 2d, 1484 [m].

King's Suit to the Pope to make the Bishop of Durham *a Cardinal.* 216.

17. *RICHARD*'s Letter to the Pope, desiring him to confer the Dignity of a Cardinal upon *John Sherwode*, Bishop Elect of *Durham*, and Ambassador of *Rome*, dated the 6th of the Nones of *March*, 1484 [n].

Bishop of St. David's *Credentials.* 221, 223.

18. The Bishop of *St. Davids* Credentials to *Charles* VIII, dated [o] *March* the 11th, 1484.

19. A COMMISSION for the Bishop of *St. Davids* going to *Rome* to treat with *Charles* VIII, dated [p] *March* the 21st, 1484.

Truce with Bretagne. 226.

20. A TREATY of Truce betwixt *England* and *Bretagne*, from the 21st of *July*, 1484, to the 24th of *April* 1485; dated *June* the 8th, at the Castle of *Pontefract*.

Treaty with Portugal. 228.

21. THE Approbation and Ratification of the Treaty of Alliance formerly concluded betwixt *Richard* II and *Portugal*, dated *June* the 25th, 1484 [q].

J. Gray's *Commission.* 229.

22. A COMMISSION to *John Gray* to command 1000 Archers, who are to be sent to the Duke of *Bretagne*; dated *June* the 26th, 1484 [r].

Negotiation with Maximilian *of* Austria. 231.

23. ANOTHER to treat with *Maximilian* of *Austria*; dated *August* the 11th, 1484 [s].

King of Scotland's *Negotiations about the Marriage of his Son.* 232.

24. Two Commissions from the King of *Scotland*, to treat with *Richard* concerning the Marriage of the Prince of *Scotland* to *Anne*, Daughter of the Dutchess of *Suffolk*, and Niece to *Richard*, and relating to the Peace or Truce; dated *August* 30 and 31, 1484 [t].

25. *RICHARD*'s Safe-Conduct for the Ambassadors whom the King of *France* was to send into *England*; dated *September* the 13th, 1484 [u].

Truce with Scotland. 235.

26. A TREATY of Truce for three Years betwixt *England* and *Scotland*; dated *September* the 20th, as above.

Treaty for the Prince of Scotland's *Marriage.* 242.

27. ANOTHER for the Marriage of the Prince of *Scotland* with *Anne* of *Suffolk*; dated *September* the 21st, as above.

Commerce with the Netherlands. 249.

28. A TREATY of Commerce betwixt *England* and the *Netherlands*; dated at *Ghent*, *October* the 6th, 1484.

King's Obedience to the Pope. 255.

29. A COMMISSION to the Bishops of *Durham* and *St. Davids* to pay Obedience in his Name to Pope *Innocent* IV; dated *December* the 16th, 1484 [x].

Commission to treat with an Ambassador from Bretagne. 269.

30. A COMMISSION from *Richard* to treat with the Bishop of *Laon*, Ambassador from *Bretagne*; dated *February* the 20th, 1485 [y].

31. TREATY for prolonging the Truce betwixt *England* and *Bretagne* to the 29th of *September*, 1492, and *Richard*'s Ratification; dated *March* the 7th, 1485 [z].

John *of* Gloucester *made Governour of* Calais. 260.

32. A PATENT appointing *John* of *Gloucester*, the King's natural Son, Governour of *Calais*; dated *March* the 11th [a].

33. ANOTHER appointing Sir *Ralph Ashton* Vice-Constable of *England*; dated *April* the 29th, 1485 [b].

Inquiry into the Pope's Bull sent to Guernsey. 269.

34. A COMMISSION to examine whether a certain Bull sent from the Pope to the Isles of *Guernsey* is not prejudicial to the King; dated *May* the 14th, 1485 [c].

Disposal of the Great-Seal. 271, 272.

35. THE Removal of the Great-Seal from the Bishop of *Lincoln*, and the Grant of it to *Thomas Barowe*, Master of the Rolls; dated *July* the 24th, and *August* the 1st, 1485 *.

The

[i] At *Westminster*. [k] At *Westminster*. [l] At *London*. [m] At *Westminster*. [n] At *London*. [o] At the University of *Cambridge*. [p] At *Nottingham*. [q] At *York*. [r] At *Westminster*. [s] At *Westminster*. [t] At *Edinburgh*. [u] At *Nottingham*. [x] At *Westminster*. [y] At *Westminster*. [z] At *Westminster*. [a] Ditto. [b] At *Westminster*. [c] At *Westminster*.

* *THE Royal Race of* Plantagenets, *of which* Richard III *was the last King, having been in possession of the Crown of* England, *from Father to Son, for the space of* 330 *Years, we are persuaded the Reader will not think it an unnecessary Interruption to finish their History with a Summary Recapitulation, which Mr.* Rapin *has given in his fourth Volume (the French Edition) of what happen'd most memorable to the Kings of that Family while it sat upon the Throne. In this Account of fourteen Reigns, which, he just glances over, one sees with Astonishment that the Happiness and Glory which this Race enjoy'd for above* 300 *Years, was very little, compar'd with their Misfortunes.*

HENRY II,

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RICHARD III.

HENRY II, the first King of this Family, was the greatest of all the *English* Monarchs, if we consider the Extent of his Dominions; for besides the Kingdom of *England*, he possess'd in *France* the Counties of *Guyenne*, *Poictou*, *Santonge*, *Auvergne*, *Limousin*, *Perigord*, *Angoumois*, *Touraine*, *Anjou*, *Maine*, *Normandy* to which he likewise added *Bretagne*, by the Marriage of one of his Sons with the Heiress of that Dutchy.

In fine, he also conquer'd *Ireland*. But with all this he was never happy; for his Quarrel with *Thomas à Becket*, the Persecution he suffer'd from Pope *Alexander* III, the Revolt of his Queen and Children from him, and the unhappy Success of the last War he had with *France*, did not permit him to enjoy a Moment's Ease.

RICHARD I render'd his Name famous in the East by the Conquest of the Isle of *Cyprus*, by the taking of *Acre*, and by a great Victory which he gain'd over the *Saracens*. But the Reputation which he acquir'd in that Expedition was very expensive to *Christendom*, and to *England* in particular, by reason of the vast numbers of Men and Sums of Money which it drain'd from them, while the Christians of *Palestine* were little the better for it. And *Richard* himself, at his Return into *England*, was expos'd to the Severities of a cruel and tedious Imprisonment, and forc'd to pay an excessive Price for his Ransom, which quite exhausted his Kingdom. In fine, after having struggled for many Years with his Rival *Philip Augustus*, without having gain'd any considerable Advantage over him, he was unhappily kill'd with an Arrow from a Crossbow at the Siege of *Chaluz*, which he undertook purely from a Principle of Avarice.

JOHN Lackland had not a happy Minute during all his Reign; for being persecuted one while by the King of *France*, then by Pope *Innocent* III, and at last by his own Subjects, his whole Reign was but a continued Series of Misfortunes. He presently lost all the Provinces which his Ancestors had possess'd in *France*; and afterwards *Innocent* III deprived him of his Crown, and did not restore it to him but upon such Conditions as were to the last degree disgraceful. In fine, he had the Mortification to see his Barons in Arms against him, and all *England* on his Death-bed submitting to the Laws of a foreign Prince.

HENRY III, a Prince of a very poor Spirit, always liv'd in Servitude, tho' seated on a Throne, being ever a Slave to his Favourites and Ministers, or else to the imperious Commands of the Popes. At last, being stripp'd of all his Authority by his own Subjects, he was for a while Prisoner to his greatest Enemies; and it was only to the Success of a Battle gain'd by the Prince his Son that he was oblig'd for his Restoration, and for the Tranquillity he enjoy'd the two last Years of his Life.

EDWARD I render'd his Name famous by the Conquest of *Scotland*; but after having caus'd Torrents of Blood to be shed in that unjust Quarrel, he had the Mortification to lose it, and to die before he had repair'd the Loss. His Conquest of *Wales* was indeed the most solid Advantage that ever any King of *England* had procur'd for his Kingdom.

THE Reign of *Edward* II was only remarkable for his ill Conduct and Misfortunes. He was the first Instance of a King of *England* depos'd by Parliament: Happy had he been if the Rage of his Enemies had stopp'd there; but with a Barbarity not to be parellel'd, he was put to the most painful Death that it is possible to imagine; a Death which had not any Proportion to the false Steps of which he had been guilty.

EDWARD III was one of the most famous Kings in the *English* Catalogue, as well for his personal Qualities, as for his Victories in *France*, and the signal Treaty of *Bretigny*, by which the Provinces in *France* that *John Lackland* had suffer'd himself to be stripp'd of, were restor'd to him with Interest. Yet his Reign, tho' glorious, was not exempt from Misfortunes. His Minority was stain'd with the tragical Murder of *Edward* II, his Father, and the Earl of *Kent* his Uncle. As a Consequence of those horrible Acts, he was oblig'd to keep his own Mother in Prison during Life; and at the close of his Days he had the Mortification to see all that he had re-conquer'd in *France* taken away, without hopes of ever being able to recover it. In fine, he may be said to have ruin'd his own Reputation, and died at a time when his Subjects also began to lose that Esteem which they once had for him.

HITHERTO 'tis plain that the Family of *Plantagenets* did not enjoy much Happiness; but their Disgraces, being brighten'd with some Prosperities, were nothing to the Shocks which they suffer'd afterwards. When we consider what happen'd to the Posterity of *Edward* III, one sees nothing but Misfortunes, tragical or untimely Deaths, Hatred, Animosities, Revenge, Civil Wars, and unheard of Cruelties between Princes descended from one and the same Stock. *England* never saw so terrible a Destruction of its Inhabitants, and never were the Scaffolds dy'd with so much Noble and Royal Blood, as during the Space of a hundred Years, which expir'd with the Death of *Richard* the Third. We will just run over the several Branches of *Edward* the Third's Family, to take a short View of its Calamities.

EDWARD Prince of *Wales*, one of the most accomplish'd Princes that ever was bred, died at 46 Years of Age, after having lost *Edward* his eldest Son, who was but in his seventh Year.

RICHARD his second Son, who came to the Throne after his Grandfather, was depos'd, imprison'd, and cruelly murder'd in Prison.

LIONEL Duke of *Clarence*, second Son to *Edward* III, died abroad in the very Flower of his Age, leaving but one Daughter, whose Marriage into the Family of *Mortimer* was the Source of all the Calamities with which *England* was afflicted for thirty Years successively.

THE Posterity of *John* of *Gaunt*, *Edward*'s third Son, was far from being happy; for *Henry* IV, Successor to *Richard* II, spent his whole Reign in continual Fears lest he should lose the Crown, which he had acquir'd by extraordinary Methods, and which to preserve, he had caus'd *Richard* II to be put to death in Prison.

HENRY V, one of the most illustrious Kings that ever wore the *English* Crown, after having made such a Progress in *France*, as to be declar'd Regent and Heir of that Kingdom, did not enjoy an Advantage so considerable above two Years, or rather had but a Foretaste of what he had so much long'd for, because he died in the Flower of his Age, leaving a Son but nine Months old, who prov'd uncapable to compleat that Work which his victorious Father had so happily begun.

THE Dukes of *Clarence*, *Bedford*, and *Glouceſter*, died all three without Issue. The last was expos'd a long time to the Rage of his Enemies, and at length sacrificed to their Revenge.

HENRY VI, Son to *Henry* V, lost all that the King his Father had acquir'd in *France*; after which he was stripp'd of his Dignity and imprison'd, and tho' restor'd for a short space, was at last assassinated by a Prince who descended from the same Stock.

EDWARD his Son the Prince of *Wales* perish'd after the same manner, and by the same Hand.

IF we run over the second Branch of the House of *Lancaster*, *viz.* that of *Beaufort-Somerset*, we scarce find any of its Princes but what died in Battles, or upon Scaffolds.

THE Family of *York*, whose Head was *Edmund* of *Langley*, fourth Son to *Edward* III, far'd still worse, and some unlucky Constellation seem'd to be continually shedding its malignant Influences on that Family; for excepting *Edmund* of *Langley*, the first Duke of *York*, all the Princes his Descendants died a violent or untimely Death.

Edward Duke of *York*, his eldest Son, was kill'd at the Battle of *Agincourt*.
Richard Earl of *Cambridge* lost his Head upon a Scaffold.
Richard, third Son to the Duke of *York*, and *Edmund* Earl of *Rutland* his Son, were kill'd at the Battle of *Wakefield*.
And *George* Duke of *Clarence* was drown'd in a Butt of *Malmsey*.

Edward

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Edward IV, after having for ſome Years wore the Crown of *England*, to which he had a better Title than the Houſe of *Lanceſter*, died indeed a natural Death, but it was at the Age of 42. RICHARD III.
Edward V and *Richard* his Brother were ſmother'd in their Bed.
Edward Prince of *Wales*, Son to *Richard* III, was taken out of the World at the Age of 11. And,
Richard III, was kill'd at the Battle of *Boſworth*.

IN fine, we ſhall perceive in the Sequel of our Hiſtory, that *Edward* Earl of *Warwick*, Son to the unhappy Duke of *Clarence*, and the only Male left of the *York* Family, loſt his Life by the Hands of the Hangman.

AND to compleat the Narrative of all the Diſaſters that fell on the Poſterity of *Edward* the Third, nothing more remains but to obſerve that *Thomas* of *Woodſtock* Earl of *Glouceſter*, his fifth Son, died a violent Death in his Priſon at *Calais*.

SOME no doubt will conſtrue theſe Misfortunes which befel the Family of *Edward* III, to be the Effects of the Divine Wrath, extended even to the fourth Generation, for the Barbarity committed on the Perſon of *Edward* II. However, it is almoſt impoſſible not to take notice how the tragical Death of *Edward* II was reveng'd upon *Richard* II. That of *Richard* upon *Henry* VI. That of *Henry* upon *Edward* V. And that of *Edward* upon *Richard* III.

The REIGN of *HENRY* VII.

THE Reign of Henry VII *may conveniently be divided into three principal Articles*, viz. Domeſtick *Affairs, thoſe with* France *and* Bretagne, *and the Affairs with* Scotland. *It is abſolutely neceſſary to follow this Diviſion in our Account of the* Fœdera, *otherwiſe that noble Collection would appear like a Chaos, or Confuſion of Elements, which it would be next to impoſſible to clear up and ſeparate.* HENRY VII.

I. *Domeſtick Affairs.*

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His extraordinary Acceſſion to the Crown.

HENRY Tudor Earl of *Richmond* came to the Throne of *England* after an extraordinary Manner, without any formal Call to it, without any Demand of the Crown in Parliament, which had the ſole Right to diſpoſe of it, without any Publication of his Claim, and perhaps without knowing himſelf whereon to found it. As that was the Foundation of the Conſpiracies againſt him, and of his continual Fears leſt the Crown he had ſeiz'd ſhould be rent from him, it is proper juſt to recal to mind what has been already ſaid concerning this Prince's Title. It was very litigious, to ſay no worſe, conſider'd in it ſelf, and independent of the Succeſs of the Battel of *Boſworth*, which carry'd his Cauſe. No wonder, therefore, when one reads the Hiſtory of this Prince, to ſee him wholly thoughtful how to keep the Crown upon his Head, becauſe of the Apprehenſion he was under continually, leſt the Efforts of his Enemies ſhould at laſt be too powerful for all his Precautions. It was this Fear that made him always extremely cautious of engaging in foreign Wars, which might call his Eyes off from the ſtrict Watch he thought ſo neceſſary to keep over his own Subjects. But being covetous of Money to the laſt degree, and on the other hand the moſt dextrous Man in the World to turn every Thing to his own Advantage, he often engag'd in thoſe Wars for a Pretence only to demand Subſidies of the Parliament to enable him to ſupport them; and when he had obtain'd them, his next and only Care was to make Peace. It was not in this alone that he diſcover'd his exceſſive Avarice, but in abundance of other Inſtances, upon which I have not room to expatiate: It may be ſufficient for me to obſerve that theſe two Paſſions, his Fear of loſing the Crown, and his Avarice, are properly the diſtinguiſhing Characters of his Reign: They are as it were the two Maſter-Keys which let us into the Motives of his Conduct, and at the ſame Time into the Aim and Meaning of a vaſt number of Inſtruments in this and the next Tome of the *Fœdera*, which otherwiſe one could never have fully underſtood.

His Character.

WHEN *Henry* reſolv'd to return to *England* upon the Invitation even of the *York* Party, it is highly probable that he conſider'd his future Marriage with the Princeſs *Elizabeth*, as the firſt Step by which he could expect to riſe to the Throne. But when he ſaw his Army ſo impatient to proclaim him King, immediately after his Victory over *Richard*, that they would needs do it in the very Field of Battel, then he was determin'd undoubtedly to put himſelf in Poſſeſſion of the Crown by his own Right, without being beholden for it either to his Marriage or to the Parliament. When he had form'd this Reſolution, he was cautious in every Step he took of mixing his Title with that of the *York* Family, though it was upon that Score that the Adherents of both Families had united in his Favour. And it was with this View that he caus'd himſelf to be crown'd by the Name of *Henry* VII, before the Celebration of his Marriage, and before the Seſſion of Parliament: Conſequently, when the Parliament met a few Days after the Coronation, they had nothing to do but to continue the new King, who was actually upon the Throne; though by what Right he ſat there, they did not very well know. *A Diſſertation on his Right to the Crown.*

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Henry had his Reaſons for acting in this manner. He was very ſenſible, that if he had referr'd his Title to the Examination of Parliament, he could only have been admitted by favour of his Marriage with *Elizabeth* of *York*, according to the Intention of thoſe who had call'd him over; but in this he found two great Inconveniencies: In the firſt place, that it would look as if he renounc'd his own Right for the ſake only of being King by his Wife's Courteſy. In the ſecond place, *Elizabeth* might die before him without Iſſue, and in that caſe *Cæcilia*, her younger Siſter, would have an indiſputable Title to the Crown, whether *Henry* enjoy'd it in Capite from the Queen, or by virtue of an Union of the Rights of the two Houſes. For this reaſon he always laid it down for a Principle, that the Houſe of *York*'s Pretenſions were at beſt but frivolous, and that the Crown was indiſputably devolv'd to him. Nevertheleſs, the extraordinary Jealouſy which he always diſcover'd of the Houſe of *York*'s Pretenſions ſhew'd that he was not ſure of the Juſtice of his Title, as he would fain have had it believed. The Earl of *Warwick*, Son to *George* Duke of *Clarence*, was the firſt Inſtance of that Jealouſy. *Richard* III had caus'd this young Prince, who was his elder Brother's Son, to be ſhut up in the Caſtle of *Sheriff-Hutton* in *Yorkſhire*, for fear leſt he ſhould diſpute the Crown with him. But *Henry*, to make ſtill more ſure of him, had him remov'd to the Tower while he was on the Road for *London*, becauſe he did not care to leave a Prince at ſuch a diſtance from him, who, if he ſhould chance to eſcape from Priſon, might prove a very troubleſome Thorn in his Side.

Henry's Jealouſy of the Houſe of York.

Earl of Warwick committed to the Tower.

Parliament's Indifference about Henry's Title.

THE firſt Parliament that met in this Reign, being in a Diſpoſition to follow the Directions of the new King, did not think fit to examine by what Authority *Henry* plac'd himſelf on the Throne; and indeed ſuch an Inquiry would have been to no purpoſe, ſince he had already the Crown upon his Head. They made an Act therefore conformable to the King's Intereſt, by which it was enacted, *That the Imperial Crown of* England *ſhould continue to King* Henry *the Seventh, and his Poſterity.* This Act made no mention either of the Rights of the *York* Family, or of thoſe of the Houſe of *Lancaſter*, nor of the King's Marriage to *Elizabeth*. As every body had a Notion that *Henry* only came into *England* with an Intention to blend his Rights with thoſe of the *York* Family, the King was very glad to leave them in the ſame State of Uncertainty on that Head, and was ſatisfy'd in his having caus'd an Act to be paſs'd which did not in the leaſt interfere with his Deſign entirely to exclude the Family of *York*. Conſequently, no body could as yet know upon what Foundation the King's Right was grounded. *Henry* took care afterwards to get this Act confirm'd by a Bull from the Pope, which ſhew'd that he had produc'd four Titles to his Holineſs, but without giving the Preference to any one more than another: Theſe were, 1. His Deſcent from *John* of *Gaunt* Duke of *Lancaſter*. 2. His Marriage with *Elizabeth* of *York*. 3. His Victory at *Boſworth*. And, 4. the above-mention'd Act of Parliament. The Allegation of all theſe Titles together, which ſeem'd to corroborate one another, only ſerv'd to ſhew in the main how uncertain he was, with reſpect to the Foundation of his Right. Mean while, ſince he was not marry'd at the time of his Coronation, and that the Act of Settlement was not yet made, it is evident, that, at that time, he could only ground his Claim upon the firſt and third of thoſe Titles.

HENRY VII.

Their Act in favour of him.

Confirm'd by a Bull from the Pope.

HENRY did not marry *Elizabeth* 'till about two Months after his Coronation, leſt he ſhould be thought to ſtep into the Throne by Right of his Wife, or at leaſt by virtue of the Rights of the two Houſes blended together by the Marriage. And as they were akin to each other from the third to the fourth degree of Conſanguinity, they ſtood in need of a Diſpenſation. The Biſhop of *Imola*, who was the Pope's Nuncio in *England* and *Scotland*, with the Power of *Legate a latere*, granted him a Diſpenſation by virtue of an Authority veſted in him, to give ſuch Diſpenſations to twelve Perſons, who ſtanding in the ſame Degree of Relation, had a mind to contract ſuch Marriages. Afterwards, *Henry* fearing there might be ſome Flaw found in it, becauſe it was not natural for a King and a Queen to be compris'd in the Power given to a Nuncio, deſir'd and obtain'd another Diſpenſation of the Pope himſelf; but becauſe this made no mention of the former Diſpenſation, and was dated likewiſe after the Conſummation of the Marriage, he procur'd a third, which confirm'd what he had from the Nuncio.

His Diſpenſations for his Marriage.

It was perfectly againſt the Grain that this Prince marry'd *Elizabeth*, for he would undoubtedly have dropp'd her if he could, or durſt have done it. But the ſolemn Oath he had taken in the Church at *Rennes*, and the Fondneſs of the People of *England* for this Marriage, did not permit him to take off the Mask ſo openly. Nevertheleſs, he could not help fearing that this Marriage would do him a Prejudice, becauſe every body was convinc'd in their Minds, that the reaſon of his being call'd over was to unite the Ti-

His Averſion to the Match.

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tles of the two Houſes, and becauſe they made but little Account of his Right abſtracted from that of *Elizabeth*. Moreover, he had a mortal Averſion to the whole Family of *York*, without excepting even the Queen his Wife, whom he conſider'd as his Rival, and whom he mortify'd in a great many Inſtances.

And to the whole York *Family.*

His indifferent Carriage to the Queen.

He did not conſent to her Coronation 'till two Years after their Marriage; and probably never would, if the Uneaſineſs which ſuch harſh Treatment of her created among the People, had not made him apprehenſive of the greateſt Inconveniencies. Tho' they were properly the Friends and Creatures of the Houſe of *York* who had plac'd him on the Throne, yet when he had form'd the Reſolution to reign by his own Right ſolely, he was ſenſible how much they were againſt it; and therefore from that time could never repoſe any Confidence in them. It was his Partiality for the Friends of the Houſe of *Lancaſter* that brought all thoſe Croſſes upon him, to which he was expos'd during almoſt his whole Reign; whereas, if he could but have reſolv'd to have kept an even Balance between the Partiſans of both Houſes, and to have humour'd the Intention of thoſe who call'd him to the Crown, in all Probability his Reign would have been very quiet.

His Diffidence of the York-iſts.

IT being impoſſible to enter into an ample Detail of the Domeſtick Affairs of his Time in this place, I ſhall only point out the principal Events, the rather becauſe the Collection of the publick Acts does not furniſh a great many Pieces for this Article. What I have ſaid hitherto, and a great part of what I ſhall add hereafter, is not ſo much for explaining the Acts which relate to Domeſtick Affairs, as for keeping to the Plan I firſt laid down for abridging the Hiſtory of *England*.

Lord Lovel *and the* Staffords *take Arms againſt the King,*

THE King being at *York* about the middle of the Year 1486, received the News that the Lord *Lovel*, who had been one of the Confidents of *Richard* III, was marching againſt him at the Head of three or four thouſand Men; and that the two Brothers of the *Stafford* Family had taken Arms in *Worceſterſhire*, and laid Siege to the Capital of that County, which News could not but be very perplexing to him; for he was without Troops, in the very Heart of a County where the Houſe of *York* had a great number of Friends, and in a large City whoſe Affections he ſuſpected. Nevertheleſs, he put a good Face on it; and having rais'd ſome Troops in and about *York*, he gave the Command thereof to his Uncle the Earl of *Pembroke*, whom he had created Duke of *Bedford*. This Lord found a way to diſperſe the Rebels without fighting them, and to oblige the Lord *Lovel* to fly to *Flanders*. The two *Staffords* hearing of this, endeavour'd likewiſe to make their Eſcape, but were taken, and the eldeſt was beheaded.

but are oblig'd to fly, and the Rebels to diſperſe.

THE Queen was deliver'd this Year of a Prince, to whom the King gave the Name of *Arthur*, in memory of the famous *Arthur* King of the ancient *Britons*. *Henry* being of the *Welſh* or *Britiſh* Race, gave himſelf out to be a Deſcendant from the ancient Kings of the *Welſh*, and in all probability when he gave the Name of *Arthur*, to the new-born Prince, he aim'd to have it underſtood, that he deriv'd his Origin from that ancient *Britiſh* Monarch.

The Queen's Delivery of a Prince who is nam'd Arthur.

MEAN time the People ſeem'd very uneaſy that the King did not talk of Crowning the Queen, even after ſhe had brought him an Heir. On the other hand, they look'd upon the Confinement of the Earl of *Warwick*, who had been guilty of no Crime, as a very great Injuſtice. At the ſame time a Report was rais'd that the King had a mind to make away with this Prince, who was an Eyeſore to him; and while the People were in this ſort of Ferment, the King's Enemies thought it their beſt way to improve it. They began by ſpreading a Rumour that the Earl of *Warwick* had made his Eſcape out of the Tower; and afterwards, a certain Prieſt who had the Education of a Boy nam'd *Lambert Simnel*, the Son of a Baker, undertook to make him paſs for the Earl of *Warwick*, and carry'd him firſt of all into *Ireland*, where the Earl of *Kildare*, who was then Governour, own'd him in that Quality, and caus'd him to be proclaim'd King of *England* in *Dublin*, by conſent of the Council of State and the Magiſtrates of the City. The Readineſs with which the *Iriſh* had own'd the Impoſtor for Earl of *Warwick*, convinc'd the King that the Prieſt was not the firſt nor the principal Author of the Impoſture. He made no queſtion but the Queen Dowager his Mother-in-law had a great Hand in it, and whether he had any Proof of it, or only a Suſpicion, he confiſcated her Eſtate, and confin'd her to a Monaſtery, where ſhe ended her Days. Mean time, in order to undeceive the People, he caus'd a Proceſſion to be made thro' the high Streets of *London*, at which he brought out the Earl of *Warwick*, to be preſent, that every body might ſee him.

Story of Simnel *the Impoſtor.*

Proceſſion made in London *to ſhew the Earl of* Warwick *to the People.*

NOT long after this the King had an Opportunity to be confirm'd in his Suſpicion, that the Prieſt and the ſham Earl of *Warwick* were but Tools, which the *York* Family made uſe of in hopes to dethrone him. The Earl of *Lincoln*, Son to *Elizabeth* the Counteſs of *Suffolk*, and Siſter to *Edward* IV, went ſecretly out of *England* to *Flanders*, to meet his Aunt the Dutcheſs

Earl of Lincoln *goes to Flanders and returns with a Supply for* Simnel.

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Dutcheſs Dowager of *Burgundy*, who furniſh'd him with Money and 2000 *German* Soldiers to ſupport the Cauſe of the ſham Earl of *Warwick*. With this Supply the Earl of *Lincoln* ſail'd to *Ireland*, where *Simnel* had already rais'd an Army. Without entering into too particular a Narrative of this Affair, it is ſufficient to obſerve, that *Simnel* was crown'd at *Dublin* *. After which he paſs'd over to *England* with his Army, and put the King under a Neceſſity of expoſing his Crown to the Risk of a Battle, which however he won, and the Earl of *Lincoln* therein loſt his Life; *Simnel* being taken Priſoner obtain'd his Pardon, and was honour'd with the Poſt of Scullion in the King's Kitchen. The Battle I am ſpeaking of was fought near *Stoke*, *June* the 6th, 1487.

Battle of Stoke. Simnel taken Priſoner, and made a Turn-ſpit in the King's Kitchen.

The Queen crown'd.

THE King at his Return from the Campaign, being ſenſible what a Number of Malecontents there was in the Kingdom, reſolv'd at length to have his Queen crowned.

Another Inſurrection in the North ſuppreſs'd.

IN 1488 there was a Riſing alſo in the North, which oblig'd the King to ſend an Army thither under the Command of the Earl of *Surry*, who beat the Rebels and diſperſed them.

A Conſpiracy againſt the King.

WHILE the King was taken up with an important Affair relating to the Dutchy of *Bretagne*, of which I ſhall treat in the ſecond Article, a Conſpiracy was form'd againſt him, which prov'd afterwards very troubleſome to him. The Dutcheſs Dowager of *Burgundy*, Siſter to *Edward* IV, having brought up a Youth nam'd *Perkin Warbeck*, † who tho' the Son of a converted Jew at *Tournay*, was born in *England*, and talk'd the *Engliſh* Language very well; ſhe undertook to make him paſs for the young Duke of *York*, whom King *Richard* had put to Death in the *Tower* at the ſame time with *Edward* V his Brother.

Perkin Warbeck *another Impoſtor.*

His Voyage to Portugal, and from thence to Ireland.

AFTER having ſufficiently tutor'd this Stripling to act his Part, ſhe ſent him to *Portugal* where he ſtay'd about a Year. And when the time came that *Henry* was juſt entring into War with *France*, *Perkin* had Orders to ſail to *Ireland*, where the Dutcheſs had ſecur'd him ſome Friends, and ſettled a Correſpondence for him. When he was arriv'd in *Ireland*, he wrote to ſeveral Lords to come and join him.

From thence to France,

During this, *Charles* VIII, King of *France* hearing that the young Man was in *Ireland*, offer'd him his Protection, and ſent for him to his Court, where he own'd him for Duke of *York*. But ſome time after, which was in 1492, as he was on the point of making a Peace with *Henry*, he turn'd off the ſham Prince, who retir'd to the Dutcheſs of *Burgundy* in *Flanders*, who after having made as if ſhe ſuſpected and would puniſh him for an Impoſtor, confeſs'd the Proofs he brought of his pretended Title to be as clear as the Sun, and own'd him for her Nephew.

and Flanders.

Dutcheſs of Burgundy's *Diſſimulation.*

ALL this while the Friends of the Houſe of *York* were acting in *England* to make a Party for the pretended Duke: And ſome of them actually went over to *Flanders* in 1493, to offer him their Services. Of this Number was *Clifford*, who appear'd at firſt very zealous for him, but took a Bribe from the King to whom he diſcover'd all the Perſons with whom the Dutcheſs of *Burgundy* correſponded in *England*, which coſt the Lives of ſome of them, and particularly Sir *William Stanley*, the High-Chamberlain, who had done the King conſiderable Service in the Battle of *Boſworth*.

Clifford *betrays* Perkin's *Party.*

IN fine, after *Perkin* had ſtay'd two Years or thereabouts with the Dutcheſs of *Burgundy*, ſhe furniſh'd him with Men and Shipping in 1495, to go and make a Deſcent upon the *Kentiſh* Coaſt, in which Enterpriſe he had but ill Succeſs; for the Troops he had ſent aſhore were put to the Sword, and as for *Perkin* himſelf, who ſtay'd aboard his Veſſel, he return'd to *Flanders*.

Perkin's *Miſcarriage in a Deſcent upon* England.

NOT long after, the Dutcheſs ſent him into *Scotland*, where King *James* IV owned him for Duke of *York*, and in 1496 gave him one of his Kinſwomen in Marriage: And more than all this, the very next Year King *James* march'd at the Head of an Army into *England* to favour the Intereſts of *Perkin* who accompany'd him; but finding at the Year's end that the *Engliſh* did not come to his Standard as he imagin'd they would, he ſent back the Impoſtor to *Ireland*, and concluded a Truce with *Henry*.

He goes to Scotland *and is ſupported by King* James.

but turn'd off and ſent to Ireland.

IN 1496, while the King of *Scotland* was ravaging the Frontiers of *England*, there was a terrible Inſurrection againſt *Henry* in the County of *Cornwal*. The Rebels having form'd a very numerous Army, with the Lord *Audley* at their Head, march'd directly to *London* with a deſign to give the King Battel. It is eaſy to gueſs what they would have done if they had gain'd the Victory. But *Henry* who

Inſurrection in Cornwal.

Rebels march to London, *and are ſuppreſs'd.*

* Sir *James Ware* in his Appendix *ad Diſquiſ. de Hibernia*, ſays he was crown'd with a Crown taken from a Statue of the Virgin *Mary* in one of the Churches; that the Biſhop of *Meath* actually preach'd his Coronation Sermon, and that the Lord Deputy, Lord Chancellor, Lord Treaſurer, Earl of *Lincoln*, Lord *Lovel*, and many other Perſons of Quality were preſent to countenance the Ceremony.

† THE Lord *Verulam* in his Hiſtory of this Reign, ſays, his true Name was *Peter Oſbecke*; that King *Edward* IV was his Godfather; and that being a dainty effeminate Youth he was commonly call'd *Peterkin*, or by the diminutive word *Perkin*; and that even after his true Name was known, he had been ſo much talk'd of by that of *Warbeck*, that it ſtuck by him to the laſt.

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waited for them upon *Blackheath* near *London*, gave them ſuch a warm Reception that he put them entirely to the Rout.

But riſe again in Cornwal *and ſend for the Duke of* York *who joins them, but fearing* Henry's *approach, flies to a Sanctuary and is committed to the* Tower.

Yet for all this, the Populace roſe again the Year following, and the Ringleaders of the Inſurrection hearing that the pretended Duke of *York* was in *Ireland*, invited him to come over and head them. He accepted of the Invitation, and repairing to that Country, there took the Title of King, by the Name of *Richard* IV; after which he went and laid Siege to *Exeter*. But the King having ſent ſome Troops that way, and preparing to go thither himſelf with a numerous Army, *Perkin Warbeck* was ſeiz'd with a Pannic, left his Troops and retir'd to a Sanctuary, which he voluntarily quitted nevertheleſs, upon the Promiſe made to him by the King to ſave his Life; and he was committed to the *Tower* of *London*.

And at laſt hang'd for a Deſign to eſcape.

IN 1499, having found means to corrupt ſome of the Domeſticks belonging to the Lieutenant of the *Tower*, he agreed to make his eſcape with them, and the Earl of *Warwick* was unhappily perſuaded to enter into the Deſign; but being diſcover'd, the King took that opportunity to hang up *Perkin Warbeck*, and to cut off the Head of the Earl of *Warwick*, which was done in 1500. It was hardly doubted but the King laid this Trap for them, on purpoſe that he might have a fair Opportunity to put them both to Death.

Prince of Wales's *Marriage and Death.*

ARTHUR Prince of *Wales* marry'd *Catherine* of *Arragon* Daughter to *Ferdinand* and *Iſabel* King and Queen of *Spain* in 1501, but dy'd in 1502. *Henry* his younger Brother was declar'd Prince of *Wales*, after it was clear that the Princeſs Dowager was not with Child; for no body then doubted that *Arthur*'s Marriage with *Catherine* had been conſummated.

Death of King Henry's *Queen.*

IN 1503, Queen *Elizabeth* Wife to King *Henry* died.

His Avarice, and his Tools to gratify it.

THE King finding nothing to ruffle him either at Home or Abroad, gave himſelf up without meaſure to the Paſſion of heaping up of Wealth, which was what he ſet his whole Heart upon. For this end he employ'd *Empſon* and *Dudley* the Tools of his Avarice, who committed Acts of Injuſtice and Violence without Number. This render'd the King ſo odious to his Subjects, that the Earl of *Suffolk* fancy'd, that as they then ſtood affected, he had a fair Opportunity to rob him of his Crown. This Earl was Brother to the Earl of *Lincoln* who was kill'd at the Battel of *Stoke*. After having imparted his Deſign to ſome of his Friends, he went to his Aunt the Dutcheſs of *Burgundy*, to adviſe with her about the putting it in Execution. But *Henry* made uſe of the ſame means to break his Meaſures that he had employ'd againſt *Perkin Warbeck*. For he ſent Perſons to him, who on pretence of a Deſire to engage in the Conſpiracy, divulg'd his Secrets to the King, by which means ſeveral of the Earl's Accomplices loſt their Lives.

The Earl of Suffolk *forms a Conſpiracy againſt him.*

HENRY VII.

And is betray'd.

THIS ſame Year a Marriage was concluded betwixt *Henry* Prince of *Wales*, and *Catherine* of *Arragon*, the Widow of his Brother Prince *Arthur*; for which extraordinary Match a Diſpenſation was granted by Pope *Julius* II, who pleaded the neceſſity of it for preſerving the Peace and Union betwixt the two Kings their Fathers. But the true Reaſon was that *Henry* and *Ferdinand*, who knew how matters ſtood with each other very well, were equally at a Loſs, the one to get back the hundred thouſand Crowns which he had already paid towards *Catherine*'s Portion for her Marriage with Prince *Arthur*, and the other how to find out a way to evade the making of ſuch Reſtitution, or the putting of *Catherine* in poſſeſſion of her Jointure: So that this ſecond Marriage ſuited the Conveniencies of both alike; yet it was not conſummated 'till after *Henry* VII's Death.

Prince of Wales's Marriage and the Pope's Diſpenſation for it.

IN 1504, *Henry* intended to have King *Henry* VI canoniz'd, but it is ſaid that the exceſſive Sum which the Court of *Rome* demanded for the Ceremony, made him alter his mind; and therefore he contented himſelf with removing that Prince's Bones, which lay at *Windſor*, to thoſe of his Anceſtors at *Weſtminſter*.

Henry VII *propoſes to have* Henry VI *canoniz'd.*

IN 1506, *Philip* Archduke of *Auſtria* and King of *Caſtile*, going to *Spain* with his Queen *Joan*, was forc'd by a Tempeſt into the Harbour of *Weymouth*. While he ſtay'd in *England*, which was about four Months, *Henry* with ſome Difficulty prevail'd on him to deliver up the Earl of *Suffolk* to him, who was ſtill in *Flanders*, on condition that he would ſpare his Life. When this Nobleman was return'd to *England* he was clapp'd up in the *Tower*.

Earl of Suffolk *deliver'd up to the King.*

Committed to the Tower.

Henry and *Philip* concluded three conſiderable Treaties together. The firſt was a Treaty of Friendſhip, Alliance and Confederacy between the two Princes. The ſecond a Treaty of Commerce between *England* and the *Low-Countries*; and the third a Marriage Treaty betwixt *Henry* and *Margaret* of *Auſtria*, who was *Philip*'s Siſter and the Duke of *Savoy*'s Dowager, but it came to no Effect.

Henry's *Treaties with* Philip *of* Spain.

PHILIP dying in *Spain*, the Emperour *Maximilian* undertook the Guardianſhip of *Charles*'s Grandſon, who was afterwards Emperor by the Name of *Charles* V, and gave the Government of the *Netherlands* to his Daughter *Margaret*.

Philip's *Death.*

IN *December* 1707, a Treaty was concluded at *Calais* for the Marriage of *Charles* the Archduke and Prince of *Spain*, who

Marriage of Henry's *2d Daughter to the Archduke.*

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who was about ſeven Years of Age, with *Mary* the ſecond Daughter of *Henry*, which Marriage was celebrated by Proxy in *December* 1508.

Henry's Death.

HENRY VII dy'd the 22d of *April* 1509, leaving 1,800,000 *l. Sterling* in his Coffers; which was a prodigious Sum in thoſe Days, when Money was by much ſcarcer than it is at preſent.

THE moſt remarkable Pieces in this and the thirteenth Volume of the publick Acts, with reſpect to the Domeſtick Affairs of *Henry* VII's Reign, are as follow.

Diſpenſation for the King's Marriage. 294.

1. A BULL of *Innocent* VIII, for the Diſpenſation of the King's Marriage with *Elizabeth*; dated the 6th of the Nones of *March*, 1486 [a].

THIS was the ſecond Diſpenſation, for we don't find that granted by the Biſhop of *Imola*, in Mr. *Rymer's* Collection; the Date of it is poſterior to the Marriage. In the firſt place the Pope mentions the Prayer of the Petition which was preſented to him on the part of *Henry* and *Elizabeth*, and the Motives of it, *viz.* That there had been long Wars between the two Houſes of *Lancaſter* and *York* in which a great deal of Blood had been ſpilt, and finally that they thought their Marriage neceſſary in order to put an end to the Diviſions in the Kingdom. And, ſays the Pope, *Quod Tu tandem, Henrice Rex, poſt hujuſmodi clades, & longum ob præfatas Diſſentiones Tui exilium, Dei adjutorio atque clementia, ad Regnum præfatum, Jure Hæreditario ad Te legitimum in illo Predeceſſorum tuorum Succeſſorem pertinens, reſtitutus, & in Regem coronatus, ac à Concilio, ſive Conventu generali dicti Regni, Parliamentum nuncupato, nemine contradicente, pro eorum vero, legitimo & indubitato Rege, receptus, habitus, tentus & reputatus fuiſti, prout ab univerſis Prælatis, Proceribus, Magnatibus & populis dictus haberis, teneris, & reputaris de præſenti*, &c.

i. e. "And becauſe you, King *Henry*, "after ſuch Bloodſhed, and your tedious "Exile by reaſon of the Diviſions aforeſaid, are at length thro' the Divine Mercy "and Aſſiſtance reſtored to the ſaid Kingdom, appertaining by Hereditary Right "to you the lawful Succeſſor of the Kings "thereof your Predeceſſors, and are not "only crown'd King, but have been receiv'd, held and reputed *Nemine Contradicente* by the General Council or "Convention of the Kingdom call'd a "Parliament, for their true, lawful, and "undoubted King, as you are from henceforth held and eſteem'd by all the Prelates, Lords Temporal, and Commons "aforeſaid."

IT is evident from hence, that *Henry* did not intend to make his Queen a Sharer of his Royalty, becauſe he declar'd himſelf ſole Succeſſor by hereditary Right, without making any mention of the Title of *Elizabeth*.

The Pope's Bull for ſetling the Succeſſion.

2. THE Bull of *Innocent* VIII, which approves and confirms the Act of Parliament made for ſecuring the Crown to *Henry* VII and his Poſterity; dated the 6th of the Calends of *April*, 1486 [b].

AETER the Pope has mention'd the Diſpenſation granted for *Henry's* Marriage with *Elizabeth*, and the Motives of it, he proceeds thus;

QUARUM quidem literarum noſtrarum, & aliarum prædictarum Diſpenſationum Tenores, præſentibus, ac ſi de verbo ad verbum inſererentur, habere volumus pro expreſſis, legitimamq; Liberorum Succeſſionem, ac etiam Pronunciationem, & Decretum Parliamenti, tam ſuper Titulo ipſius Henrici Regis, quam ſuper Succeſſione Liberorum ac Hæredum ſuorum, necnon alia Præmiſſa Auctoritate Apoſtolica, Tenore Præſentium confirmamus & approbamus — Monemuſque & requirimus Motu, Scientiâ & Auctoritate prædictis, omnes & ſingulos dicti Regni Incolas, & ejuſdem Regis Henrici ſubditos cujuſcunque gradus, ſive — & cuilibet eorum diſtricte præcipiendo inhibemus ne ipſi novos tumultus, occaſione Juris ſuccedendi, movere ſeu moveri faciant — — — ſub Excommunicationis & Majoris Anathematis pœnâ. — Omnes, hujuſmodi tumultus excitantes aut Prædictis contravenientes, ex nunc prout ex tunc, & ex tunc prout ex nunc, eo ipſo incurrant, & illius vinculo innodatos ipſo facto volumus, ſtatuimus, &c.

ET (ſi quod Deus avertat) contingat ipſam Elizabetham, Prole ex ipſo Henrico non ſuſcepta, vel ſuſcepta, non tamen tunc ſuperſtite, decedere ante ipſum Regem, eo caſu, Prolem ex ipſo Rege Henrico, & alia quacunque Uxore ab eo ſemper ducenda, in omni Jure Hæreditario Regni hujuſmodi, juxta antedictum ipſius Parliamenti Decretum, & hujuſmodi noſtram ipſius Approbationem, ſuper hujuſmodi Decreto, & aliis prædictis, ut præmittitur, factum, ſuccedere debere, ſimilibus motu, ſcientia & auctoritate etiam decernimus & declaramus.

i. e. THE Tenor of which our Letters and other Diſpenſations aforeſaid, we require to be as expreſly obſerv'd as if they were inſerted word for word in theſe Preſents; and by our Apoſtolical Authority we do by the Tenor of theſe Preſents ap-

[a] At *Rome.* [b] At *Rome.*

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prove and confirm the legal Succeſſion of the Children, as alſo the Sentence and Decree of Parliament, as well concerning the Title of the ſaid King *Henry*, as concerning the Succeſſion of his Children and Heirs, together with the other Premiſes.——And from our own Motion, certain Knowledge and Authority aforeſaid, we admoniſh and require all and ſingular the Inhabitants of the ſaid Kingdom and the Subjects of the ſaid King *Henry*, of what degree ſoever—and ſtrictly enjoin every one of them not to raiſe or cauſe any new Tumults to be rais'd on account of ſuch Right of Succeſſion——under the Pain of Excommunication, and the greater Curſe——which all Perſons exciting ſuch Tumults, or contravening the Premiſes, will by ſo doing incur both now and hereafter, and we do *ipſo facto* enjoin and pronounce them bound in the Bond thereof.

And if (which God forbid) it ſhould ſo happen, that *Elizabeth* ſhould depart this Life before the King, without Iſſue by the ſaid *Henry*, or without ſuch Iſſue then ſurviving; in that caſe, we do alſo from our own Motion, Knowledge and Authority as aforeſaid, decree and declare, that the Iſſue of the ſaid King *Henry* by any other Wife whatſoever whom he ſhall marry, ought to ſucceed in and by all the hereditary Right of the Kingdom, according to the aforeſaid Decree of the ſaid Parliament, and to ſuch our Approbation of the ſaid Decree, and of the other Premiſes.

AFTER this we find ſeveral Cenſures againſt the Contraveners; Indulgences for ſuch as ſhall aſſiſt *Henry* and his Deſcendants; and poſitive Orders to the Clergy to publiſh the Excommunication contain'd in the Bull upon Sundays and Holidays, as ſoon as ever requir'd.

Remarks on the Bull.

I KNOW not how it is poſſible to reconcile this Bull with the Liberties of the People of *England*. There was a great Clamour formerly in the Reign of *Henry* III, becauſe that Prince had got himſelf abſolv'd by the Pope, from an Oath which he had taken with relation to the Affairs of the Kingdom. And one of the Articles of Impeachment againſt *Richard* II, was for his getting the Pope to confirm the Acts of the Parliament of *Shrewsbury*. It is true, that in this Bull the Pope ſaid he acted *motu proprio*, of his own Motion. But it is ſcarce credible that he ſhould take upon himſelf to confirm an Act of Parliament which had no relation to the Church or Religion, if he had not been put upon it by the King. Be it which way it will, this may be ſaid to be one of the greateſt Blows that ever was given to the Liberties of *England*.

3. A BULL of Diſpenſation for the King's Marriage, containing a formal Approbation of the Diſpenſation granted by the Biſhop of *Imola*, which is the third Diſpenſation, and dated the 10th of the Calends of *Auguſt*, 1486 [c].

The third Diſpenſation of the King's Marriage. 313.

4. THE King's Order for reſtoring the Temporalities of the Archbiſhoprick of *Canterbury* to *John Moreton*; dated *December* 6, 1486 [d].

Temporalities of the Archbiſhop of Canterbury *reſtor'd.* 317.

THIS was that *John Moreton* Biſhop of *Ely*, to whom the Duke of *Buckingham* imparted his Deſign of calling over the Earl of *Richmond* to place him upon the Throne. This Prelate was afterwards made a Cardinal, and as long as he liv'd, was *Henry* VII's chief Miniſter.

Character of John Moreton *the Biſhop of* Ely.

5. A BULL commiſſioning certain Biſhops to draw up Informations againſt the Archbiſhops of *Armagh* and *Dublin*, and the other Prelates who had aſſiſted in the Coronation of *Lambert Simnel*, dated [e], the Nones of *January*, 1488.

Informations order'd againſt the Biſhops who had crown'd Simnel. 332.

6. ANOTHER, declaring the *Iriſh* to be included in the Bull of *April* 1486, which excommunicates thoſe who ſhall rebel againſt the King; dated [f] the 16th of the Calends of *June*, 1488.

The Iriſh *included in the Bull againſt the Rebels.* 341.

IT is ſet forth in this Bull, that the King had repreſented to the Pope, that perhaps his *Iriſh* Subjects might pretend they were not compris'd in the Excommunication fulminated by the Bull of *April*, 1486. From whence it may be inferr'd that *Henry* had deſir'd the former Bull, or at leaſt that he propos'd to put it in execution.

7. THE Ratification of a Treaty concluded the 27th of *March*, 1489, with *Ferdinand* and *Iſabel*; dated *September* 23, 1490 [g].

Treaty with the King and Queen of Spain. 417.

THIS Treaty contain'd, 1. A Peace and Alliance between *Ferdinand*, *Iſabel*, and Prince *John* their Son on the one Part, and *Henry* and his Son *Arthur* on the other, and their Heirs and Succeſſors lawfully deſcended from their Bodies. 2. A Promiſe to aſſiſt one another upon all Occaſions. 3. A League againſt *Charles* VIII, of which we ſhall take notice under the next general Head. 4. Conventions touching the Marriage of Prince *Arthur* with *Catherine*, the 4th Daughther of *Ferdinand* and *Iſabel*, when the Parties come of Age. *Catherine*'s Portion was 200,000 Crowns of Gold, each Crown fix'd at 4 *s.* 2 *d. Sterling*, payable one half at *Catherine*'s Arrival in *England*, the other in two Years after. The Jointure ſettled on her, was a third part of the Revenues of the Principality of

Prince Arthur's *Marriage Settlement on* Catherine, *and her Portion.*

[c] At *Rome*. [d] At *Weſtminſter*. [e] At *Rome*. [f] At *Rome*. [g] At the Royal Manor of *Oking*.

Wales,

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Wales, of the Dutchy of *Cornwal*, and of the Earldom of *Cheſter*, amounting to 25,000, or at leaſt to 23,000 Crowns of Gold.

From the making of this Treaty to the Conſummation of the Marriage, there was ſcarce a Year in which we don't meet with certain Explanations or new Conventions upon this Subject; which for fear of being too tedious, I ſhall not mention.

Pope's Bull for limiting the Privileges of Sanctuarius. 541.

8. The Bull of *Innocent* VIII, for limiting the Privileges of Sanctuaries, dated the 3d of the Nones of *July*, 1493 [h].

The Pope's Condeſcenſion in this Article, was extended ſo far as to give leave,

That Thieves, Murderers, Highwaymen, thoſe who deſtroy the Country in the Night, *if they go out of their Sanctuaries to commit any Miſchief, and return again*, might be taken out.

That as to others, their Retreat into Sanctuaries ſhould not be prejudicial to their Creditors, *if they enter therein on purpoſe to defraud them.*

That if Perſons ſuſpected of High-Treaſon be found in the Sanctuaries, *the King might, after their being convicted of it, ſend Guards to hinder them from going out.*

Licence to Sebaſtian Cabot, *to make new Diſcoveries and Settlements for the King.* 595.

9. A Patent for impowering *John Cabot*, a *Venetian*, and his Son *Sebaſtian* and *Santo*, to go with the *Engliſh* Flag in queſt of new Countries at their own Charge, and to take Poſſeſſion thereof in the King's Name, on Condition of giving the King a fifth of the Profit; dated *March* 5, 1496 [i].

Henry's Pecuniary Compoſition with the Rebels. 696.

10. A Commission to treat in the King's Name for the Pardon of the Adherents of *Perkin Warbeck*, and *Michael* the Farrier, and to proſecute ſuch as refuſed to ſubmit themſelves; dated *September* 13, 1498 [k].

There are ſeveral other Acts of the ſame Nature, which ſhew how greedy *Henry* was of Money.

The Juriſdiction of Jerſey, *&c. transferr'd to the See of* Winchester. 740.

11. A Bull of *Alexander* VI, for transferring the ſpiritual Juriſdiction of the Iſles of *Jerſey*, *Guernſey*, &c. from the Biſhop of *Coutance*, to the Biſhop of *Wincheſter*; dated the 13th of the Calends of *February*, 1500 [l].

12. A Publick Inſtrument for the Marriage of *Arthur* with *Catherine*, by a Proxy for *Catherine*, and by *Arthur* in Perſon; dated *May* 19, 1499, and ratify'd *May* 28, 1500, at *Calais*.

13. A Commission to call to Account the Adherents of *Perkin Warbeck*, to compound with them and with the Heirs of thoſe that are dead; dated *Auguſt* 6, 1500 [m].

Henry VII.

Commiſſion to call Warbeck's *Adherents to Account.* 766.

14. A Conge *d' elire* for the Archbiſhoprick of *Canterbury*, vacant by the Death of Cardinal *Moreton*; dated *January* 9, 1501 [n].

Conge d' elire for the See of Canterbury. 771.

15. The Settlement made by *Arthur* upon *Catherine* on the Day of Marriage; dated in *November*, 1501.

16. A Dispensation to *Thomas Wolſey*, Rector of *Lymington*, to hold ſuch Benefices as were incompatible; dated the 3d of the Nones of *November*, 1501, at *Rome.*

Diſpenſation to Wolſey *for Livings.* 783.

The moſt remarkable Acts relating to Domeſtick Affairs in the 13th Tome of the *Fœdera*, are theſe:

Prince of Wales *made Warden of the Foreſt of* Gaultres. 11.

1. A Patent appointing *Henry* Prince of *Wales* Warden of the Foreſt of *Gaultres* in the County of *York*; dated *June* 22, 1502 [o].

Prince *Arthur* died the 2d of *April* in this ſame Year, and in this Act his Brother *Henry* is ſtil'd Prince of *Wales*. This ſhews that the King did not ſtay 'till 1503, before he gave *Henry* the Title of Prince of *Wales*, as Lord *Bacon* ſays in his Hiſtory of *Henry* VII, tho' it is poſſible he did not ſolemnly inveſt him with it 'till 1503.

Patent for the Diſcovery of new Countries. 37.

2. A Patent impowering *Hugh Elyot* and *Thomas Aſhehurſt*, Merchants of *Briſtol*, together with *John Gonſalez* and *Francis Fernandes*, both *Portugueſe*, to go on the Diſcovery of new Countries; dated [p] *December* 9, 1502.

Prince Henry's *Marriage-Treaty with* Catherine. 76.

3. A Treaty betwixt *Henry*, and *Ferdinand* and *Iſabel*, for the Marriage of *Henry* Prince of *Wales* with *Catherine* of *Arragon*; dated *June* 23, 1503 [q].

This Treaty is in a proper Senſe the Copy of the Treaty that was made for *Arthur*'s Marriage to the ſame Princeſs, only with this Difference, that King *Henry* own'd in this Treaty the Receipt of 100,000 Crowns of Gold, the half of *Catherine*'s Portion, which was the hundred thouſand Crowns that *Ferdinand* had paid him for the former Marriage.

Election of Pope Julius II. 88.

4. A Brief or Letter from Pope *Julius* II *, to the Archbiſhop of *York*, to acquaint him of his Exaltation to the Pontifical Throne, which was the 1ſt of *November*,

[h] At *Rome*. [i] At *Weſtminſter*. [k] At *Maidſtone*. [l] At *Rome*. [m] At *Weſtminſter*. [n] At *Woodſtock*. [o] At *Weſtminſter*. [p] At *Weſtminſter*. [q] At *Richmond*.

* He took the Name of *Julius* from his Inclination to War; for he not only excommunicated all that oppos'd him, but as he marched once over a Bridge on the *Tiber*, he threw St. *Peter*'s Keys into it, and call'd for St. *Paul*'s Sword. He commanded his Army in Perſon againſt the *French*, and intended to have given their King's Title of *Moſt Chriſtian* to *Henry* VIII. *Monſtrelet*, the *French* Hiſtorian, thus deſcribes him. "He "left the Chair of St. *Peter*, and took upon him the Title of *Mars* the God of War, diſplaying his Triple "Crown

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vember, 1503. The Letter is dated the 6th of the Calends of *December* [r].

IT is neceſſary to know the exact Time of *Julius* II's Exaltation to St. *Peter*'s Chair, becauſe of a certain ſuppoſititious Letter which the *Germans* produc'd in the Affair of the Divorce of *Henry* VIII.

His Diſpenſation of Prince Henry's Marriage with Catherine. 89.

5. A BULL of *Julius* II, whereby he grants a Diſpenſation for the Marriage of Prince *Henry* with *Catherine*; dated the 7th of the Calends of *January*, 1503 [s].

THIS is that famous Bull, the Validity of which was ſo much diſputed in the Affair of the Divorce of *Henry* VIII.

Julius, &c.

OBLATA Nobis nuper, pro Parte veſtra, Petitionis ſeries continebat, quod, cum alias, Tu Filia Catherina, & tunc in Humanis agens quondam Arthurus—Matrimonium per Verba legitime de Præſenti contraxiſſetis, illudque carnali copula forſan conſummaviſſetis, dictus Arthurus, Prole ex hujuſmodi Matrimonio non ſuſcepta, deceſſit,

CUM autem, ſicut eadem Petitio ſubjungebat, ad hoc ut hujuſmodi vinculum Pacis & Amicitiæ inter præfatos Reges & Reginam diutius permaneat, cupiatis Matrimonium inter vos per verba legitime de præſenti contrahere, ſupplicari Nobis feciſtis, ut Vobis in Præmiſſis de opportunæ Diſpenſationis Gratia providere de Benignitate Apoſtolica dignaremur.

NOS igitur, qui inter ſingulos Chriſti Fideles, præſertim Catholicos Reges, & Principes, Pacis & Concordiæ amænitatem vigere, intenſis deſideriis affectamus, Voſque & quemlibet Veſtrum a quibuſcunque Excommunicationis, Suſpenſionis & Interdicti, aliiſque Eccleſiaſticis Sententiis, Cenſuris, & Pœnis a Jure vel ab Homine, quavis occaſione vel cauſa latis, ſi quibus quomodolibet innodati exiſtitis, ad effectum Præſentium duntaxat conſequendum, harum ſerie Abſolventes & Abſolutos fore cenſentes, hujuſmodi ſupplicationibus inclinati, Vobiſcum, ut impedimento Affinitatis hujuſmodi ex Præmiſſis proveniente, ac Conſtitutionibus & Ordinationibus Apoſtolicis, cæteriſque contrariis, nequaquam obſtantibus, matrimonium per Verba legitime, de Præſenti inter vos contrahere, & in eo poſtquam contractum fuerit, etiam ſi jam forſan hactenus, de facto, publicè vel clandeſtinè contraxeritis, ac illud carnali copula conſummaveritis, licitè remanere valeatis, Auctoritate Apoſtolica, Tenore Præſentium, de ſpecialis Dono gratiæ Diſpenſamus, *ac vos & quemlibet veſtrum, ſi contraxeritis, ut præfertur, ab exceſſu hujuſmodi, ac Excommunicationis Sententiâ quam propterea incurriſtis, eadem auctoritate abſolvimus,*

PROLEM ex hujuſmodi Matrimonio, ſive contracto, ſive contrahendo, ſuſceptam forſan vel ſuſcipiendam, legitimam decernendo, proviſo quod Tu, Filia Catherina, propter hoc rapta non fueris.

VOLUMUS autem quod, ſi hujuſmodi Matrimonium de Facto contraxiſtis, Confeſſor, per vos & quemlibet veſtrum eligendus, pœnitentiam ſalutarem propterea vobis injungat, quam adimplere teneamini.

NULLI ergo Hominum liceat, &c.

i. e. "The Tenor of the Petition lately preſented to us in your behalfs bears, "that whereas heretofore you (Daughter "*Catherine*) and *Arthur*, then living, "lawfully contracted Matrimony in the "words *de præſenti* (or from this time "forward) and perhaps conſummated it "by carnal Copulation, and the ſaid "*Arthur* died without Iſſue by the ſaid "Marriage.

"AND ſeeing that, as it is ſubjoin'd "in the Petition, ye deſire to be law-"fully marry'd in the words *de præ-"ſenti*, for the ſake of continuing "the Bond of Peace and Friendſhip be-"tween the King of *England* and the "King and Queen of *Spain*; in order to "which ye have caus'd Supplication to "be made to us, that we would of our "Apoſtolical Grace and Favour vouchſafe "to grant you a proper Diſpenſation, on "account of the Premiſes.

"WE therefore, who earneſtly wiſh "to ſee the Charms of Peace and Con-"cord flouriſh among all Believers in "Chriſt, but eſpecially the Catholick "Kings and Princes, being inclin'd to "grant your Petition, abſolve you and "each of you from all Excommunicati-"on, Suſpenſion, Interdict, and other "Eccleſiaſtical Sentences, Cenſures and "Penalties whatſoever, whether by Law "or Man, or for what cauſe ſoever inflict-"ed upon you, or that in the Caſe before

"Crown in the Field, and ſpending his Nights in the Watch. What a goodly ſight was it to ſee the Mitres, "Croſſes and Crofier-ſtaves flying up and down the Field? Sure no Devils could be there where Bene-"dictions were ſold ſo cheap!" In a word, his Reign was ſo imperious and barbarous, that the Cardinals were upon the Point of binding his Succeſſor to his good Behaviour, and preſcribing certain Rules for Infallibility to act by. The greateſt Eulogy that *Onuphrius* himſelf, who continued *Platina*'s Lives of the Popes, has beſtow'd upon him is, that he was *Bellicâ Gloriâ, pluſquam Pontificem deceret, Clarus:* More famous for Military Glory than became a Pope.

[r] At *Rome*. [s] At *Rome*.

mention'd

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" mention'd may be by Suit yet depend-
" ing; and out of our mere ſpecial
" Grace and Favour, by the Tenor of
" theſe Preſents, we do diſpenſe with
" you, ſo that any Impediment thro'
" the aforeſaid Affinity between you, any
" Apoſtolical Conſtitutions or Ordinan-
" ces, *&c.* to the contrary notwithſtand-
" ing, you may lawfully contract Mar-
" riage together *per verba de præ-*
" *ſenti*; and when it is ſo contracted,
" altho' it ſhould have been already ei-
" ther publickly or privately contracted,
" and *perhaps* conſummated by carnal
" Copulation, that you may lawfully re-
" main in that State; and by the ſame
" Authority we abſolve you and each
" of you, if you have contracted Marri-
" age as aforeſaid, from the Sentence of
" Excommunication which ye have there-
" by incurr'd; and we do further pro-
" nounce all the Children legitimate, ei-
" ther already, or yet to be born from
" the ſaid Marriage, either now or here-
" after to be contracted.

" PROVIDED that you (Daughter
" *Catherine*) did not ſuffer a Rape;

" AND we require, if ye have actually
" contracted ſuch Marriage, a Confeſſor
" to be choſe by you, or either of you,
" enjoin you ſome healthful Penance for
" ſo doing, which ye are hereby bound
" to perform.

" LET no Man therefore, *&c.*"

IF *Arthur*'s Marriage with *Catherine* had not been conſummated, as *Catherine* afterwards affirm'd, it is ſurprizing that *Julius* II ſhould not be acquainted with ſo favourable a Circumſtance, which would have been a better Plea for the Diſpenſation, than the pretended Neceſſity of maintaining the Peace between *England* and *Spain*.

" 6. A BULL for permitting the Tranſlation of the Body of King *Henry* VI, from *Windſor* to *Weſtminſter*, dated the 12th of the Calends of *June*, 1504 [t].

Henry VI's Corpſe remov'd to Weſtminſter. 103.

THE Petition which was preſented for obtaining this Bull, ſets forth, that *Henry* VI, *ut aliqui ferunt*, as ſome ſay, had he deſir'd to be interr'd at *Weſtminſter*; that nevertheleſs in order to extinguiſh the Memory of him, *ut veriſimiliter creditur*, as is credibly believed, he was bury'd in a ſecret Place of the Monaſtery of *Chertſey* *; but that ſeveral Miracles being wrought there by the ſaid *Henry*'s Interceſſion, *ut piè creditur*, as is *piouſly* believ'd, and the People flocking to his Tomb in Multitudes, his Enemies and thoſe who envied him caus'd him to be remov'd to *Windſor*, *&c.*

Remarks on it.

7. A BULL of *Julius* II, which orders Perſons who are ſuſpected of High-Treaſon, and fly for Refuge to Sanctuaries, to be taken out and deliver'd up to Juſtice, *tho' they have not been convicted before* [u].

Pope's Bull about Sactuaries. 104.

THIS was more extenſive and ſevere than the Bull of Pope *Innocent* VIII, mention'd above in the 1493.

8. THE King's Proclamation, giving notice that he has appointed Commiſſioners, to whom ſuch as have any Complaints or Demands upon him may have liberty to apply themſelves at any time within the ſpace of two Years to come; dated *Auguſt* 16, 1504 [x].

King Henry's Proclamation appointing a Committee of Grievances. 106.

IT is probable that the Murmurings of the People againſt *Empſon* and *Dudley* were the Cauſe of this Proclamation; but it is was not effectual enough to put a ſtop to the Acts of Injuſtice and Violence committed by thoſe two Miniſters.

Empſon and Dudley, two wicked Miniſters.

9. A TREATY of Friendſhip, Alliance and Confederacy between *Henry* VII and *Philip* I, Archduke of *Auſtria*, and King of *Caſtile*; dated *February* 9, 1506, at *Windſor*.

Henry's Treaty with King Philip of Spain. 123.

PHILIP was at that time in *England*.

THE Acts which follow this Treaty, ſuppoſe a Treaty to have been made on the 20th of *March*, for *Henry* VII's Marriage with *Margaret* of *Auſtria*, Siſter to *Philip* and the Dutcheſs Dowager of *Savoy*, but we don't find it in the Collection.

His Marriage Treaty with Margaret of Auſtria.

10. A COMMISSION to *John Young* to go over to the *Netherlands*, to ſee that ſeveral of the Nobility there took the Oath for obſerving the Treaty of the 20th of *March*, relating to the King's Marriage with *Margaret* of *Auſtria*. The Commiſſion is dated *May* 10, 1506 [y].

The Oath taken upon it by the Flemiſh Lords. 127.

[t] At *Rome*.

* THIS, in Mr. *Rapin*'s larger Hiſtory of *England*, is by miſtake call'd *Chelſey*, near *London*. Our Author fell in with the general Opinion, that *Henry* VII, who had ſollicited the Canonization of *Henry* VI, deſiſted from it, only becauſe of the Coſt that would attend it, the Pope having alledg'd that the ordinary Fees of that Honour (the greateſt upon Earth) would amount to 1500 Ducats of Gold, which were to be *increaſed according to the Dignity of the Perſon canoniz'd*. But the Lord *Verulam*, that incomparable Hiſtorian, who, ſays Dr. *Nicholſon*, has put himſelf into King *Henry*'s own Garb and Livery in the Account he wrote of his Reign, and gives as ſprightly a View of the Secrets of his Council as if he had been Preſident of it, thinks it more probable that Pope *Julius* (who was extremely jealous of the Dignity and Acts of the See of *Rome*) put him off with Delays, becauſe *Henry* VI being univerſally reckon'd a *ſimple Man*, the Pope was afraid it would leſſen the Eſteem of that kind of Honour, if there were not ſome Diſtance kept between *Innocents* and *Saints*.

[u] Dated as before. [x] At *Weſtminſter*. [y] At *Weſtminſter*.

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Her Portion.

IT appears by it, that in the Marriage Treaty *Philip* engag'd to give his Sister a Portion of 300,000 Crowns of *French* Gold, and a yearly Penſion of 30,850 Crowns in the ſame Money, as long as the Marriage ſubſiſted; and that ſeveral Noblemen of the *Low-Countries* engag'd by Oath to procure the Obſervation of the ſaid Treaty, as much as if it was their own Concern.

IN this thirteenth Tome of the *Fœdera*, we find a great number of other Acts which have regard to this Treaty, and the Obſervation of it. But *Philip* dying the ſame Year, and leaving no Children but what were under Age, *Henry* in all probability thought it would not be eaſy for him to cauſe this Treaty to be put in Execution, and therefore he dropp'd all Thoughts of this Marriage, which he had never concluded but for the ſake of the Money that he was to get by it.

Why the Marriage was never celebrated.

Marriage Treaty of Henry's Daughter Mary with Charles Prince of Spain. 371.

11. A TREATY for the Marriage of *Charles* Archduke of *Auſtria*, and Prince of *Spain*, with *Mary*, *Henry* VII's ſecond Daughter, concluded at *Calais December* 21, 1507.

BY this Treaty *Charles*, or *Maximilian* his Grandfather and Guardian, and *Margaret* his Aunt, engag'd in his Name to cauſe his Marriage to be ſolemniz'd by Proxy before the Feſtival of *Eaſter*, 1508, and to contract it with *Mary*, *per verba de præſenti*, 40 Days after he is full 14 Years of Age, on the Penalty of 250,000 Crowns. Moreover, *Maximilian Margaret*, 14 Noblemen, and 12 of the beſt Towns in the *Netherlands* were to engage for the performance of the Treaty, on the Penalty of 50,000 Crowns of Gold.

Her Portion and Jointure.

MARY's Portion was 250,000 Crowns of Gold, and her Jointure the ſame that was ſettled on *Margaret* of *York*, Dutcheſs of *Burgundy*.

AMONG the Acts of the Year 1508, we find ſeveral Obligations of the Nobility and Towns of the *Netherlands*, conformable to the Treaty abovementioned: As

Proxy for celebrating the Marriage. 230.

1. A PROXY from *Maximilian* and Prince *Charles*, to *John* Lord of *Bergen-op-zoom*, to go and celebrate the Marriage in the Name of *Charles*; dated *October* 27, 1508 [z].

IN this Act it is ſaid, that by reaſon of King *Henry*'s Illneſs, of which he is perfectly recover'd, the Term fix'd in the Treaty for ſolemnizing it was by common Conſent prolong'd.

The Marriage Inſtrument. 236.

2. A PUBLICK Inſtrument drawn up on the 17th of *December*, 1508 [a]. for the Celebration of the Marriage of *Charles* and *Mary*.

THESE are the Terms which the Lord of *Berghes* made uſe of for eſpouſing *Mary* in the name of Prince *Charles*. HENRY VII.

" THE moſt High and Mighty Prince, " my moſt Dread Sovereign Lord *Charles*, " by the Grace of God, Prince of *Spain*, " Archduke of *Auſtria*, Duke of *Bur-* " *gundy*, &c.——By me *John de Berghes* " his Proctor, by his ſpecial Commiſſion " and Proxy now read, declar'd and pub- " liſhed, to this end fully appointed and " ordain'd, takes you Lady *Mary* to his " Wife and Spouſe, and repoſes in you " as his true Wife and Spouſe. And my " ſaid moſt Dread Lord promiſes you, " and I promiſe you for him, that from " henceforth, and during his natural Life, " he will have, hold and repute you for " his Wife and Spouſe.

" AND accordingly, by the Virtue and " Authority above mention'd, He, and " I for him, pledge you his Faith."

MARY made uſe of almoſt the ſame Terms to engage her Faith to the Prince of *Spain*; after which the Lord of *Berghes* ſaluted her, and put the Ring on her middle Finger.

AFTER all, *Charles* did not conſummate this Marriage when he came to be 14 Years of Age, but afterwards marry'd a Princeſs of *Portugal*.

Prince Charles's Pawn to King Henry. 239.

3. *CHARLES*'s Letters Patent, authoriz'd by the Emperor *Maximilian* his Grandfather and Guardian, whereby he pawns to *Henry* a Jewel call'd the Rich Lilly or *Flower de Lys*, for the Sum of 50,000 Crowns; dated *December* 21, 1508 [b].

The Particulars of it. 241.

4. THE Inventory of the Jewels contain'd in the rich *Flower de Lys*, weighing in the whole in Gold and in precious Stones, 211 Ounces and half.

The Return of it to France.

Henry VIII ſent this Pawn to *Francis* I, to enable him to pay his Ranſom to the Emperor *Charles* V.

ARTICLE II. *Affairs with* France *and* Bretagne.

Charles VIII's *Recognition of Henry's Title, and Truces with him.*

CHARLES VIII, King of *France*, having heard of the Earl of *Richmond*'s happy Succeſs in *England*, own'd him for King, even before he was crown'd, and before the Meeting of the Parliament, and made a Truce with him for a Year. Next Year, the two Kings made a new Truce for three Years, in which each propos'd to himſelf a conſiderable Advantage. *Henry* look'd upon the Peace with his Neighbours, and particularly with *France*, as a thing which was abſolutely neceſſary for him in the Infancy of his Reign. *Charles* had alſo two very ſtrong Reaſons to avoid renewing the

The Policy of both Princes.

[z] At *Breda*. [a] At *Richmond*. [b] At *Richmond*.

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War with *England.* 1. Becauſe that after the Breach of the Treaty of *Bretigny*, in the Reign of *Charles* V, the Kings of *England* had renew'd their Pretenſions to the Kingdom of *France*. The Violation of that Peace was at firſt indeed very much to the Advantage of *France*, but it gave occaſion to the War which *Henry* V made againſt her afterwards, the Succeſs whereof made the *French* often wiſh that the Treaty of *Bretigny* had never been broke. In fine, the untimely Death of *Henry* V, the Minority of *Henry* VI, and many other Reaſons, had actually reſtor'd *France* to a better State than it was left in by *Charles* V at his Death. Mean time the Pretenſions of the Kings of *England* ſtill ſubſiſted, and it was not impoſſible but favourable Opportunities might ariſe to draw the *Engliſh* again into *France*: for the War renew'd by *Charles* V continued, and notwithſtanding the Truces which had interrupted it from time to time, no Regulation was made with reſpect to the Pretenſions of the Parties, which were ſtill the ſame as ever. *Edward* IV was not unmindful of this when he carry'd the War into *France*, to aſſert the Title which he deriv'd from his Predeceſſors. The Treaty which he made at *Pequigny* with *Lewis* XI, did not in the leaſt prejudice that Title, which remain'd as good as it was at the Time of the Violation of the Treaty of *Bretigny*, without mentioning the Treaty of *Troyes* made in the Reign of *Henry* V, whereby his Succeſſors pretended to have acquir'd a new Right. It was therefore the Intereſt of *France* not to rouſe the *Engliſh*, becauſe ſhe could get but little by them, and had a vaſt deal to loſe. And this was the conſtant Policy of the Kings of *France* from the time they drove the *Engliſh* out of the Kingdom, to the taking of *Calais* in the Reign of *Henry* II. *Lewis* XI, Father of *Charles* VIII, did not ſtick to purchaſe a Peace of *Edward* IV, tho' in the main he was able enough to have defended himſelf when he was attack'd by by him; and I ſhall have frequent occaſion hereafter to ſhew that *Charles* VIII, *Lewis* XII, and *Francis* I, never departed from this Maxim.

CHARLES VIII had a ſecond Reaſon yet ſtronger to prolong the Truce with *England*, *viz.* The Project he had formed to conquer the Dutchy of *Bretagne*, which he very well knew it was the Intereſt of *England* to prevent.

Charles *attacks* Bretagne.

ACCORDINGLY in the Spring of the Year, 1487, the ſaid Prince attack'd the Duke of *Bretagne*, and immediately made himſelf Maſter of a great part of his Country. For *Henry* was at that time employed againſt the counterfeit Earl of *Warwick*; and beſides, the three Years Truce he had concluded with *France* ty'd up his Hands; which was a very happy Conjuncture for the King of *France*. The Civil War in *England* being over ſooner than *Charles* expected, by the Victory of *Stoke*, he was afraid that *Henry* would relieve the Duke of *Bretagne*, as indeed he ought to have done, according to all the Rules of State Policy; for this Reaſon *Charles* immediately ſent Ambaſſadors to him, who exerted all their Rhetoric to perſwade him not to enter into the Quarrel.

Sends Ambaſſadors to diſſuade King Henry *from entring into the Quarrel.*

To give the full State of *Henry*'s Conduct in this Affair, would run me into ſuch a Train of Particulars as would be too long for an Abridgment. Therefore tho' this be the only Subject of 5 Years of this Reign, I will not dwell upon it, and ſhall content my ſelf with laying down ſome Principles which may be of very great Uſe for underſtanding the Acts in the *Fœdera*, which relate either to *France* or *Bretagne*.

ACCORDING to all appearance, *Henry*, as ſagacious as he was, had a wrong Notion of the War into *Bretagne*. He was fully convinc'd how much it was the Intereſt of *England* to hinder the Dutchy of *Bretagne* from falling into the Hands of the King of *France*; but he always thought it was in his Power to prevent it by the means of a Negociation, without giving the Duke of *Bretagne* any effectual Succours. He believ'd that *Charles* would never run the Riſque of entring into an open War with *England*, and that therefore to terrify him with the Fears of ſuch a War, would be giving effectual Relief to the oppreſſed Duke. Being ſtrongly poſſeſs'd with this Fancy, he attended to the Affair no farther than as he might be a Gainer by it, that is to ſay in Money, for never was there a Prince more greedy of Pelf than he, nor more dextrous at converting every thing to his own Profit; of which we ſhall ſee a Proof in what remains for me to ſay upon this Head. While he thought therefore that he could finiſh the War in *Bretagne* when he pleaſed, by a Treaty, he reſolv'd to make uſe of that opportunity to get a Subſidy from the Parliament, on pretence that *England* was concern'd in Intereſt not to ſuffer *Bretagne* to be loſt. For this end, he found it abſolutely neceſſary to give *Charles* VIII time to make great Progreſs in that Dutchy, that the Duke of *Bretagne*'s Neceſſities might be made manifeſt, and that the Parliament might have no excuſe to refuſe the Subſidy.

Henry's *wrong Notion of the War in* Bretagne.

His Avarice.

IT was with this View that, at the very time when the Duke was moſt preſs'd, *Henry* prolong'd his Truce with *France* for

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for a Year. The Duke of *Bretagne* was a Sacrifice to this Policy; he was oblig'd to hazard a Battle in which he was overcome, and then he made a Treaty with the King of *France*, which left him Master of a great part of the Dutchy. The Duke died soon after, leaving *Anne* his Daughter, who succeeded him, no Resource but the Succours which she expected from *England*. Then it was that *Henry* formed a new Project: As he could not have had a more pressing Occasion than he had then to desire a Subsidy of the Parliament, for the Relief of *Bretagne*, he obtain'd it, and immediately resolv'd with himself not only to keep every Penny of it in his own Hands, but also to get a good Sum of Money out of the new Dutchess. Within this View he made a Treaty with her, whereby he engag'd himself to send her a Supply of 6000 Men for six or seven Months; but at the same time made her engage to repay him all the Money he should lay out for her, without fixing any particular Sum; for his Design was afterwards to make those Expences rise as high as he pleased. By which means it is clear, that not only the whole Subsidy granted by Parliament was to remain in his Hands, but what he was to receive from the Dutchess over and above what he should expend in the Armament.

The Duke of Bretagne a Sacrifice to Henry's Conduct, who gets a Subsidy of the Parliament for his Relief, and kept it himself.

Henry's Treaty with the Dutchess.

With foreign Powers.

THE whole was founded upon this Principle, that it would be in his Power to oblige the King of *France* to submit to what he pleas'd, and that the said Prince would do any thing rather than engage in a War with him. To succeed in this Design, he pretended to espouse the Dutchess's Interest as heartily as if it had been his own. For some time Ambassadors were continually going and coming on both sides from *London* to *Paris*, and from *Paris* to *London*, but to no manner of purpose. In the mean while, lest *Charles* should perceive his Intentions, he took care in the most publick manner to make Alliances with Princes who were likely to give the most Jealousy to the King of *France*; namely, *Maximilian* King of the *Romans*, *Philip* his Son, Arch-Duke of *Austria*, *Ferdinand* and *Isabel*, King and Queen of *Spain*, the Duke of *Milan*, and some others, in order to make *Charles* believe that he was preparing to make a powerful Effort against him; tho' we shall find by some of the Pieces in the *Fœdera* that nothing was farther from his Thoughts. Mean time *Charles* fearing, or pretending as if he fear'd that a potent League was form'd against him, still continued his Negotiations with *England*. He even propos'd to take *Henry* not only for a Mediator, but also for a Judge of his Differences with the Dutchess of *Bretagne*, and this more and more confirm'd *Henry* in his Politicks. When he thought he had sufficiently intimidated *Charles*, he gave over treating of the Affair of *Bretagne*, and again demanded of him the Arrears of the Pension that *Lewis* XI had engag'd to pay *Edward* VI, which amounted to 125,000 Crowns.

His Treaty with Foreign Powers.

Charles's Negotiations with him.

HENRY VII.

His demand upon Charles of old Arrears.

ALL *Henry*'s Negotiations with *France* producing nothing in favour of the Dutchess of *Bretagne*, and the 6000 *English* that returned from thence at the end of the Months, having done no more Service than only suspending the Progress of the King of *France* for a little while, *Anne* was at last perswaded to marry the King of the *Romans*, upon the Hopes given her that he would bring her powerful Succours. This Marriage was concluded privately, *John de Chalons*, Prince of *Orange*, being as Proxy for the King of the *Romans*; but *Anne* receiv'd no manner of Assistance from her Husband. At length *Charles* VIII being informed of the Dutchess's Marriage, and knowing that it had not been consummated, press'd her to that degree that he never let her rest 'till he made her consent to marry him, and by that means put himself in Possession of the whole Dutchy of *Bretagne*.

Dutchess of Bretagne's Marriage to Maximilian, which she is forc'd to renounce and marry King Charles.

THUS was *Henry* the Dupe of *Charles*, and his own Politicks. Besides the Loss of *Bretagne*, which was a substantial one to *England*, he was at a Loss for his Money, of which, hereafter, Payment must necessarily be demanded of the King of *France*. Upon this occasion, where his own Interest lay at stake, he easily imagined that the Method of Negotiation would be tedious, and perhaps to no purpose. This was what made him resolve to carry the War into *France*, or rather to make a Shew of it; for I am perswaded that his Preparations and the great Noise he made of his Alliances had no other View but to frighten the *King* of *France*, in order to make him come into his Measures; for his Allies were in no wise oblig'd to assist him, as we shall see by the Treaties he made with them. Nevertheless, he obtain'd for this pretended War a great Subsidy from the Parliament, who believ'd that he really had a Design to revive the ancient Pretensions of the Kings of *England* to *France*, as he affected to give out.

Henry's convinc'd of his mistaken Policy.

He gets the Parliament to grant him another Subsidy for a War with France.

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At first, *Charles* despis'd his Menaces; but hearing that the Parliament had taken fire, as he himself was ignorant of the Secret of the Alliances which *Henry* had concluded with divers Princes, and as he was afraid to have a League upon his Back, which wou'd break all Measures he had already concerted for the War of *Naples*, he thought it wou'd be more for his Advantage to satisfy his Enemy, who wanted nothing but Money to make him quiet. Therefore he sent Agents to him, who found out the way to content him, or at least to put the matter in a very fair Method of being soon accommodated. But *Henry*, either that he might have an Occasion to levy the whole Subsidy which the Parliament had granted him, or for other Reasons, made a profound Secret of what had been offer'd to him by *France*, and always feign'd an inclination to carry the War into that Kingdom. He went therefore to *Calais* with his Army, the beginning of *October* 1492, and march'd towards *Boulogne*, as if he had design'd to besiege that Place. He was no sooner arriv'd before the Town, than *Richard Fox* his constant Ambassador, who had negotiated with the Marshal *Desquerdes*, came to bring him Articles which they agreed to refer to the good Pleasure of the two Kings. Then it was that *Henry* made loud Complaint that the King of the *Romans* and the King of *Spain* broke their word to him, by leaving him in the lurch to begin the War by himself. This was a rare handle for him to shew that he was forc'd to make a Peace. Then he call'd a Council of all the great Courtiers and General Officers of the Army, to consider whether it was proper to accept of the Offer made to him by *France*; and the Council were unanimously of opinion that he ought not to boggle at making a Peace upon those Terms. This was follow'd with a Treaty made at *Estaples*, whereby *Charles* VIII. engag'd to pay him all that was due to him from the Queen of *France* and the Duchess of *Bretagne*, amounting to 620,000 Crowns. 'Tis very odd, that tho' *Henry* had made a mighty noise of the War he intended against *France*, yet *Charles*, at the same time that the Enemy enter'd *Picardy*, was taking his Pleasure at *Tours*, not having an Army in that Province to oppose him; which is a very clear Proof that they were agreed even before *Henry* went beyond Sea. Thus *Henry* obtain'd what he propos'd to himself, I mean the filling of his Coffers, what with the Money of *France*, and the Sums granted him by the Parliament; but *England* lost the Duchy of *Bretagne*.

Henry's pretended War with France.

He calls a Council of Courtiers and Officers, who advise him to make Peace.

Treaty of Estaples.

The Loss of Bretagne to England.

FROM the Conclusion of the Treaty of *Estaples*, to the end of the Reign of *Henry* VII. there was a good Understanding betwixt the two Courts of *France* and *England*. *Charles* VIII. who had turn'd all his Thoughts towards *Italy*, was very glad to give no Colour for a Diversion on the part of *England*. This was the reason that he regularly paid *Henry* the Sums he engag'd to pay him by the Treaty, *viz.* 50,000 Livres a Year at two Terms, till the whole was paid. *Henry* for his part, had no mind at all to enter into a War, either with *France* or with any other State, but chose rather to make it his sole Care to maintain himself on the Throne, to repel or prevent the Attacks of his Domestick Enemies, and to heap up Money. Nevertheless he enter'd into the League which was made in *Italy* against *Charles* VIII. but upon his account it was only a defensive Alliance, in which the King of *France* was not so much as nam'd.

HENRY VII.

Henry enters into a League in Italy against Charles VIII. of France.

LEWIS XII. Successor to *Charles* VIII. took extraordinary care to give *Henry* no Cause of Disgust, by reason of the War of *Milan* with which his Hands were full.

THE following are the Acts which relate to *France* or *Bretagne*.

1. A PROCLAMATION to acquaint the People of a Truce concluded for a Year with *France*; dated *October* 12th, 1485[a].

Truces with France. P. 277.

IT was very advantageous to *Henry* to have the King of *France* own him as King, even before he was crown'd, and before the Meeting of the Parliament. The Coronation was not till the 30th of *October*, and the Parliament did not meet till the 7th of *Novemb.*

2. *Charles* VIIIth's Letters Patent, whereby he owns that he has concluded a Truce with *Henry*, which is to last three Years, ending on the 17th of *January* 1489; dated *January* 17th, 1486[b].

P. 281.

3. CONVENTIONS with *Francis* II. Duke of *Bretagne*, containing among other things a Truce which was to continue for a Year after the Death of the King and the Duke; dated at *London*, *July* 22d, 1486.

Henry's Conventions with the Duke of Bretagne. P. 303.

ENGLAND was upon the same Terms with *Bretagne* as with *France*, that is to say, always at War, but it had been interrupted by several Truces.

4. A COMMISSION to the Abbot of *Abingdon*, &c. to treat with the King of *France* about the Differences betwixt *England* and *France*, and betwixt *France* and the Duke of *Bretagne*, dated *March* 17, 1488[c].

Commission to treat with France. P. 337.

THIS was the first Step which *Henry* took in favour of the Duke of *Bretagne*, tho' the War of *Bretagne* was begun a Year before.

5. *Henry's* Ratification of the Prolongation of the Truce with *France* to the 17th of *January*, 1490. dated *July* 14, 1488[d].

Truce with France. P. 344.

NOTHING is a plain Proof of *Henry's* backwardness to give effe ual Relief to the Duke of *Bretagne*, at a time too when that Duke was most press'd for want of it, than this Prolongation of the Truce with

[a] At *Westminster*. [b] At *Melun*. [c] At *Canterbury*. [d] At the Castle of *Windsor*.

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with *France*, when it did not appear there was any manner of neceſſity for prolonging the ſame, unleſs it was to make it eaſy for the King of *France* to render the greater Progreſs in *Bretagne*. It was on the 28th of *July* that the Duke loſt the Battle of *St. Aubin du Cormier*. Not long after that, he made a diſadvantageous Treaty with *Charles* VIII. and died in the Month of *September*.

Duke of Bretagne's Diſcouragements, Defeat and Death.

6. A COMMISSION to *Urſewick* and others to treat with the King of *France* concerning his Differences with the Ducheſs of *Bretagne*; dated *December* 11, 1488[a].

Commiſſions to treat with the King of France. P. 347.

7. ANOTHER to *Edgecomb*, &c. to treat with the Ducheſs of *Bretagne*, with Power to engage the King to ſend her Succours, on condition of finding Securities[b].

And with the Ducheſs of Bretagne. P. 349.

8. AN Order to raiſe Troops for the Relief of the Ducheſs of *Bretagne*; dated *December* 23, 1488[c].

Order to raiſe Troops for her. P. 355.

SOME have pretended that *Henry* ſent Relief to the Duke of *Bretagne* before the the Battle of *St. Aubin du Cormier*, and that the *Engliſh* perform'd Wonders in that Engagement. But this Act ſhews it cou'd not be; and if there were any *Engliſh* in that Battle, they cou'd only be Voluntiers[d].

9. A TREATY concluded at *Rennes*, betwixt *Henry* and the Ducheſs of *Bretagne*; dated *February* 10, 1489. but not ratify'd by the King till the firſt of *April*.

Treaty with the Ducheſs of Bretagne at Rennes. P. 362.

THESE were the chief Articles.

"THE King ſhall ſend a Body of 6,000 "Men into *Bretagne* at his own Expence, "who ſhall ſerve the Ducheſs till the firſt "of *November*, at which time ſhe ſhall "furniſh them with Veſſels to return to "*England*.

"THE *Engliſh* Troops ſhall land in "*Bretagne* about the end of *February*, if the "Weather permits.

"THE Ducheſs ſhall reimburſe the King "all his Expences, as well for the Levy of "the 6,000 Men, as for their Tranſportation, Maintenance in *Bretagne*, and "their Return, and for the keeping of the "Places hereafter mention'd.

"PAYMENT ſhall be made in *Eng-*"*land* at the Ducheſs's peril. It may be "made at ſeveral times, but the Places "ſhall remain in the King's hands till the "whole is paid.

"THE Ducheſs ſhall deliver up any "two of the following Places to the King "at his Option, *viz. Tomclaromneau*, "*Hennebond*, *Avray*, *Vannes* or *Gue-*"*rand*, to keep them as a Security and "Mortgage, with all their Revenues, *&c.*

HENRY VII.

"IF the Ducheſs recover any of the "Places, as for Inſtance *St. Malo*, the "King may exchange them for thoſe that "he ſhall then have in his hands.

"COMMISSIONERS ſhall be appoin-"ted on both ſides to regulate the Sum of "the King's Expences.

"THE Ducheſs ſhall take an Oath that "ſhe will not diſturb the King in the Poſ-"ſeſſion of the Places which ſhe ſhall de-"liver up to him.

"THESE Places ſhall be furniſh'd with "Proviſions for a Fortnight, as alſo with the "Artillery and Ammunition neceſſary for "their Defence.

"SHE ſhall ſend to the Ships that are to "bring the *Engliſh* Troops to her, 16 "Hoſtages, *viz.* —— or at leaſt 4 of them, "to ſtay there till the Places are deliver'd "up to the *Engliſh*.

"THE Ducheſs, the Marſhal *de Rieux*, "and 4 Lords of *Bretagne* ſhall ſwear that "ſhe ſhall not engage in any Marriage with-"out the King's Conſent.

"FOR the future, neither the Ducheſs "nor her Succeſſors ſhall make any Trea-"ty with any Prince or State without the "King's Conſent, except with the King of "the *Romans*, and the King of *Spain*; nor "even with them, without expreſſly inclu-"ding the King of *England* therein.

"SHE ſhall make no Peace, nor ſo "much as a Truce, for above two Years, "without the King's Conſent.

"THE King engages himſelf to make no "new Truce with *France*, not even for "two Months only, without including the "Ducheſs in it.

10. A COMMISSION from the Ducheſs of *Bretagne* to treat with *Henry*; dated *February* 15, 1490[e].

Ducheſs of Bretagne's Negotiation with Henry. P. 387.

HENRY had already withdrawn the Troops which he had ſent into *Bretagne*, except ſuch as guarded the Places deliver'd up to them. Therefore the Ducheſs ſent him Ambaſſadors to deſire freſh Succours of him. But inſtead of making any Conventions upon this Article, *Henry* thought of nothing but to make himſelf more and more ſecure of being repaid the Money which he had already laid out. Mean time he amus'd the Ambaſſadors with the Hopes of a potent League which he was forming againſt *France*, and which wou'd be more effectual than the Succours he cou'd ſend to the Ducheſs.

11. A COMMISSION to *Richard Fox* and others to treat with the King of *France*,

Negotiation with France on his Difference with the Ducheſs. P. 449, 453.

[a] At *Weſtminſter*. [b] Dated as before. [c] At *Maidſtone*.

[d] Mr. *Rapin* in his larger Hiſtory ſays, that becauſe the *Engliſh* at that time wore a Red Croſs upon their Habits, 1200 *Britons* diſtinguiſh'd in like manner were join'd to 400 *Engliſh* which were brought into the Field under the Lord *Woodville*, on purpoſe to make the *French* believe that freſh Succours were arriv'd from *England*. This, our Author ſuppoſes, is what gave occaſion to the Miſtake. The Lord *Bacon* does not ſay this in his Hiſtory, but he affirms that 8,000 *Engliſh* arriv'd in a few Days after, and that they actually offer'd Battle to the *French*, who did not think fit to accept it. *Polydore Virgil*, and many others, ſay the ſame thing; but in this they are all miſtaken: for *Henry* had not yet made any Treaty with the Duke of *Bretagne*, and it was not till after, and in the Month of *March* 1489, that he ſent 6,000 Men to the Ducheſs his Daughter.

[e] At *Rennes*.

France, about his Differences with the Duchess of *Bretagne*; dated *Feb.* 27, 1490 [a].

Another Commission to treat with the Duchess. 451.

12. ANOTHER to *Giles d'Aubney* to treat with the Duchess of *Bretagne*, and to receive from her Securities, Promises, and Obligations for the Expences which the King had been at already on her account, and to receive certain Places as a Pledge for the Payment of the Expences to come; dated *April* 12, 1490 [b].

Henry's Agreement with her about a Garrison at Nantes. 452.

13. LETTERS Patent, by which the King who wish'd to have an *English* Garrison in the City of *Nantes*, which was then just ready to be attack'd by the *French*, engages upon Oath, that the same shall be evacuated by his Troops at the first Request of the Duchess; dated *June* 12, 1490 [c].

14. ANOTHER Commission to *Richard Fox* and others, to treat with the King of *France* about his differences with the Duchess; dated *June* 19, 1490 [d].

Passport for the French Ambassadors. 454.

15. A Safe-Conduct for the Archbishop of *Sens*, the Marshal *Desquerdes*, and other Ambassadors of *France*; dated *July* 12, 1490 [e].

Giles d'Aubney made General of the Army. 455.

16. A Patent constituting *Giles d'Aubney* General of the Army design'd to act against *France*; dated *July* 16, 1490 [f].

THERE was at that time no Army ready, so that this was done for no other end but to make the *French* Ambassadors that were coming to *London*, believe that the King had a Design to declare War against their Master.

Declaration and Promise of the Ambassadors of Bretagne to King Henry. 456.

17. LETTERS Patent from the Ambassadors of *Bretagne*, by which they own that the King has faithfully observ'd the Treaty of *Rennes*, and also promise in the Name of the Duchess, and by virtue of the Authority vested in them, that she will deliver up the Town and Castle of *Morlaix* to the King of *England*, and that she will repay him all the Expence he has been at for her; dated *July* 26, 1490, at *London*.

Their Bond to King Henry in the Name of the Duchess. 458.

18. AN Obligation by the said Ambassadors, importing, that the Duchess engages to pay 6000 Crowns of Gold every Year to the King, in consideration of his being inclin'd to let her enjoy the Revenues of *Morlaix*; dated *July* 26, 1490 [g].

Henry's Treaties with Maximilian. 397.

19. A Treaty of Alliance betwixt *Henry* and *Maximilian* King of the *Romans*, for the Defence of the Duchess of *Bretagne*; dated *Sept.* 11. 1490 [h].

400.

20. CONVENTIONS between *Henry* and *Maximilian* about the War which they were to make against *France*; dated *Sept.* 12. 1490 [i].

THESE were the principal Articles:

"THAT if *Charles* attack *Maximilian*, "*Henry*, the Archduke *Philip*, or the "Duchess of *Bretagne*, they shall declare "War against him without delay, at the "Request of either of the Powers attack'd.

"THAT if it be thought fit, *Maximi-* "*lian* and *Henry* shall enter *France*, each "at the Head of an Army.

"THAT if either of the two requires the "other to begin the War, by reason of the "Invasion of *Bretagne*, they shall be oblig'd "to do it in six Months after being so re-"quir'd.

"THAT when the War is begun, they "shall not sheath the Sword within two "Years.

"THAT there shall be neither Peace "nor Truce without a mutual Consent.

"IF the two Kings think fit to prolong "the Term of three Years, the rest of the "Conventions shall continue firm."

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21. OTHER secret Articles or Regulations of the said Treaty; dated *Sept.* 13. 1490. at *Okyng*; importing, 403.

"THAT each of the Allies may give "over the War two Years after 'tis begun, "without the Consent of the other.

"THAT 'twill be sufficient if either of "the Powers begins the War a Year after "he is requir'd.

"THAT *Maximilian* shall cause the "Treaty to be ratify'd by his Son *Philip* "when he comes of Age: For he was then "but 12 Years old."

Proclamation of the Treaty. 410.

22. A Proclamation which orders publick Notice to be given that the King has made an Alliance with the King of the *Romans*, and that the King and Queen of *Spain* are included in the Treaty. 'Tis dated *Sept.* 17, 1490 [k].

THIS Proclamation set forth that the King had made an Alliance with the King of the *Romans*, and the King of *Spain*, and that it was stipulated by the Treaty, that if the King of *France* attack'd any of the three Allies, or the Duchess of *Bretagne*, the others shall declare themselves his Enemies, and make actual War upon him with all their Forces. But the King took care not to mention the secret Articles, or Regulations.

King's Declaration and Ratification of the Treaty with Spain. 411.

23. A Declaration by the King concerning a Treaty which he had made with the King and Queen of *Spain*, on *May* 7, 1489. and the Ratification thereof; dated *Sept.* 20, 1490 [l].

THIS Declaration imported, that in the Treaty which he had made with the King and Queen of *Spain*, it was said that the Allies might give over the War against *France*, in case that *Charles* VIII. voluntarily surrender'd *Roussillon* and *Cerdagne* to *Ferdinand*, and *Guienne* and *Normandy* to *Henry*; but that notwithstanding this Clause they had made a new Agreement, that the Allies shou'd not make Peace without each other's Consent.

24. THE Ratification of the Treaty made with *Ferdinand* and *Isabel*; dated *Sept.* 23, 1490 [m]. 417.

THE

[a] At *Westminster*. [b] At *Canterbury*. [c] At *Westminster*. [d] At *Westminster*. [e] At *Westminster*.
[f] At *Westminster*. [g] At *London*. [h] At *Okyng*. [i] At *Okyng*. [k] At *Okyng*.
[l] At *Okyng*. [m] At the Royal Manor of *Okyng*.

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THE Treaty is inſerted in the *Fœdera* at full length. It contains, beſides the Conventions for a War againſt *France*, a perpetual Alliance, and an Engagement for the Marriage of *Arthur* with *Catherine*, of which I treated under the firſt Article. This is the Treaty which *Henry* wanted to make publick.

413. 25. THE Ratification of the ſecret Articles or Regulations of the Treaty made with *Ferdinand* and *Iſabel*. 'Tis dated *Sept.* 20 [a].

THESE Regulations were the very ſame with thoſe of the Treaty made with the King of the *Romans*. It manifeſtly appear'd from thence, that *Henry*, when he publiſh'd thoſe Treaties without the Regulations, had no other View than to intimidate the King of *France*, and to make him give over the War againſt the Ducheſs of *Bretagne*, or elſe to conclude it by ſome tolerable Treaty.

Paſs for the French *Ambaſſadors.* 430. 26. A Safe-Conduct for the Ambaſſadors of *France*; dated *Octob.* 8, 1490 [b].

Duke of Milan's *Alliance with King* Henry. 429. 27. LETTERS Patent of *John Galeaz* Duke of *Milan*, whereby he own'd that he had made an Alliance with *Henry* VII. King of *England*; dated *Octob.* 4, 1490 [c].

THIS Alliance was only in general Terms, and did not engage the two Princes to any reciprocal Aſſiſtance; but it ſerv'd *Henry*'s Purpoſe, who had a mind to frighten *Charles* VIII. with the noiſe of his Alliances.

Commiſſion to treat of the Affairs of the Duke of Bretagne. 431. 28. A Commiſſion to *Richard Fox* and others, to treat with the Ambaſſadors of *France* about the Affairs of the Ducheſs of *Bretagne*; dated *Octob.* 8, 1490 [d].

IN this Commiſſion the King gave power to his Commiſſioners to treat about a certain Sum which was due to him from *France*, *viz.* the Arrears of *Lewis* XIth's Penſion. And the ſame Clauſe was inſerted in all the following Commiſſions.

Paſſports for the French *Ambaſſadors.* 432. 29. A Safe-Conduct for *Francis* of *Luxemburg* Viſcount *de Martigues*, *Valeran de Sens*, and *Robert Gaguion*, Miniſter General of the Order of the Trinity, Ambaſſadors from *France*; dated *Decem.* 10, 1490 [e].

30. ANOTHER for *John de Chaalon* Prince of *Orange*, *Francis de Dunois*, and *Philip* of *Montauban* Chancellor of *Bretagne*; dated *Dec.* 14 [f].

Other Commiſſions to treat of the Affairs of the Ducheſs of Bretagne. 435, 436. 31. A Commiſſion to *Richard Fox*, *&c.* to treat with the Ambaſſadors of *France* about the Affairs of the King of the *Romans* and the Ducheſs of *Bretagne*, and concerning a certain Sum of Money, *&c.* dated *Feb.* 17, 1491 [g].

32. ANOTHER Commiſſion to the ſame Perſons to treat with the Ambaſſadors of the Ducheſs of *Bretagne*; dated *Feb.* 26, 1491 [h].

'TWAS juſt then, and not before, that *Henry* was let into the Secret of the Ducheſs of *Bretagne*'s Marriage to the King of the *Romans*, which had been ſolemniz'd by Proxy in the Month of *November* 1489. And this made him reſolve to get ſtill farther Security for the Payment of what was due to him, by always pretending a deſire to aſſiſt the Ducheſs.

Treaty with the Ducheſs and States of Bretagne. 438. 33. A Commiſſion to *Garter* King at Arms, and to *Francis Dupon*, to go and treat with *Anne* Queen of the *Romans*, and Ducheſs of *Bretagne*, and with the States of *Bretagne*, for the Payment of the Sums due to the King, and to receive Bonds and other Securities; dated *March* 29, 1491 [i].

Commiſſion to take Security for her Debt to the King. 442. 34. A Commiſſion to *Oliver de Coetlogon* to receive Securities of the King of the *Romans* for the Sum which is due to King *Henry* from the Ducheſs his Queen; dated *April* 23, 1491 [k].

Maximilian's *and* Anne's *Promiſe of Payment.* 443. 35. LETTERS Patent from *Maximilian* and *Anne*, empowering *John le Bouteillier* Lord of *Maupertuis*, and *Peter Cojalu*, to demand Succours of the King of *England*, and in their Name to promiſe the Payment of what is due to him; dated *May* 24, 1491 [l].

Paſs for Fr. Ambaſſadors. 444. 36. A Safe-Conduct for the Ambaſſadors of *France*; dated *May* 26, 1491 [m].

37. ANOTHER for the Counteſs *de la Val*, the Marſhal *de Rieux*, and other Lords of *Bretagne*; dated *June* 3, 1491 [n].

THIS was one of the laſt Efforts that *Anne* made to obtain Aſſiſtance from *Henry*, who ſtill continued to amuſe her with the Hopes that he wou'd make a vigorous War againſt *Charles* VIII.

Henry's *Commiſſions to certain Perſons to treat with his Subjects for a Supply for the War with* France. 446. 38. COMMISSIONS from *Henry* to ſeveral Perſons, to let his Subjects know the great need he has of Money to make War againſt the King of *France*, who detains *Normandy*, *Anjou*, *Tourain* and *Guienne* from him, and to exhort them to ſupply him; dated *July* 7, 1491 [o].

THE King had two Views in it. 1. To get Money out of thoſe who were diſpos'd to give him any: and, 2. To make the Inhabitants of *Bretagne*, and the King of *France*, believe, that he was fully reſolv'd upon a War.

'TIS remarkable that in all the Negotiations abovemention'd, *Henry* never engag'd himſelf by any Treaty to give Succours to the Ducheſs, after he had recall'd the 6000 Men that he had ſent her in 1489, and that the Alliances which he made under the pretence of aſſiſting that Princeſs, ſignify'd nothing, by reaſon of the ſecret Articles or Regulations which were added to them. Mean time, *Charles* VIII. found a way to win the Ducheſs's Heart, and marry'd her on the 16th of *December* 1491.

Charles VIII's *Marriage to the Ducheſs of* Bretagne, *tho' ſhe was affianced to* Maximilian.

Commiſſion to hire Tranſports for the War with France. 463. 39. A Commiſſion to go beyond Sea and hire 500 Tranſports to ſerve in the intended Expedition againſt *France*; dated *Dec.* 5, 1491 [p].

THIS

[a] At the Royal Manor of *Okyng*. [b] At *Knoll*. [c] At *Somma*. [d] At *Knoll*.
[e] At *Weſtminſter*. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Canterbury*.
[k] At *Weſtminſter*. [l] At *Rheims*. [m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] At *Weſtminſter*.
[p] At *Weſtminſter*.

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THIS was in pursuance of *Henry*'s Design to frighten the King of *France*, for he cou'd not yet know his Marriage, the same not being celebrated till 11 Days after.

Pass for 2 of the French *King's Counsellors. P. 470.*

40. A Safe-Conduct for two of the King of *France*'s Privy Counsellors, *viz. George Gascon*, and *Montjoye* King at Arms; dated *Feb.* 5, 1492[a].

ACCORDING to all Appearance, these were the two Envoys that brought over the King of *France*'s Offers to King *Henry*.

Commission to treat with the King of France. *P. 481.*

41. A Commission to *Richard Fox*, *Giles d'Aubney* and others, to treat and conclude with the King of *France* or his Deputies; dated *June* 12, 1492[b].

PROBABLY, these were the Commissioners or Ambassadors who agreed upon the Conditions of the Peace, tho' *Henry* for private Reasons thought fit to make a stir as if he was going to begin the War.

Prince Arthur *made Guardian of the Realm. P. 487.*

42. A Patent appointing Prince *Arthur* Guardian of the Kingdom in the absence of the King; dated *Octob.* 2, 1492. at *Dover*.

THIS was at the very time that the King set out with his Army for *Calais*. 'Tis like he had not concerted any great Projects for this Campaign, because he began it so late.

The Council's Advice to Henry to make a Peace with France. P. 490.

43. THE Opinion of the Council appointed by the King to consider of the Articles which *Richard Fox* and his Colleagues had agreed upon, with a reference to the good pleasure of the two Kings[c].

THESE Articles imported in substance, that the King of *France* shou'd pay *Henry* 620,000 Crowns of Gold (which is 124,000 *l.*) to discharge the Debt owing to him from the Duchess his Queen; and 125,000 Crowns (which is 25,000 *l.*) to pay off the Arrears of the Pension due from *Lewis* XI. the whole amounting to 745,000 Crowns, or 149,000 *l.*

THE Council was unanimously of Opinion, that the King should accept the Offers of *France* for several Reasons mention'd in their Opinion, which was drawn up in Writing, and presented to the King. Some of those Reasons were manifestly false and groundless, others far-fetch'd, and others must have been foreseen; as for example, that the Winter was approaching; that *Boulogne* was a City stronger and better provided than it was believ'd; that the King's Person wou'd be expos'd to great Dangers. In a word, 'tis very apparent that these Reasons were insinuated to the Council by some Person who was a Confident of the King, or else by the King himself.

The Treaty of Estaples. *P. 497.*

44. THE Treaty of *Estaples* between *Charles* VIII. and *Henry* VII dated *Nov.* 3, 1492.

IT was stipulated by the two principal Articles of this Treaty, that the Peace between the two Crowns shou'd continue till the Death of the last Survivor of the two Kings, and that the King of the *Romans*, and the Archduke his Son shou'd be included in it if they desir'd it, by making their Declaration in four Months time. The Treaty made no mention either of *Henry*'s Pretensions upon *France*, *Normandy* or *Guyenne*, nor of the Debt of 745,000 Crowns.

The French *King's Oath to observe it. P. 505.*

45. THE Oath of *Charles* VIII. to observe the Treaty of *Estaples*[d].

His Ratification of it. P. 507.

46. THE Letters Patent of *Charles* VIII. containing his Ratification of the Articles or Conventions made by the Marshal *Desquerdes*, with the Ambassadors of *England*, on the 3d of *Novem.* dated *Dec.* 6, 1492[e].

THESE were the Conventions mention'd above. *Charles* oblig'd himself to pay *Henry* 745,000 Crowns of Gold at several Terms, *viz.* 25,000 Livres *Tournois* every half Year, till the whole was paid. Each Crown of Gold was fix'd at the Value of 4 *s.* 2 *d. English* Money.

He submits to Excommunication upon Non-payment. P. 509.

47. A PUBLICK Instrument whereby *Charles* subjects himself to Excommunication in case he does not regularly pay the Sums promis'd; dated *Dec.* 13, 1492[f].

His Acquittances for the Money paid. P. 527, 549, 550, 575, 623, 630.

48. AN Acquittance given to *Charles* VIII. for 25,000 Livres, being the first half-yearly Payment due on the first of *May* 1493[g].

WE find two such Acquittances every Year, till the Death of *Charles* VIII.

Confirmation of the Treaty of Estaples *prolong'd. P. 508, 513.*

49. A CONVENTION betwixt the two Kings for prolonging the time of the Confirmation of the Treaty of *Estaples* by the general Assembly of the States of *France*, and by the Parliament of *England*, to the Term of three Years, tho' the Treaty provided it shou'd be done in one Year[h].

Prayer of the English *Ambassadors to the Pope, to excommunicate the King that shou'd break it. P. 531.*

50. A PUBLICK Instrument of the Petition sign'd by the Ambassadors of *England* before a Notary and Witnesses, to Pope *Alexander* VI. that he wou'd please to excommunicate either of the two Kings that shou'd violate the Treaty of *Estaples*; dated *June* 13th, 1493[i].

WE find in this Act that the Pope made Answer, that he wou'd stay till the King of *France* made the same Request.

Confirmations of the Treaty P. 572, 592, 596, 597, to 623, 625, to 635.

IN the Year 1495, and especially in the following Year, we meet with several Confirmations and Approbations of the Treaty of *Estaples*, by the Provinces, Cities and Corporations of *France*, which were probably to supply the place of the general States of the Kingdom, which *Charles* did not think fit to assemble.

Henry's League with the Italian *Princes. P. 638.*

51. *HENRY*'s Letters Patent, whereby he makes known that *Robert Shirborn* his Ambassador at *Rome* hath enter'd in his Name

[a] At *Westminster*. [b] Ibid. [c] Dated *November* 1, 1492.
[d] Taken *Dec.* 6, 1492. at *Plessis* near *Tours*. [e] At *Tours*. [f] At the Castle of *Amboise*.
[g] Dated the 4th, of *December* at *Westminster*.
[h] Dated *December* 13, 1492, at *Amboise*, and *January* 26, 1493, at *London*.
[i] At *Rome*.

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Name into the League of *Italy*; dated *September* 23, 1496[a].

THE Treaty which *Henry* made with the Confederates is here inſerted at large.

Lewis XIIth's *Contracts to obſerve the Treaty of* Eſtaples, &c. P. 681, 694.

52. CONFIRMATIONS, Ratifications, and the Bond and Oath of *Lewis* XII. with reſpect to the Treaty of *Eſtaples*, and to the Payment of the 745,000 Crowns; dated *June* 24th, 1498[b], and *July* 18th[c].

Acquittances to him for Money paid. P. 700, 712, 732, 734, 749, 753, 767, 769, *and* Tome XIII. P. 34, 116, 117, 232.

53. AN Aquittance to *Lewis* XII. for 25,000 Livres; dated *Nov.* 8th, 1498[d].

WE find the like Acquittance every ſix Months, to the Death of *Henry* VII.

54. THE Approbation of the Treaty of *Eſtaples* by the Nobility of *France* aſſembled at *Nantes*, repreſenting the General States; dated[e] *January* 15, 1499.

The Bull of Excommunication threaten'd againſt him that breaks it. P. 736.

55. *HENRY*'s Atteſtation, that the Treaty of *Eſtaples* was approv'd by the Parliament on the 27th of *October* 1495. 'Tis dated *April* 7, 1499[f].

56. THE Bull of *Alexander* VI. granted at the Requeſt of *Lewis* XII. and *Henry* VII. threatning Excommunication to either of the two King's that ſhall break the Treaty of *Eſtaples*; dated[g] the Calends of *February* 1500.

57. ANOTHER Bull of the ſame Pope, threatning Excommunication againſt *Lewis* XII. in caſe that he fails in his Payments, *&c.* dated the Day before the Ides of *June* 1500[h].

THIS Bull was granted at the Requeſt of *Lewis* himſelf, who undertook to obtain it at his own Coſt in 18 Months time.

FROM that time to the Death of *Henry* VII. we find nothing conſiderable with reſpect to the Affairs of *England* with *France*.

Article III. *Affairs with* Scotland.

Dunbar *Caſtle retaken by the* Scots.

THE Fortreſs of *Dunbar* being in the hands of the *Engliſh* in 1485, after the Duke of *Albany* had deliver'd it up to *Edward* IV. *James* III. King of *Scotland* retook it at the beginning of the Reign of *Henry* VII. who made no Effort at all to ſave it; for that was not a proper Juncture for him to fall out with *Scotland*.

Henry *the* VIIth's *Truce with the* Scots.

AND in 1486, the Lord *Lovel*'s Rebellion convincing him that his Reign was not like to be very peaceable, he made haſte to conclude a Truce with *Scotland* for three Years.

Rebellion of the Scots *Nobility againſt King* James III.

SOME time after, *viz.* in 1487, *James* III. who was always a capricious turbulent Prince, having given occaſion to the chief Nobility of *Scotland* to take Arms againſt him, they got Prince *James* his eldeſt Son into their hands, who was about 15 Years of Age, and put him at their Head. From that time the King wou'd fain have made a Peace with them, but they wou'd not hearken to any Accommodation, unleſs he wou'd yield the Crown to the Prince his Son; which Propoſal terrify'd him to ſuch a degree,

He flies to the Caſtle of Edinburgh.

that he ſhut himſelf up in the Caſtle of *Edinburgh*.

HENRY VII.

AT the ſame time *Henry* VII. having ut a happy end to the Impoſture of *Lambert Simnel*, by the Victory at *Stoke*, went to *York*, where one *Snowdon* a Herald at Arms came to him from King *James* to beg his Aſſiſtance, and to treat with him upon Terms. *Henry*, who never regarded any Affair further than his Self-Intereſt was concern'd in it, immediately hit on a Project to reap ſome Advantage by ſuch a Negociation, without troubling his head with the King of *Scotland*'s Affairs. As the Princeſſes, the Daughters of *Edward* IV. and the Queen their Mother, were a great Burden upon him, he agreed with the King of *Scotland* upon this occaſion, to make three Matches, *viz.* that King *James* himſelf ſhou'd marry the Queen Dowager of *England*, *Edward* IV's Widow; that *Cæcilia*, *Edward*'s ſecond Daughter ſhou'd be marry'd to the Marqueſs of *Ormond* and Earl of *Rotheſay*; and that the Prince of *Scotland* ſhou'd have another of that King's Daughters. But as to the Succours which the King of *Scotland* deſir'd, the Negociation to that purpoſe was put off to an Interview which was to be between the two Kings.

He offers a Treaty with Henry VII.

Henry offers him Marriages.

King of Scotland *kill'd in Battle, and is ſucceeded by his Son who headed the Rebels.*

BUT theſe Projects fell to the ground by the Death of the King of *Scotland*, who was kill'd in 1488, in a Battle againſt the Rebel Lords, who had the Prince his Son at their head; which Son ſucceeded him by the Name of *James* IV. but ſome refus'd to own him, becauſe ſaid they, he murder'd his Father.

James IV. *delays to prolong the Truce with* Henry.

DURING the two following Years, there were ſeveral Negociations between the two Kings, touching the Prolongation of the Truce.

AS *Henry* threaten'd *France*, he did not doubt but *Charles* VIII. wou'd contrive to give him ſome Diverſion by means of the King of *Scotland*; therefore he left no Stone unturn'd for the ſake of prolonging the Truce with *James*: And for the ſame Reaſon the latter was not in haſte to do it, while he thought the King of *France* might ſtand in need of him. At length in the Year 1491, *Henry* perceiving that this wou'd prove a tedious Affair, lent Money to certain *Scots* Noblemen, who engag'd to deliver up the King of *Scotland*, and the Prince his Brother, into his hands. Whether *Henry* corrupted them, or whether he only accepted their Offers, is uncertain. However, the Plot did not take, and therefore *Henry* preſs'd the Negociation to the utmoſt of his power, and at length his Ambaſſadors concluded a Truce for five Years with thoſe of *Scotland*, which he immediately ratify'd. But whether

A Plot of ſome of his Subjects to deliver him up to Henry.

Truces with Scotland.

[a] At *Windſor* Caſtle. [b] At *Weſtminſter*. [c] At *Paris*. [d] At *Weſtminſter*. [e] At *Nantes*.
[f] At *Weſtminſter*. [g] At *Rome*. [h] Ibid.

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whether there was any Fraud in the case, or for what other Reason soever it was, it seems the King of *Scotland* refus'd to ratify the Treaty; and not long after, the two Kings concluded another Truce, which was to last only till the Month of *November* 1492.

THE Peace between *Charles* VIII. and *Henry* being just ready to be concluded in 1492; *James*, who no doubt was inform'd of it, was more tractable than before, and consented to a Truce with *England* till the Month of *April* 1494. This Truce was sign'd on the same Day as the Treaty of *Estaples*, and was afterwards prolong'd in the Year 1493, to the Year 1501; but ill observ'd by the King of *Scotland*, who broke it in 1496, for the sake of *Perkin Warbeck*, as was said under the first Article. He invaded *England* in 1496, and again in 1497; but being forc'd to raise the Siege of *Norham*, and the Earl of *Surrey* having taken *Ayton* from him, he was dispos'd to make a Peace. *Henry* wish'd it also with all his heart, but he would not be the first to ask it; and to get out of this Difficulty, he made use of Don *Pedro d'Ayala* the Ambassador of *Spain*, who being the Minister of a Prince that was a common Friend to both Kings, offer'd them his Mediation; which was accepted, and *James* dismiss'd *Perkin Warbeck*, after which the two Kings concluded a Truce of seven Years, and refer'd the Decision of their Quarrel to the Arbitration of *Ferdinand* and *Isabel*.

James's Invasions of England.

Another Truce with him.

THIS Truce was very near being broke in 1499, by a Quarrel which happen'd at *Norham* between the *English* and *Scots*, in which the latter were us'd very scurvily. *James* demanded Satisfaction for it, and it was upon this occasion that while the Affair was in Debate, *Richard Fox*, who was *Henry*'s never-failing Agent, took an opportunity to treat of a Marriage between the King of *Scotland* and *Margaret*, who was *Henry*'s eldest Daughter. The Lord *Bacon* says, that the King of *Scotland* himself was the first that propos'd this Marriage. This may be true, but 'tis certain that *Henry* had it in his head several Years before, as appears from divers Acts in the *Fœdera*. Be that as it will, this Marriage, which carry'd the Crown of *England* into the Family of the *Stuarts*, was compleated to the mutual satisfaction of both Kings; and at the same time a perpetual Peace was concluded betwixt the two Kings, by a Treaty which was sign'd in *January* 1502.

James marries Henry's eldest Daughter, and makes a perpetual Peace with him.

The Acts relating to Scotland *are*,

Truce with Scotland. P. 285.

1. CONVENTIONS with the King of *Scotland* for a Truce, from the 3d of *July* 1486, to the same Day 1489[a].

2. CONVENTIONS about certain Marriages, and for an Interview betwixt the two Kings of *England* and *Scotland*; dated *Novemb.* 24, and 28, 1487[b], and *Decemb.* 20[c].

Conventions for Marriages and an Interview. P. 328.

THE Death of *James* III. render'd these Conventions of no effect.

3. SEVERAL Safe-Conducts for the Ambassadors of *Scotland*, and several Commissions to treat with them, which we find in the Years 1488, 1489, and 1490.

Passports and Commissions for Ambassadors.

4. AN Engagement of the Lord *Bothwel* and Sir *Thomas Todde*, as well for themselves as for the Earl of *Buchan* and others, to deliver up the King of *Scotland*, and the Earl of *Ross* his Brother into the hands of the King of *England*; dated *April* 16, 1491[d].

An Engagement to deliver up the K. of Scotland. *P. 440.*

IT appears by this Act, that *Henry* had lent them 266 *l.* 13 *s.* 4 *d.* to enable them execute this Design[e].

Money advanc'd by Henry *to accomplish it.*

5. *HENRY*'s Ratification of a Treaty concluded at *Caldestream*, *Dec.* 21, 1491. for a Truce of five Years; dated *Jan.* 9, 1492[f].

Truce of five Years with the Scots. *P. 465.*

WE don't find any Ratification by the King of *Scotland*.

6. THE King of *Scotland*'s Ratification of another Treaty concluded at *Caldestream* *Feb.* 20, 1492, for a Truce beginning the same day, and ending on the 20th of *Nov.* 1492; dated *March* 18, 1492[g].

Other Truces P. 473.

7. A Treaty of Truce betwixt *England* and *Scotland*, from *Nov.* 3, 1492, to *April* 30, 1494; dated *Nov.* 3[h].

P. 494.

8. A Commission to treat with the King of *Scotland* about his Marriage with *Catherine*, Daughter of the Countess of *Wilts*, and Grand-daughter to *Edmund* Duke of *Somerset*, who was *Henry*'s Uncle; dated *May* 28, 1493[i].

Match propos'd to the K. of Scotland. *P. 529.*

THIS was only one of *Henry*'s Projects, which came to nothing.

9. A Treaty of Truce betwixt *England* and *Scotland*, to last from the 30th of *April* 1494, to the same Day of the Year 1501; dated *June* 25, 1493[k].

Truce with the Scots. *P. 534.*

BY this Treaty, *Henry* oblig'd himself to pay the King of *Scots* 1000 Marks *Sterling*, as Reparation for certain Damage. He also engag'd himself by word of Mouth to remit to him above 50 *l. Sterling*.

10. SEVERAL Safe-Conducts for the Ambassadors of *Scotland*, granted in the Year 1494.

Passports for the Scots Ambassadors.

THERE is some probability that the King of *Scotland*, having been bribed by the Duchess of *Burgundy*, began to pick a Quarrel with *Henry*; that he might have a pretence for breaking the Truce.

11. AN Order to prepare for a Defence against the Invasion of the *Scots*; dated *March* 22, 1495[l].

Precaution against the Scots. *P. 568.*

THE

[a] Dated at *London*, *July* 3, 1486.
[b] At *Edinburgh*.
[c] At *Westminster*.
[d] At *Greenwich*.
[e] And that *Todde* had left him his Son as a Hostage for the Security of the Payment.
[f] At *Westminster*..
[g] At *Edinburgh*.
[h] At *Caldestream*.
[i] At *Westminster*.
[k] At *Edinburgh*.
[l] At *Westminster*.

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THE King of *Scotland* did not break the Truce till next Year, but probably *Henry* ſaw what his Demands wou'd come to.

Commiſſions to treat with King James, *about his marrying* Henry's *Daughter. P.* 572.

12. A Commiſſion to *Richard Fox* to treat of the Marriage of *Margaret* the King's eldeſt Daughter, with *James* IV. King of *Scotland*; dated *June* 23, 1495 [a].

Perkin Warbeck having been already in *Ireland*, and perhaps too in *Scotland*, there's ſome probability that *Henry*'s View in this Propoſal was to hinder King *James* from giving him ſhelter in his Dominions. Nevertheleſs it does not appear that the ſaid Marriage was propos'd at that time.

P. 635.

13. ANOTHER Commiſſion of the like nature to the ſame Perſon; dated *Sept.* 2, 1496 [b].

THIS was juſt at the time of the Invaſion by the King of *Scotland*, and the Rebellion in *Cornwal*.

Order to raiſe Troops againſt the Scots *Invaders. P.* 647.

14. AN Order to raiſe Troops againſt the Invaſion of the *Scots*; dated *Feb.* 13, 1497 [c].

THE King of *Scotland* threaten'd to return into *England*, as he actually did this Year, and there beſieg'd *Norham*.

Henry conſents to refer his Diſpute with the Scots *to Arbitration. P.* 671.

15. *HENRY*'s Letters Patent, whereby he conſents that his Differences with the King of *Scotland* be determin'd by the Judgment of *Ferdinand* and *Iſabel* King and Queen of *Spain*; dated *Dec.* 13, 1497 [d].

THIS was in purſuance of the Treaty concluded at *Ayton* the 30th of *September* 1497, by the Mediation of Don *Pedro d'Ayala*.

Treaty of Ayton. *P.* 673.

16. THE King of *Scotland*'s Ratification of the Treaty concluded at *Ayton* the 30th of *Sept.* 1497; dated *Feb.* 10, 1498 [e].

THIS Treaty which, among other things, contains a Truce for 7 Years, is inſerted at full length in the Ratification.

Commiſſion to treat with the King of Scots. *P.* 721.

17. A Commiſſion to treat with the King of *Scotland*; dated *July* 6, 1499 [f].

THIS was after the Quarrel at *Norham*.

Treaty at Sterling. *P.* 722.

18. A Treaty concluded at *Sterling* on the 12th of *July*, for prolonging the Truce during the Lives of the two Kings, and a Year after the Death of the laſt Survivor: Together with the King of *Scotland*'s Ratification of it; dated *July* 20, 1499 [g].

The Commiſſion for Marriage Treaty of Henry's *Daughter. P.* 729.

19. A Commiſſion to *Richard Fox* Biſhop of *Durham*, to treat of a Marriage between the King's Daughter and the King of *Scotland*; dated *Sept.* 11, 1499 [h].

'TWAS now, and not before, that the Treaty for this Marriage commenc'd.

Pope's Diſpenſation for the Marriage. P. 765.

20. A Bull of Diſpenſation for the King of *Scotland*'s Marriage with *Margaret*; dated the 5th of the Calends of *Auguſt* 1500 [i].

21. A Commiſſion from the King of *Scotland* to contract in his Name *per verba de Futuro, vel Præſenti*, and to ſettle the Terms of the Contract; dated *Octob.* 8, 1501. HENRY VII.

22. *JAMES* the Fourth's Marriage Treaty with *Margaret*; dated *Jan.* 24, 1502 [k]. *The Marriage-Treaty. P.* 787.

MARGARET being not full 12 Years of Age till the 29th of *November* 1501, it was ſtipulated that *Henry* ſhou'd not be oblig'd to ſend her to the King of *Scotland* before the firſt of *September* 1503.

HER Jointure was to be as great as any Queen of *Scotland* ever had, not leſs than 2000 *l. Sterling per Annum* in Land. And ſhe was to have during the Life of the King her Husband, a Penſion of 500 Marks *Sterling*.

HER Portion was 30000 Nobles *Engliſh Money*, and ſhe was at liberty to keep 24 *Engliſh* Domeſticks Men and Women.

The Treaty of perpetual Peace with Scotland. *P.* 793.

23. THE Treaty of perpetual Peace betwixt *England* and *Scotland*; dated *January* 24, 1502 [l].

King James's *Oath to obſerve it. P.* 804.

24. THE Oath ſign'd by the King of *Scotland*, by which he promis'd to obſerve the Peace concluded with *Henry* VII. King of *England* and *France*; dated *Feb.* 22, 1502 [m].

The Acts relating to Scotland *in the* XIIIth *Volume of the* Fœdera *are*,

King of Scotland's *Letter to K.* Henry *about his Alliance with* France. *P.* 11.

1. A Letter from the King of *Scotland* to *Henry*; dated *July* 12, 1502 [n].

HENRY had deſir'd him to break his Alliance with *France*, or at leaſt to defer the renewing of it: To which *James* makes Anſwer, that for his ſake he will defer it, tho' 'twas contrary to his Treaties with *France*.

The Inſtrument of King James's *Oath. P.* 43.

2. AN authentick Inſtrument of the Oath taken by the King of *Scotland*, in preſence of the *Engliſh* Ambaſſadors, for obſerving the Peace; dated *Dec.* 10, 1502 [o].

IT appears by this Act that the King of *Scotland* retracted the Title of King of *France*; which he had, he ſays, for want of due Attention, given to the King of *England* in the written Oath.

Acts relating to the foreſaid Treaties.

3. SEVERAL Acts relating to the preceding Treaties of Marriage and Peace, follow in the Year 1503.

Q. of Scotland's *Settlement. P.* 62.

4. THE Settlement of the Queen of *Scotland*'s Jointure; dated *May* 24, 1503 [p].

Order for the Payment of all her Portion. P. 118.

5. THE *Scots* Parliament's Confirmation of the Jointure ſettled on the Queen; dated *March* 13, 1504 [q].

6. AN Order for paying to the King of *Scotland* the remainder of his Queen's Portion; dated *July* 9, 1505 [r].

The

[a] At *Weſtminſter*.
[b] At *Weſtminſter*.
[c] At *Weſtminſter*.
[d] At *Weſtminſter*.
[e] At *St. Andrews*.
[f] At *Weſtminſter*.
[g] At *Sterling-Caſtle*.
[h] At the Caſtle of *Wincheſter*.
[i] At *Rome*.
[k] In the Royal Palace at *Richmond*.
[l] In the Royal Palace at *Richmond*.
[m] At *Edinburgh*.
[n] At *Edinburgh*.
[o] At *Glaſgow*,
[p] At *Edinburgh*.
[q] At *Edinburgh*.
[r] At *Weſtminſter*.

I

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The Acts in the XIIth *Tome of the* Fœdera, *which have no dependency on the three foregoing Articles, are,*

1. A Treaty of perpetual Peace with *John* King of *Denmark*; dated *Auguſt* 6, 1489[a]. *Treaty with* Denmark. P. 374.

2. THE Act for renewing of the perpetual Peace with *Portugal*; dated *Auguſt* 18, 1489[b]. *With* Portugal. P. 378.

3. TREATY of Commerce with the Republick of *Florence*[c]. *With* Florence P. 589.

4. A Letter from *Alphonſo* Duke of *Calabria*, the King of *Sicily*'s Son, to King *Henry*, thanking him for the Order of the Garter[d]. *Duke of* Calabria's *Thanks to* Henry *for the* Garter. P. 528

5. *HENRY*'s Notification to *Charles* VIII. that *Frederick* King of *Sicily* and his Son *Alphonſo* deſire to be included in the Treaty of *Eſtaples*, according to the Tenor of the ſaid Treaty[e]. *K. of* Sicily *and his Son deſire to be included in the Treaty of* Eſtaples. P. 552.

6. A Treaty of perpetual Peace, Friendſhip, Alliance and Commerce between *Henry* VII. and *Philip* Archduke of *Auſtria*, Sovereign of the *Netherlands*; dated *December* 14, 1496[f]. *Treaty with the* Netherlands. P. 578.

THIS is the Treaty which the *Flemings* call'd *Intercurſus magnus*[g], or the great Treaty of Commerce.

AMONG other Articles there's one which expreſly ſtipulates, that the Fiſhermen of both Nations ſhall have the Liberty of fiſhing whereſoever they pleaſe, without Licence or Paſſport. *Free fiſhing eſtabliſh'd betwixt the two Nations.* P. 583.

7. TREATY with the Town of *Riga*, relating to certain Veſſels taken by the *Engliſh*[h]. *Treaty with* Riga. P. 701.

8. LETTERS Patent of *Frederick* King of *Sicily*, whereby he approves of his being included by *Henry* in the number of his Allies, at the renewing of the Treaty of *Eſtaples* with *Lewis* XII[i]. *K. of* Sicily's *Approbation of his being included in the Treaty of* Eſtaples. P. 720.

9. TREATY of Alliance with the Biſhop of *Liege*[k]. HENRY VII. *Treaty with the Biſhop of* Liege. P. 785.

The other Independent Acts of chief Note in this Reign, which we find in the XIIIth *Tome of the* Fœdera, *are,*

1. *HENRY*'s full Power to his Ambaſſadors, to engage that he ſhou'd ſend a free Gift of Money to *Ladiſlaus* King of *Hungary* for a War againſt the *Turks*[l]. *Henry's Offer of Money to the King of* Hungary. P. 4, 5.

2. KING *Ferdinand*'s Letter to *Henry* VIII. in the *Spaniſh* Tongue, acquainting him with the Death of Queen *Iſabel*, who died the ſame Day, *viz. November* 26, 1504[m]. Q. Iſabel's *Death.* P. 112.

FERDINAND acquaints *Henry* that his deceas'd Queen has appointed him Governour of the Kingdom of *Caſtile* for *Joan* their Daughter.

3. A Treaty of Alliance with *George* Duke of *Saxony*, Hereditary Governour of *Frieſland*[n]. *Treaty with the Duke of* Saxony. P. 120.

4. A Treaty of Commerce between *England* and the *Netherlands*, concluded at *London April* 30, 1506. *With the* Netherlands. P. 132.

PHILIP was at that time in *England*. This is the Treaty, if I am not miſtaken, to which the *Flemings* gave the Nickname of *Intercurſus Malus*.

THEY that are curious to ſee how the Affairs of Commerce ſtood at this juncture betwixt *England* and the *Netherlands*, may find ſeveral Treaties in the XIIth and XIIIth Tomes of the *Fœdera*, which are capable of giving them very great Light into that Subject. *State of Commerce with the* Netherlands.

5. A Patent appointing *Peter Corſi*, a *Florentine*, to be Director of the Courſe of Exchange in *England*[o]. *Appointment of a Director of the Courſe of Exchange.* P. 216.

The

[a] At *Weſtminſter*. [b] At *Windſor-Caſtle*. [c] Dated *April* 15, 1490, at the Manor of *Shene*. [d] Dated *May* 19, 1493, at *Sueſſa*. [e] Dated *Nov.* 17, 1493, at *Weſtminſter*. [f] At *Bruſſels*. [g] The Lord *Verulam* ſays, they gave it this Name, becauſe it was a more compleat Treaty than thoſe of the third and fourth Years of this King; and chiefly to diſtinguiſh it from the Treaty that followed it in the 21ſt Year of the ſame Reign, which they called *Intercurſus Malus*. [h] Dated *Nov.* 26, 1498, at *Weſtminſter*. [i] Dated at *Naples*, *June* 20, 1499. [k] Dated *January* 12, 1502. [l] Dated at *Weſtminſter*, *May* 27, 1502. [m] Dated from *Medina del Campo*. [n] Dated *Dec.* 30, 1505, at *Dreſden*. [o] On paying the King 240*l.* a Year. Dated *March* 17, 1508, at *Weſtminſter*.

Having now quite gone through the XIIth Tome of the *Fœdera*, as we enter the XIIIth, we cannot overlook Mr. *Rymer*'s Dedication of it to Queen *Anne*, which is as follows:

" This Tome, moſt excellent Sovereign, contains in courſe of Time, the Period of one and twenty Years, " ſeven Years the laſt in the Reign of *your moſt noble Progenitor King* Henry VII. and twice ſeven which next " follow in the beginning of that moſt victorious Reign of his Son and Succeſſor King *Henry* VIII.

" We ſee the Annuities, and the ſtipulated Payments duly made and accounted for; and when *Chriſtendom* is " invaded by the *Infidels*, Confederacies are made with the Emperor, and with the King of *Hungary* and *Bo-* " *hemia*, for the Defence of *Chriſtendom*. The Enemy being in remote and ſo far diſtant Countries, King " *Henry* VII. would not harraſs his *Engliſh* Armies with ſo long a March: But that *wiſe Prince* did freely con- " tribute his Quota in Money; he ſends his *Nobles*, his *Angels*, and the *Sovereigns* of Gold, for his Auxiliary *Troops* " againſt the *Turk* and *Mahometan*.

" No ſooner did your moſt redoubted Predeceſſor King *Henry* VIII. aſcend the Throne, but he is ſollicited " for Aid againſt the *Moors*, and his firſt Operations of War are on that ſide, in conjunction with *King* Ferdi- " nand *the Catholick*. Soon after this, Enemies nearer home gave Umbrage to the *Church*, and now it is that " our Civil Negociations, and our Warlike Preparations, are all in order to *defend the Church*. Commiſſions " iſſue out for Admirals and Vice-Admirals, Generals and Lieutenant-Generals, for the *Defence of the Church*: " And the *Proclamations* tell us, that the King *hath now, by God's Grace, decreed and fully determined, in his* " *own moſt noble Perſon, to paſs over the Sea with his Armies Royal, againſt his antient Enemy* Lewis *the* French " *King, and his Adherents*.

" Our next News is that famous Action, the memorable Day, ever ſince call'd *la Journée d'Eſperons*, the Bat- " tle of *Spurs*.

" Then followed the beſieging and taking of Towns, *Therouan*, *Tournay*, and other Places in that Territory, " which make ſome part of *your Majeſty's late Conqueſts*.

" Thenceforward this Reign proceeded in great Proſperity and Magnificence, and, by reaſon of his more " particular Care and Readineſs to protect the Church, it is now, in moſt ſolemn manner decreed, That in teſti- " mony of their Gratitude and Acknowledgment, the Title *Defender of the Faith* ſhould be a Title for King " *Henry* VIII. and his Succeſſors, *&c.*"

The Reign of HENRY VIII.

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THERE is such a Connection between Domestick and Foreign History, with regard to the principal Events which happen'd in *Europe*, in the beginning of the 16th Century, that the Remainder of the XIIIth Tome of the *Fœdera*, which includes the Acts of the first fourteen Years of *Henry* VIII. *viz.* from *April* 1504, to the middle of the Year 1523, is better stor'd than most of the preceding Tomes with curious and useful Pieces, which relate not only to the History of *England*, but to those of *France*, *Spain* and *Italy*. *England* had likewise something to do with *Scotland* in this Period, of which I shall make a separate Article. But as these 14 Years produc'd nothing very remarkable in Domestick Affairs, the Acts which refer to that Head having no dependency on each other, will not need to be explain'd.

Henry VIII.

Article I. *Foreign Affairs.*

League of Cambray against the Venetians.

THE League of *Cambray* may be reckon'd the Spring of the principal Events in *Europe*, during the first 14 Years of *Henry* VIII. Tho' the History of it is sufficiently known, especially since it was publish'd in the *French* Tongue, it will not be unnecessary to mention some of the Circumstances of it, to serve as a Foundation for what I have to say hereafter. This League was form'd in 1508, against the Republick of *Venice*. The chief Allies were Pope *Julius* II. the Emperor *Maximilian* I. *Lewis* XII. King of *France*, and Duke of *Milan*, and *Ferdinand* King of *Arragon* and *Naples*, and Administrator of the Kingdom of *Castile*.

The Views of the several Powers who form'd it.

The Views of each of those Princes in the War which they design'd to make upon the *Venetians* were briefly these.

JULIUS II. had a Design to reunite to the Church all the Dominions which had been alienated from it during the Wars of the *Guelphs* and *Gibelins*. He had already begun in 1506 to make himself absolute Master in *Bologna*, after he had expell'd the *Bentavoglios*, who had usurp'd that Dominion: And to him it was owing that the Duke of *Urbino* adopted *Francis Mary* of *Rovero*, who was Nephew to both of them, and by that means came to be Duke of *Urbino*. Probably he design'd to form for that Nephew a Dominion, to be compos'd of those Towns which he had a mind to reunite to the Church. This was the very Project that *Alexander* VI. contriv'd in favour of his Bastard Son *Cæsar Borgia*, and which only miscarry'd thro' the unexpected Death of that Pope. To bring this Design to bear, it was absolutely necessary for him to take *Ferrara* from the Duke of that Name, to dispossess the *Venetians* of *Ravenna*, *Faenza*, and *Rimini*, and to dislodge other Princes and Lords from the other Towns of *Romagna*. But as this could not be done, while on the one hand the *Venetians*, and on the other *Lewis* XII. who was Master of the Duchy of *Milan*, were in a condition to oppose his Aggrandisement, he resolv'd therefore to ruin the *Venetians* first, and then to drive the *French* out of *Italy*.

MAXIMILIAN's View was to seize the Towns the *Venetians* possess'd in the *Terra Firma*, viz. *Trevisa*, *Vicenza*, *Verona*, and *Padua*, which formerly belong'd to the Emperors. And after he had once settled himself in that Country, his Design was to drive the *French* out of *Milan*, and re-establish the Imperial Authority over all *Italy*, on the same footing as formerly. For this end he knew he must begin with the *Venetians*.

LEWIS XII. had some Years ago taken the Duchy of *Milan* from *Lewis Sforza*, who had also the misfortune to fall into his hands. Having in order to make that Conquest, concluded a League with the *Venetians*; he consented by the said Treaty, that they shou'd make themselves Masters of *Cremona*, and all the Country call'd *Giradadda*. But he was no sooner in possession of the Duchy of *Milan* than he resolv'd to pick a Quarrel with the *Venetians*, that he might have a pretence to rob them not only of what he had yielded to them by the Treaty, but of the other Towns which they had acquir'd from the old Dukes of *Milan*, as *Crema*, *Brescia*, *Bergamo*, and some others of less importance. And 'twas with this Design that he form'd the League of *Cambray*, of which he may be reckon'd as it were the chief Contriver.

FERDINAND's two principal Views in entring into this League, were in the first place that *Lewis* XII. might have his Hands too full to undertake the Conquest of the Kingdom of *Naples*, which he had been turn'd out of by a notorious Fraud: And secondly, to recover five Maritime Towns of that Kingdom, which a King of *Naples* had made over to the *Venetians* as a Security.

The Allies take the Field and rout the Venetians at Agnadel.

IN pursuance of this League the Armies of the Allies took the Field in the Month of *April* 1509, upon the *Adda*, in *Lombardy* and *Romagna*, and in a few days *Lewis* XII. gain'd the famous Victory of *Agnadel* or

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or *Giradadda*[a], in which the Army of the *Venetians* was put to the rout. After this, all the *Venetian* Towns except *Trevisa* carry'd their Keys to the Conqueror. He kept all those to himself which had formerly belong'd to the Dukes of *Milan*, and sent away the Deputies of the other Towns to the Emperor, who being then with a few Troops at *Trent*, though he had no share in the Victory, took possession of *Vicenza*, *Verona* and *Padua*. On the other hand, the Pope seiz'd *Ravenna*, *Faenza*, and *Rimini*; the Duke of *Ferrara* laid hold of *Rovigo* and the *Polesin*, and *Friuli* submitted to the Emperor. And thus was the State of *Venice* reduc'd all at once to the only two Towns of *Venice* and *Trevisa*.

JULIUS II. was no sooner in possession of the Towns which he coveted from the *Venetians*, but he thought of driving the *French* out of *Italy*, that he might be able to put his other Designs in execution. The Undertaking seem'd very difficult, yet he did not despair of success. The Scheme he form'd was this. 1. He resolv'd upon an Accommodation with the *Venetians*, who were no longer in a condition to hurt him, and afterwards to make a League with them against *France*. 2. To procure a Peace between *Venice* and the Emperor, in order to draw off that Prince from the Interest of *Lewis* XII. 3. To get the *Swissers* to invade the Duchy of *Milan*. 4. To bring *Ferdinand* into the League. And 5. To engage *Henry* VIII. the new King of *England*, to break with *France*, and to make a powerful Diversion in *Picardy*.

The Pope's Resolution and Scheme to turn the French out of Italy.

His Peace and League with the *Venetians* were not the most difficult things to attain to; the same being concluded about the beginning of the Year 1510. But as to the Peace between the Emperor and the *Venetians*, it was not possible for the Pope to bring it about; nevertheless he went so far in it at length, that the Emperor abandon'd *Lewis* XII. And as to the *Swissers*, *Matthew Skinner* Bishop of *Sion*, who was the Pope's chief Agent in that Country, made so proper a Use of the Interest he had among them, that he render'd them mortal Enemies to *France*. King *Ferdinand* did not require abundance of Sollicitation to join with the Pope and the *Venetians*; for he found three considerable Advantages in this League. 1. By embarrassing *Lewis* XII. he hinder'd him from thinking of the Conquest of *Naples*. 2. The Pope offer'd him the Investiture of *Naples* upon Terms which he wou'd never hearken to till then. And lastly, The *Venetians* were willing to restore him the five Towns of that Kingdom, of which they were Masters, provided he wou'd engage in the League. Yet this Prince, who was to the full as sedate as *Julius* II. was hasty, wou'd not sign the League till he was sure of Assistance from the King of *England*. Mean time it did not seem an easy Task to engage *Henry* to break with *Lewis* XII. for the sake of the *Italian* Powers; for he had but lately renew'd the Peace with him, and *Lewis* had all along regularly paid the Sums to which he was engag'd by the Treaty of *Estaples*. But *Ferdinand*, a Prince of the greatest Abilities of any in his Age, and at the same time one that was not over and above scrupulous, found means at length to engage *Henry* to break with *France*, tho' not till the Year 1512. As what happen'd in *Italy*, in the two preceding Years, furnish'd him with the opportunity he wanted, 'tis necessary just to mention it.

His League with the Venetians.

His Agents incenses the Swiss against the French. *Ferdinand enters into the League with the Pope and* Venetians *against* France.

Draws off K. Henry *from* France.

JULIUS II. after he had sign'd his League with the Republick of *Venice*, pick'd a Quarrel with the Duke of *Ferrara*, that he might have an opportunity to turn him out of his Duchy; and went himself to *Bologna*, on purpose to make all necessary Preparations there for the Siege of *Ferrara*. But he narrowly miss'd falling into the hands of *Chaumont* the Governour of *Milan*, who had Orders to support the Duke. The Pope made a great noise of this Insult, and wou'd fain have persuaded all *Europe* that *Lewis* XII. attack'd him for no cause at all, tho' he himself did all that lay in his power to set all the Christian Princes upon his back. He had endeavour'd once before, to take *Genoa* from him by surprise; and he made a second attempt, but cou'd not succeed. He tried to set the Emperor at variance with him, and 10,000 *Swiss* were already on the march to invade the Duchy of *Milan*; but they found the Avenues so well guarded, that they were forc'd to return. Yet all this while the Pope pretended that *Lewis* was the Aggressor, because he wou'd not let him turn out the poor Duke of *Ferrara*. *Lewis* being attack'd by the Pope without having given him any Provocation, made a more strict League with the Emperor; and both together having corrupted some of the Cardinals, summon'd a General Council at *Pisa*, where they were for deposing the Pope[b]. But this Council, at which there were no Bishops

Pope quarrels with the D. of Ferrara.

Falls upon the K. of France.

Council of Pisa.

[a] 'Tis also called the Battle of *Rivolta*, because fought as near that place as to *Giradadda*.

[b] The Lord *Herbert* of *Cherbury*, who has left us that accurate History of this Reign, in which he has happily conquered the difficulty he complained of, *viz. To draw the exact Likeness of a Person who had several Countenances*, and who gain'd as great Reputation by writing the Life of this Prince, as Lord *Verulam* did by penning that of his Father, is the Historian to whom we shall chiefly have recourse, wherever it may be necessary, to supply the Dates of any Transactions wanting in Mr. *Rapin*'s Abridgment. The noble Historian says, that this Council was summoned to be held the first of *September* 1511, and that the Pope was cited to it, though we don't find that he appeared there. A certain Writer, who quotes *Onuphrius*'s Life of this Pope, says, that though he used means to take off the Emperor, yet *Lewis* persisted, and caused certain Medals to be coined with this Inscription on some of them, *Perdam Babylonem*, *I will destroy* Babylon; and on others,

perdam

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Bishops present, besides a few *French* and *Milanese*, was at last oblig'd to remove to *Milan*, and from thence to *Lyons*, without doing any thing of moment. Mean time the Pope excommunicated all the Members of it and their Adherents, and summon'd a Council which was to meet at *Rome* in the Church of St. *John Lateran*, the 19th of *April* 1512.

Excommunicated by the Pope, who calls one to Rome.

BEFORE that time came, the Pope who continued in his Resolution to besiege *Ferrara*, went once more to *Bologna* to make Preparations there for that Siege. His Army, and that of the *Venetians*, lay encamp'd very near *Bologna*; and he only defer'd entring upon Action, because he waited for a Reinforcement which he expected under *Raymond de Cardona*, Viceroy of *Naples*. But during this, *Trivulce* who commanded at *Milan* for the King of *France*, advancing towards *Bologna*, the Pope found the Inhabitants dispos'd to open their Gates to him, and therefore made haste away; whereupon the *Bentivoglios*, whom *Trivulce* brought with him, immediately enter'd the City. The Confederate Army of the Pope and the *Venetians* hearing of this News, fled in Confusion, and left their Baggage and Artillery in the power of the Citizens of *Bologna*.

The Pope goes to Bologna *to prepare for the Siege of* Ferrara.

His flight upon the approach of the French.

WHILE these things were transacting in *Italy*, the King of *Arragon* was impatient for bringing *Henry* VIII. into the League of the Pope and the *Venetians*; for he was not inclin'd to engage himself in it, before he was sure of assistance from that Prince, his Son-in-Law, and very good Friend. He did not directly make a Proposal to *Henry* to enter into the League, and on the contrary feign'd a perfect indifferency with regard to the Affairs of *Italy*; but by representing *Lewis* XIIth's Power in a formidable manner to *Henry*, he dispos'd him by little and little to break with him. The Pope did all on his part that he could, to gain *Henry*'s Friendship by his extraordinary Civilities to *Bambridge* Archbishop of *York*, to whom he also gave a Cardinal's Hat[a]. He profess'd an extraordinary esteem for the King upon all occasions, and sent him a Golden Rose consecrated upon *Christmas*-Day, as a special Mark of the Regard he had for him. The *Venetians* also had an Ambassador at *London* for the same purpose. They and the Pope acted directly, but *Ferdinand* was still upon the Reserve, and contented himself in terrifying *Henry* with the too great Power of *France*: Nevertheless he prepar'd a Fleet and an Army in *Spain*, as if on purpose for the War with the *Moors* in *Africa*. At length, on pretence that he was afraid of a Diversion from *France* while he shou'd be employ'd in this Expedition; he had the cunning to persuade *Henry* to make a defensive League with him, which contain'd a mutual Engagement to assist one another with all their Forces, in case either of them shou'd be attack'd, and particularly if the King of *France* was the Aggressor. The better to convince him of the sincerity of his Intentions touching the War of *Africa*, he desir'd him to send him 1000 *English* Archers for his Assistance; which was immediately granted. 'Tis natural to suppose that *Ferdinand*'s Aim in concluding this League, was to secure his Kingdom of *Naples* in case *Lewis* shou'd have a mind to attack it; but 'tis not so easy to perceive what Advantage *Henry* cou'd propose from it.

Ferdinand *works underhand to bring* Henry *into the League against* France.

Bambridge, *Archbishop of* York, *made a Cardinal.*

HENRY VIII.

Ferdinand *persuades* Henry *into a League with him.*

THE Loss of *Bologna* during that time, while the Confederate Army of the Pope and *Venetians* was broke and dispers'd, reduc'd the Affairs of the Allies to a very sad pass; and *Ferdinand* did not think he cou'd excuse himself any longer from signing the League, lest the Pope and the *Venetians* shou'd clap up a Peace with *France*. But before he proceeded so far, he play'd one of his old tricks, by laying a Trap for his own Son-in-Law, in which that young unexperienc'd Prince was unwarily caught. First he told him of a Scheme he had concerted with the Pope and the *Venetians*, to make a League together, and to bring a powerful Army into the Field to drive the *French* out of *Genoa* and *Milan*. And then he represented to him, that as *Lewis* XII. wou'd be oblig'd to send all his Forces into *Italy*, and to leave his Kingdom defenceless, there wou'd be nothing in the World more easy than to take *Guienne* from him, because he did not dream of being attack'd on that side. He added, that for his own part he had no pretension to *Guienne*, but that nevertheless, out of pure affection to his Son-in-Law, he was willing to assist him in that Conquest, which in all appearance cou'd not miscarry. *Henry* thought this Project so well contriv'd, that without any hesitation he accepted of his Father-in-Law's Proposal.

And into a private Treaty for the Conquest of Guienne.

AS soon as *Ferdinand* had received the Answer from *England*, he gave Orders to his Ambassador at *Rome* to sign the League with the Pope and *Venetians*, and at the same time sent Instructions to his Ambassador at *London* to conclude a private Treaty with *Henry* concerning the Conquest of *Guienne*. There was not

[a] Lord *Herbert* says, he obtained it in *March* 1511.

perdam Babylonis nomen, I will destroy the Name of Babylon. By which as 'tis plain he meant *Rome*, 'tis evident that the Notion of its being *Babylon*, is neither new, nor invented by Protestants. He adds, that the Pope was so much offended at it, that by his Bull he took away the Title of Most Christian from the *French* King, and offered the same to King *Henry* VIII. as was observed in a former Note.

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not above six Weeks space between the two Treaties. For the first was sign'd at *Rome* the 4th of *October*, and the second at *London* the 17th of *November* 1511. By the latter *Henry* only engag'd to send 6000 Men into the Province of *Guipuscoa* under a good General, and to keep a Fleet at Sea. And *Ferdinand* undertook to do all the rest.

Marquess of Dorset sent with an Army into Spain.

ACCORDING to this Treaty, in the Month of *May* 1512, *Henry* sent 6000 Men to *Spain*, under the Command of the Marquess of *Dorset*. Not many days after the Arrival of the *English*, the Duke of *Alva* put himself at the head of the *Spanish* Army; but instead of coming to join the *English*, to form the Siege of *Bayonne*, as had been resolv'd on, he kept at *Logrogno* upon the Frontiers of *Navarre*, and sent word to the Marquess of *Dorset*, that he thought it convenient, before they engag'd in any Siege, to make the King of *Navarre* declare who he wou'd be for. He supported this with a very plausible Reason: That this Prince being an Ally of the King of *France*, might play them some unlucky Trick, and cut off their Provisions while they lay before *Bayonne*. The Marquess of *Dorset*, who did not penetrate into the Duke of *Alva*'s meaning, approv'd of this Thought; and the King of *Navarre* was accordingly summon'd on the part of the Confederates to declare himself. He answer'd, that it was his Intention to continue neuter; but the Duke of *Alva* not thinking this a sufficient Declaration, demanded four of his best Places for his Security. Upon the King's refusal, the Duke pretended that he cou'd not in Prudence go to *Fontarabia*, and leave the Dominions of the King his Master expos'd to the Insults of the King of *Navarre*, who might easily receive into his Kingdom the Duke of *Longueville*, just then arriv'd from *Bayonne*: That for this Reason he cou'd not excuse himself from taking his Rout thro' *Navarre*, and making sure of some places in that Kingdom. He also desir'd the *English* General to come and join him, to facilitate the Execution of his Design; but the Marquess refus'd it, because he had no Orders to act against the King of *Navarre*. Therefore the Duke of *Alva* enter'd the Kingdom alone, and besieg'd *Pampeluna*. After the taking of that place, he made himself Master of some others; while the *English*, without knowing it, favour'd his Designs, by keeping the *French* at Bey, and by hindring them from relieving *Navarre*, for fear of being hedg'd in between two Armies. In a word, the Duke of *Alva* soon made a Conquest of the whole Kingdom. The Marquess of *Dorset* at length perceiving the Artifices of the King of *Arragon*, return'd to *England*. Consequently, those 6000 *English*, who were to conquer *Guyenne* with the Assistance of *Ferdinand*'s Troops, only serv'd to assist him in the taking of *Navarre*, which he and his Successors the Kings of *Spain* have kept ever since. *Henry* was sensible that he had been trick'd, but dissembled his Resentment, left the three Allies, after having engag'd him to break with *France*, shou'd make a Peace without him, the rather because the success of Affairs in *Italy* seem'd to make it necessary for them.

The King of Navarre summon'd to declare himself.

Duke of Alva conquers Navarre.

Marquess of Dorset returns home.

DURING this same Campaign, great Revolutions happen'd in that Country. The Confederate Army of the Pope, the King of *Arragon*, and the *Venetians*, having form'd the Siege of *Bologna*; *Gaston, de Foix*, who commanded the *French* Army, forc'd them to raise it. He afterwards beat the *Venetians* at *Brescia*, and on the 11th of *April* defeated the Confederates at *Ravenna*, where he lost his Life after he had gain'd the Victory. But in the Month of *September* following, 16,000 *Swissers* march'd into *Italy*; and instead of taking the direct Road of *Milan*, they went by the way of *Trent*, thro' which the Emperor, with whom the Pope had been secretly tampering, gave them passage, notwithstanding his Alliance with *Lewis* XII. after which they join'd the *Venetian* Army, and march'd to *Milan*. The *French* were before very weak there, and became still weaker by the Order the Emperor sent at the same time to his Troops, which serv'd as Auxiliaries in the Army of *France*, to return home forthwith. For this Reason, the *French* being not in a condition to make Resistance, abandon'd *Milan*, and repass'd the Mountains. The Loss of the *Milanese* drew along with it that of *Bologna*, *Parma*, *Piacenza* and *Reggio*, which surrender'd to the Pope. On the other hand, the Duchy of *Milan* was restor'd to *Maximilian Sforza*; the House of *Medicis* was again put in possession of *Florence*, and the Emperor solemnly renounc'd the Council of *Pisa*, which by the defeat of the *French* was oblig'd to remove to *Lyons*.

French forct the Confederates to raise the Siege of Bologna.

Win the Battle of Ravenna.

French abandon the Milanese.

AFTER the *French* were drove out of *Italy*, the Allies had several Conferences together about their Affairs, sometimes at *Rome*, and other times at *Mantua*. The Pope was resolv'd above all things, whatever it cost him, to accommodate the *Venetians* with the Emperor, lest that Prince should engage again with *France*: but he propos'd such hard Terms to them, that they cou'd never agree to accept them. For this reason he undertook to force them, by making an Alliance with the Emperor against them. In all these Conferences the Allies thought no more of the King of *England*'s Interest, than as if there had been no such Prince in the World.

Pope makes a League with the Emperor against the Venetians.

THE Cardinal *Bambridge*, who had been admitted to all the Councils held before the League of *Rome*, was never so much

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as once call'd to theſe Conferences. *Henry* himſelf knew ſo little of what was doing in *Italy*, that, tho' the League of *Rome* no longer ſubſiſted after the Pope had made an Alliance with the Emperor againſt *Venice*, he ſent his Letters Patent by which he declar'd that he came into it. At the ſame time, his Ambaſſadors at ſeveral Courts had Orders to conclude Leagues for procuring a Reſtitution to the Church, of what *France* had taken from it, tho' the Pope was actually in poſſeſſion of more than he laid Claim to, when the League of *Rome* was ſign'd.

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Ferdinand's *abuſe of King* Henry.

WE have lately ſeen by what happen'd in 1512, how much *Henry* was abus'd by the King his Father-in-law. Yet this Experience did not make him one jot the wiſer; for in the Year following, *Ferdinand* caught him in another Trap as artfully laid as the former, if one may be allow'd to give the name of Art to one of the moſt egregious Frauds.

Pope Julius's *Death and Succeſſor.*

IN 1513, in the Month of *February*, *Julius* II. died, and in *March* following *Leo* X. of the Family of *Medicis* was elected. This new Pope, being govern'd by very near the ſame Intereſts as his Predeceſſor, declar'd openly againſt *France*, as well to oblige *Lewis* XII. to part with his Council, as to hinder him from ſetting his foot again in *Italy*. But there was a new turn given to the Intereſts of the King of *Arragon* after he had taken *Navarre*. Before he had made that new Conqueſt, he wou'd have thought the Expulſion of *Lewis* XII. from the *Milaneſe*, and the diſabling him from undertaking the Conqueſt of *Naples*, a Revolution of very great Advantage to him. But after he became Maſter of *Navarre*, it was his Intereſt that *Lewis* ſhou'd get footing in *Italy* and regain the Duchy of *Milan*, leſt he ſhou'd endeavour to reſtore the King of *Navarre*; and at the ſame time it was equally his Intereſt to hinder him from ſucceeding in the Conqueſt of *Milan*. This was the way he went to work for obtaining his Ends.

Ferdinand *propoſes a Truce to the King of* France, *&c.*

IN the firſt place, he ſent a certain Monk privately to *Lewis* XII. to propoſe a Truce to him, into which he undertook to bring the Emperor and the King of *England*. *Lewis* willingly came into it, on condition that *Italy* ſhould be excepted out of it; which was the very thing that *Ferdinand* aim'd at. This Affair being in a good way, he caus'd a Repreſentation to be made to *Henry*, in concert with the Pope and the Empire, that the Allies being no longer oblig'd to act on the Defenſive in *Italy*, ſince the *French* were drove out, had reſolv'd to attack *France* in ſeveral places; and that he ought not to ſlip this opportunity of making himſelf Maſter of *Guienne*, *Normandy* or *Picardy*, becauſe it wou'd be impoſſible for the King of *France* to defend himſelf againſt ſo many Enemies, who wou'd attack him from ſeveral Quarters at once. Tho', conſidering the Trial which *Henry* had already made of his Father-in-law's ſincerity, he ought to have ſtood upon his Guard; yet he ſuffer'd himſelf to be tempted by the great Advantages that were propos'd to him. As ſoon as he had given his Approbation of this Scheme, *Ferdinand*'s Ambaſſadors gave him to underſtand that ſecrecy was abſolutely neceſſary, the better to ſurprize the Enemy, but that it wou'd be very difficult to keep it if there was a Congreſs of Ambaſſadors in any place whatſoever, for concluding a League: That therefore it wou'd be ſufficient, if under ſome ſpecious Pretext, he ſent Ambaſſadors to the Governeſs of the *Netherlands*, who being authoriz'd by the Emperor her Father, might conclude the League with them; and that then the Pope and the King of *Arragon* wou'd ratify the Treaty; which wou'd have the ſame Force as if their Ambaſſadors had been there preſent. *Henry* liking this Expedient, ſent his Ambaſſadors to *Mechlin*; and *Ferdinand*, according to the Plan he had form'd, had the ſatisfaction of getting two Treaties directly oppoſite to one another, and yet both equally conducive to his own Ends, ſign'd within four Days one of another. The firſt betwixt him and *Lewis* XII. was ſign'd at *Orthez* in *Bearn* on the firſt of *April*; and the other betwixt the Emperor and *Henry*, on the fifth of the ſame Month at *Mechlin*.

Ferdinand's *farther abuſe of King* Henry.

Treaties betwixt Ferdinand *and* Lewis XII. *and betwixt the Emperor and King* Henry.

THE Treaty of *Orthez* ſtipulated that there ſhould be a Truce for a Year betwixt *Lewis* XII. the King of *Scotland*, and the Duke of *Guelderland* on one part, and the Emperor, the King of *England*, the King of *Arragon*, and the Queen of *Caſtile* on the other, but not in *Italy*. It muſt be obſerv'd, that at *Orthez*, there were only the Commiſſioners of *France* and *Arragon*; that *Lewis* XII. ſtood engag'd for the King of *Scotland* and the Duke of *Guelderland*; and that *Ferdinand* undertook to bring the Emperor and the King of *England* into it. But as he well knew that nothing was farther from *Henry*'s Thoughts, he caus'd it to be inſerted in the Treaty, that the two Kings of *France* and *Arragon* ſhou'd be oblig'd to ratify it in a Month, and the other Princes in two Months time; and that the Treaty ſhou'd be of no effect with reſpect to the latter, till the Day of the Exchange of their Ratifications.

THE other Treaty was ſign'd at *Mechlin* four days after, by *Margaret* of *Auſtria*, in the name of her Father, and by the Ambaſſadors of *England*. It ſtipulated, that in 30 Days after the ſigning of the Treaty, the Pope, the Emperor, the King of *England*, and the King of *Arragon* ſhou'd declare War againſt *France*, and then act effectually againſt

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against her, *viz.* the Pope in *Provence* or in *Dauphiny*, the Emperor in some other Place out of *Italy*, the King of *Arragon* in *Guyenne*, in *Bearn*, or in *Languedoc*, and the King of *England* in *Normandy*, or in *Picardy:* And that for assisting the Emperor to raise and maintain his Army, the King of *England* shou'd remit 100,000 Crowns to him at three Terms. It was inserted in this Treaty, as well as in that of *Orthez*, that the Emperor and the King of *England* shou'd ratify the Treaty in a Month, and the Pope and the King of *Arragon* in two Months; but that even tho' the two latter did not ratify it, the same shou'd subsist nevertheless betwixt the Emperor and the King of *England*. This very clearly proves that the Emperor well knew what were the Intentions of the Pope and the King of *Arragon*, otherwise he would never have thought of getting such a Clause inserted in the Treaty. There is still another Remark to be made upon this head, *viz.* That the Ratifications of the Pope and the King of *Arragon* being not to be exchang'd at furthest till the fifth of *June*, *Henry* was oblig'd to make all the Preparations for the Campaign, before he knew whether those two pretended Allies would ratify the Treaty; and to begin the War in *Picardy*, without being sure of the Diversions which he had been promis'd should be made in other places. To bring him compleatly into the Snare, the Ambassador, whom *Ferdinand* had at *London*, ratified the Treaty of *Mechlin*, and swore to the Observation of it upon the Souls of the King of *Arragon*, and the Queen of *Castile*, by virtue of a full Power which he pretended they had given him. Thus, by these two Treaties directly contrary to one another, *Henry*, *Maximilian*, and *Ferdinand* engag'd themselves alike in a Truce for one Year with *Lewis* XII. and actually bound themselves to make War upon him at the same time. But *Henry* was a perfect Stranger to the Treaty of *Orthez*, whereas *Ferdinand* knew as much of the one as the other. Therefore it was not without a reason that he took care to have both sign'd at one and the same time, in places so remote one from the other, and betwixt which there was no Communication.

LEWIS XII. being deceiv'd by the Treaty of *Orthez*, sent the far greatest part of his Forces into *Italy*, under Command of *Lewis de la Tremouille*, who immediately drove *Maximilian Sforza* out of *Milan*, and took the whole Duchy from him except *Como* and *Novara*, which were guarded by the *Swissers*. But afterwards going to attack *Novara*, he was repuls'd in the Assault: and next day the *Swissers* sallying out of the place, went and fell upon him in his Camp, put his Army to the Rout, and oblig'd him to repass the Mountains and return into *France*. Thus in about a Month's time, *Lewis* won and lost the whole Duchy of *Milan*.

French *King loses the Duchy of* Milan.

AT the beginning of *June*, *Henry* transported his Army to *Calais*, in order to carry the War into *France*, pursuant to the Treaty of *Mechlin:* and some time after, he caus'd *Terouenne* to be besieg'd, with a design to go thither himself. But before he sail'd from *England*, he heard that the Pope had refus'd to ratify the Treaty, and that *Ferdinand* had made a Truce for a Year with *France*, which till then he knew nothing of. He made his Complaints of it to this Prince, and sent him a Summons to take the Field, in pursuance of the Treaty of *Mechlin*, ratify'd by his Ambassador. But *Ferdinand* answer'd gravely, that the Ambassador had exceeded his Orders; that as to the Truce, the necessity of his Affairs had compell'd him to it, but that when it was expir'd, he wou'd make extraordinary Efforts against the common Enemy. Notwithstanding this, *Henry* repair'd to the Siege of *Terouenne*; and not many days after, the Emperor came thither to excuse himself for having not been able to make good his Engagement, promising nevertheless to perform Wonders next Year.

Siege of Terouenne.

IN the mean time, to give *Henry* a particular Proof of his Esteem, he told him that he was come to serve under him as a private Man, and that he wou'd take his Pay. The King was so good-natur'd as to accept of his Service, and to give him 100 Crowns a Day, besides the hundred thousand Crowns which he had thrown away upon him before. Some days after, *Henry* won the Battle of *Guinegaste* *, against the Duke of *Longueville*, who was there taken Prisoner. Then he made himself Master of *Terouenne*, and as a reward for the Services he had receiv'd from the Emperor, he deliver'd up the Place to him, which was immediately demolish'd. After this, he besieg'd *Tournay*, which surrender'd in a few days.

Emperor serves under King Henry, *and takes Pay from him.*

The Battle of Guinegaste *or the* Spurs.

Terouenne *taken.*

And Tournay.

THE success of this Campaign, both in *Italy* and *France*, was the same thing to *Ferdinand*, as if he had gain'd so many Victories, tho' his Troops had not contributed to it, because he obtain'd what he propos'd to himself, by putting *Lewis* XII. out of a capacity, at least for a time, of attacking *Navarre* or the Kingdom of *Naples*. 'Tis true, that he had not carry'd his Point, had it not been for an arrant Cheat; but his Reputation was the least of his Concern.

On

* This was that call'd by the *French*, *la Journée des Esperons*, or the Battle of *Spurs*, because, says Lord *Herbert*, they made use scarce of any thing else. It was fought the 16th of *August* 1513.

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On the other hand, *Maximilian* had gain'd 100,000 Crowns by the bare ſigning of a Treaty, which in all appearance he never intended to put in Execution. For this Prince was not a whit more nice of his Honour than *Ferdinand*. He made a kind of Traffick of Treaties, in which he always found his Account, becauſe he never concluded one which did not procure him ſome Money: ſo that the *Italians* by way of banter, gave him the Name of *Pochi danari*.

Maximilian *as mercenary as* Ferdinand.

HENRY, one wou'd think, cou'd not poſſibly be ignorant how much he had been abus'd by his pretended Allies; yet for all this, when the Campaign was over, he went to *Liſle* and concluded a new Treaty with the Emperor, by which he engag'd himſelf to give that Prince 200,000 Crowns, that he might have leave to carry home his Army, becauſe by the Treaty of *Mechlin* he was oblig'd to leave it in *Picardy*. The Emperor engag'd on his part to maintain, during the Winter, 10,000 Men in *Artois* and *Hainault* for the defence of *Tournay*, and the Dominions of his Grandſon the Archduke. It was alſo ſtipulated by the ſaid Treaty, that the Emperor and *Henry* ſhou'd next Year put themſelves each at the head of a powerful Army, to attack *France* in two different places; and that before the 15th of *May*, the Archduke ſhou'd repair to *Calais*, there to ſolemnize his Marriage with the Princeſs *Mary*, *Henry*'s Siſter, according to the Treaty which had been concluded before the Death of *Henry* VII.

Henry *makes a new Treaty with him at* Liſle.

IT ſeems that even then, *Henry* was not yet fully convinc'd that he had been bubbled in the Treaty of *Mechlin*; but e'er long he was undeceiv'd. The Affairs of *Lewis* XII. being in a bad ſituation, as well by reaſon of the ill ſucceſs of his Arms in *France* and *Italy*, as by the incurſion which the *Swiſſers* made that ſame Year into *Burgundy*, and which render'd him apprehenſive of a ſecond, becauſe he had not kept his word with them; he reſolv'd at laſt to make Peace with the Pope, and to renounce his Council, or rather Conventicle of Divines. This Peace was no ſooner concluded, but *Leo* X. ſent a Letter to *Henry*, exhorting him to Peace, by repreſenting to him, that ſince he had only taken Arms for the Defence of the Church, he ought to quit them now the King of *France* was return'd to his Obedience. This Letter diſpell'd the Miſt before *Henry*'s Eyes. He ſaw at length, that the Pope, the Emperor, the King of *Arragon*, and the *Venetians* had engag'd him to make War againſt *France*, only to ſerve their own Ends; and he reſolv'd from that time to mind his own Intereſt ſolely, without regard to thoſe of his faithleſs Allies. He was the more inclin'd to take this Reſolution, becauſe he heard that *Ferdinad* had renew'd his Truce with *Lewis* XII. and becauſe the Pope did all that was in his power to reconcile the *Swiſſers* with *France* and the *Venetians* with the Emperor. To this we muſt likewiſe add, that *Wolſey* the King's prime Miniſter and Favourite, who already had, or was to have the Adminiſtration of the Biſhoprick of *Tournay*, and the Abbey of *St. Amand*, was afraid leſt if the War continued, the King wou'd loſe *Tournay*, and conſequently he ſhou'd loſe the Adminiſtration of that See.

Lewis *makes his Peace with the Pope, who likewiſe exhorts* Henry *to a Peace.*

THE Duke *de Longueville* who had been a Priſoner in *England*, had been labouring for ſome time paſt, by Order of the King of *France*, to incline *Henry* to the Peace, by ſetting before his Eyes the Treachery of his Confederates. And at laſt in 1514, *Henry* gave him to underſtand that he wou'd conſent to a Peace, provided it was upon reaſonable Terms. Not long after this, the Duke receiv'd a Commiſſion from *Lewis* XII. to treat with *Henry*, and to deſire of him in Marriage the Princeſs *Mary* his Siſter, who was betroth'd to the Archduke. *Henry* immediately demanded *Guyenne* and *Normandy*; but the Duke rejected that demand, and propos'd to give him for all his Pretenſions a Sum of Money payable at ſeveral Terms, and to make a Treaty of Friendſhip which ſhou'd continue till the whole was paid. *Henry* did not reliſh this Expedient; but at laſt he only demanded that the Crown of *France* ſhou'd pay him 100,000 Crowns a Year. The Duke plainly perceiv'd that what the King aim'd at, was to engage *France* to pay him a ſort of Tribute or Acknowledgment, and in ſome meaſure to own the Juſtice of his Pretenſions to *Guyenne* and *Normandy*. Mean time, for fear he ſhou'd fly off, he tells him that he thought his Propoſal reaſonable, and that he wou'd inform the King his Maſter of it. And it was not long e'er *Lewis* XII. ſent Ambaſſadors to *England*, who there concluded both the Peace, and the Marriage. But as he had taken care to ſecure *Wolſey* in his Intereſt, he manag'd it ſo by his means, that without the Talk of any Penſion, *Henry* was contented to take a Million of Crowns in Gold, partly for the Arrears due to him by the Treaty of *Eſtaples*, and partly towards the payment of a certain Sum which it was pretended the late Duke of *Orleans*, when a Priſoner in *England*, had borrowed of *Margaret* Ducheſs of *Somerſet* the King's Grandmother. Probably there was no ſuch Debt, and that it was a mere Invention on purpoſe that there might be no trace left of any Tribute, Obligation or Penſion. Thus *Henry* receded from his Demand, as to the Penſion of 100,000 Crowns, tho' he ſeem'd to have taken

French *King proposes a Peace to* Henry, *and demands his Siſter* Mary *in Marriage.*

Duke of Longueville's *Negotiations with* Henry.

Henry's *Treaties for a Peace and the Marriage.*

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a fix'd Reſolution upon that Head, as appears by a Letter in this Collection, which he had written to *Wolſey*. P. 403.

Princeſs Mary renounces her Match with the Archduke, afterwards Charles V.

BEFORE the Treaties were ſign'd, the Princeſs *Mary*, by an authentick Act drawn up in preſence of a Notary, renounc'd her Marriage with the Archduke, becauſe he had not ſent his Proxy to marry her at the time appointed; and ſhe urg'd another very trifling Reaſon, *viz.* that ſhe was inform'd from good hands, that the Miniſters and the moſt intimate Counſellors of the Archduke had conceived a grudge both againſt her, and the King her Brother. Thus was that Prince, who in a few Years was to be the greateſt Monarch in *Europe*, treated without any Regard or Decorum. After this, the Marriage of *Lewis* XII. with *Mary*, was ſolemniz'd by Proxies, both at *London* and *Paris*; and at laſt in the Month of *October* the ſame was conſummated at *Abbeville*[a].

Married to Lewis XII. of France.

Cardinal Bambridge ſucceeded by Wolſey.

CARDINAL *Bambridge* dying at *Rome* the 14th of *July*, *Wolſey*, who was Biſhop of *Lincoln*, was made Archbiſhop of *York*.

Lewis XII. of France, his Death.

THE Peace being made betwixt *England* and *France*, *Lewis* XII. prepar'd to enter *Italy* with a numerous Army, to recover the Duchy of *Milan*; but Death, which overtook him on the 1ſt of *January* 1515, hinder'd him from putting his Schemes in execution.

Francis I. renews the Treaties with England.

FRANCIS I. who ſucceeded him, purſued the ſame Plan; and to ſecure himſelf againſt any manner of Diverſion on the part of *England*, he renew'd the Treaties which *Lewis* XII. had lately made with *Henry*. The Preparations which were making in *France*, gave uneaſineſs to the Pope, the Emperor, the King of *Arragon*, the Duke of *Milan* and the *Swiſſers*. *Ferdinand* was afraid that the new King of *France*, on pretence of a Deſign to recover the Duchy of *Milan*, wou'd fall all at once upon *Navarre*. Therefore he perſuaded the *Swiſſers* to make a League with him and the Emperor, by repreſenting to them that the beſt way to defend the Duchy of *Milan*, was to attack *France* it ſelf. For this end he undertook to make an Irruption into *Bearn* or *Guyenne*, while the *Swiſſers* were to do the ſame into *Burgundy*, and while the Emperor was to continue the War in the State of *Venice*, to hinder the *Venetians* from aſſiſting *France*. *Ferdinand's* aim was to have an Army ready to march againſt *Francis* I. in caſe he ſhou'd attack *Navarre*, and to give him a Diverſion in *Burgundy* by means of the *Swiſſers*, to whom a good Sum of Money was promis'd on the part of the Confederates. But as ſoon as he heard that the Army of *France* was on the Road to *Italy*, he disbanded his Troops, and left the *Swiſſers* to defend the Duchy of *Milan*. The Pope, for whom the Allies had left room in the League, had indeed promis'd to come into it; but he delay'd it under various pretexts, and yet ſent an Army into *Lombardy*, which render'd *Francis* I. very ſuſpicious of him. Mean time *Francis* found a way to paſs his Army into the Duchy of *Milan*, in ſpite of the *Swiſſers* who guarded the Mountains. Not long after, he enter'd into a Negotiation with them for their return into their own Country, on paying them a Sum of Money in hand. But while the Treaty went on, the *Swiſſers*, by the Inſtigation of the Cardinal of *Sion*, went and attack'd him at *Marignan*, where they were entirely defeated. After this Victory, *Francis* made himſelf Maſter of the Duchy, and ſent *Maximilian Sforza* (who ſurrender'd his Perſon and Rights to him) into *France*. He took away *Parma* and *Placentia* from the Pope; and when he had ſo done, he was glad to compound with him. This Detail, tho' foreign to the Hiſtory of *England*, is yet neceſſary to give Light to the Affair, of which I am now going to treat.

Ferdinand perſuades the Swiſſers to a League with him and the Emperor, and afterwards abandons them.

French Army enters Italy.

French King defeats the Swiſs at Marignan.

Makes his Peace with the Pope.

AFTER *Francis* I. came to the Crown, he long'd to get *Tournay* out of the hands of the King of *England*; but *Wolſey* privately oppos'd it, being very ſenſible that he ſhou'd loſe the Adminiſtration of that See upon the Reſtoration of the City. He actually intreated the King of *France* to grant ſome good Benefice to *Lewis Guillard*, who was the true Biſhop of *Tournay*, that he might have no Inclination to diſturb him in the Government of that See. *Francis* promis'd him he would, but did not deſign to be as good as his word; for he knew on the contrary that this was the main Stumbling-Block, and that as long as *Wolſey* enjoy'd the Epiſcopal Adminiſtration of *Tournay*, the Reſtitution of the City would be next to impoſſible. Mean time, as *Wolſey* was only Adminiſtrator of the Biſhoprick, becauſe *Guillard* had refus'd the Oath to the King of *England*, *Francis* induc'd that Prelate to make an offer of taking the Oath, and then made ſecret application to the Court of *Rome*, that he might be reſtor'd to his Biſhoprick. But on the other hand, while he us'd his Intereſt in private to ſtrip *Wolſey* of the Adminiſtration of *Tournay*, he publickly ſollicited a Cardinal's Cap for him, in order to curry favour with him, and by that means to gain the Good-will of King *Henry*. All this paſs'd while *Francis* I. was ſtill in *France*; during which, the Pope, who had promis'd to enter into the League form'd againſt him, delay'd to give him Satisfaction with reſpect to *Guillard*. But when he was inform'd that he had happily paſs'd the *Alps*, that he was at the very Gates of *Milan*, and that he was in Treaty with the *Swiſſers*, and very like to ſucceed, he thought himſelf in great danger, becauſe he had given him no ſmall Cauſe to complain of

Francis I. endeavours to deprive Wolſey of the Biſhoprick of Tournay, and ſollicits a Cardinal's Cap for him to make him eaſy.

[a] Lord *Herbert* ſays, it was on the 9th of *October* 1514.

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of his Conduct. For this reaſon he immediately iſſued a Bull, reſtoring *Guillard* to his Biſhoprick, and permitting him alſo to employ the ſecular Arm, if he met with oppoſition. *Henry* complain'd bitterly to the Pope againſt this Bull; but *Francis* I. having in the mean time gain'd the Battle of *Marignan*, the Pope did not dare to revoke the Bull, for fear of diſguſting him. On the other hand, as he did not yet know how *Francis* would carry it to him, he ſaw plainly that he might ſtand in need of *England*, in caſe *Francis* ſhould be inclin'd to be reveng'd of him, of which there was too great appearance: and therefore, while he was at a Non-plus what to do, he choſe to gain time; and becauſe *Henry* oppos'd the execution of the Bull, he made that a pretence for referring the Examination of the Affair to two Cardinals, who were in no great haſte to finiſh it.

Pope iſſues a Bull for reſtoring the Nonjuring Biſhop of Tournay.

WOLSEY plainly perceiv'd that this Bull was owing to the ſollicitation of the King of *France*; and therefore, as well to be reveng'd on him, as to preſerve his Biſhoprick, he reſolv'd to ſet *Henry* upon his Back, tho' *Francis* ſoon after procured a Cardinal's Cap for him. With this View he made private intimation to the Emperor, that it would not be impoſſible to draw off *Henry* from the Intereſt of *France*; and indeed he left no Stone unturned to effect it, by inſpiring him with Jealouſy againſt *Francis* I. and with an apprehenſion that his power would one day become fatal to *England*.

Wolſey ſtudies Revenge on the King of France.

Treats privately with the Emperor.

NOT long after this, the Emperor ſent an *Italian* Gentleman into *England*, that was Secretary to *Francis Sforza*, who took the Title of Duke of *Milan*, after *Maximilian* his Brother had yielded up his Rights to *Francis* I. This Envoy had Orders to deſire the King's aſſiſtance to reſtore *Sforza* (who was in *Germany*) to the Duchy of *Milan*. *Henry* did not think fit to declare himſelf openly, but promiſed to remit a good Sum of Money to the Emperor, to be laid out for that purpoſe. Thus did *Wolſey* draw in the King by little and little, not doubting but the Emperor's Expedition againſt *Milan* would occaſion a War, which would give his Maſter an opportunity to declare againſt *France*. After *Wolſey* had formed this new Project, an Ambaſſador who came from the King of *Arragon* to deſire the renewing of the Alliance, and had danced Attendance ſeveral Months at Court to no purpoſe, was at length honoured and careſſed, and the Alliance between the two Kings renewed. With the ſame View, *Henry* had ſent an Ambaſſador to *Bruſſels*, to be reconciled with *Charles*, and to renew the antient Treaties; but he had a very cold reception.

Emperor's Embaſſy to Henry, *who reſolves at his Requeſt to ſupport the new Duke of* Milan.

Henry's *Treaty with the King of* Arragon *renewed.*

THE Death of the King of *Arragon*, which happened in *February* 1516, broke all Cardinal *Wolſey*'s Meaſures. For *Charles* of *Auſtria*, his Grandſon, who ſucceeded him in the Kingdoms of *Spain*, had neither Ability nor Inclination to enter into a new War with *France*. On the contrary, he found it his Intereſt to ſecure himſelf on that ſide, that he might go without diſturbance to take poſſeſſion of the *Spaniſh* Monarchy; yet without *Charles*, it was in vain to attempt to drive the *French* out of *Italy*. The Character of Pope *Leo* was ſo well known, that it was not prudent to lay much ſtreſs upon his Engagements; and as to the Emperor, he could not carry on the War but at another's Expence, for there was a neceſſity of feeding him perpetually with Money, and generally nothing came of it. The Sum which *Henry* had remitted to him, enabled him indeed to make an Incurſion into the Duchy of *Milan*, in *May* 1516, but it had not the Succeſs which the Court of *England* expected.

HENRY VIII.

Death of the King of Arragon. *His Succeſſor* Charles V.

The Emperor's Expedition in Milan.

SOME time after [a], *Francis* and the new King of *Spain* concluded a Treaty at *Noyon*, which reſtored Peace to *Europe*, and particularly to *Italy*, notwithſtanding the Efforts of *Henry* and his Miniſter. They agreed by this Treaty that the Emperor ſhould reſtore *Verona* to the *Venetians*, (the only place he had left of theirs in his hands) on their paying him a Sum of Money: That *Charles* ſhould reſtore *Navarre* in ſix Months time, and if he refuſed, it ſhould be lawful for *Francis* to aſſiſt *Henry d'Albret* in the recovery of it: That *Charles* ſhould marry *Louiſa* of *France*, the Daughter of *Francis*, then but a Year old, to whom the King her Father ſhould give up for her Portion, all his Pretenſions to the Kingdom of *Naples*; and that till the Conſummation of the Marriage, *Charles* ſhould allow 100,000 Crowns a Year for her Maintenance. As *Charles* was juſt then going to take poſſeſſion of *Spain*, he thought he could not give too much for a Peace which he ſo much wanted. The Emperor tried all ſhifts to avoid the Ratification of this Treaty, which put him out of hopes of ever ſetting his foot again in *Italy*; and *Henry* did his utmoſt to engage *Charles* to make an offenſive League againſt *France*: but all ſignified nothing; and the Emperor was at laſt forced to ratify the Treaty of *Noyon*.

Treaty of Noyon *betwixt* France *and* Spain.

The different Views of the ſeveral Princes.

HENRY and his Miniſter not being able to ſucceed in forming an offenſive League againſt *France*, were at laſt glad of a defenſive one, which *Charles* was willing to come into, on condition that it was drawn up in general Terms, without naming the King of *France* in it. This League was ſigned at *London*, the 29th of *October* 1516, between the Emperor and the Kings of *England* and *Spain*.

A defenſive League againſt France.

[a] *Viz. Auguſt* 26.

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Spain. They engaged, that in caſe either of them was attacked, each ſhould furniſh 20,000 Foot, and 5000 Horſe to defend him. The Pope was declared Head of the League, in hopes that he would come into it. The *Swiſſers* were alſo included in it; and it was agreed to give them Penſions, which were to be regulated afterwards, and paid by each of the Confederates. But ſince it was very uncertain whether they would chuſe to be included in it, 'twas agreed that each of the Confederate Princes ſhould ſend Ambaſſadors to engage them in it, and to treat with them. It ſeems that theſe Penſions were to be paid *both to the Publick, and to private Men.* Probably the Aim and Intention of *Henry* and his Miniſter in bringing about this League, was to take an occaſion from it ſome day or other for arming the Allies againſt *France.* All this was done for the ſake only of Cardinal *Wolſey*, who longed to be revenged of *Francis* I. and found a War neceſſary for preſerving the Government of the Biſhoprick of *Tournay.* At leaſt one cannot ſee any other Reaſon for the Animoſity which *Henry* diſcovered at that time againſt *France.* So that this Prince, after having been chouſed by the Popes, the Emperor, and the King of *Arragon*, and after having happily got rid of the Wars in which they engaged him, had the Folly moreover to give himſelf up into the hands of his Prime Miniſter, who, as will appear more fully hereafter, had no more regard for him than they had.

All theſe meaſures taken for the ſake of Wolſey.

Charles V. *ſets out for Spain, and gives Wolſey a Penſion.*

PEACE being reſtored to *Europe*, *Charles* ſet out in the Year 1517 for *Spain*, after he had ratified the League of *London*, and granted Cardinal *Wolſey* a Penſion of 3000 Livres for the Services he expected from him.

The Pope ſolicits the Chriſtian Princes to make War againſt the Turks, *and for that purpoſe ſells his Indulgences.*

THREE important Affairs employed Pope *Leo* during the Year 1517. The firſt was the Project he had formed to engage all the Chriſtian Princes to make a League againſt the *Turks*, under pretence of the great Progreſs thoſe Infidels made in *Egypt* againſt the *Mammalucks*, who, the Pope imagined, would not fail, after they had ſubdued *Egypt*, to come and attack Chriſtendom. Upon this occaſion, he ſet his Indulgences to publick Sale; which ſcandalous Traffick provoked *Luther*, and gave birth to the Reformation, which was afterwards eſtabliſhed in ſeveral parts of *Europe*[a]. The ſecond thing which employed the Pope during this Year, was to make War upon *Francis Maria de la Rovero*, who again put himſelf in poſſeſſion of the Duchy of *Urbino* which the Pope had given away from him to his Nephew *Laurence de Medicis.* Finally, this very Year he diſcovered a Conſpiracy, which had been formed againſt him by ſome of the Cardinals to poiſon him. I make mention of theſe three Affairs, becauſe of ſome Pieces in the *Fœdera* which relate to them.

His War upon the Duke of Urbino.

Conſpiracy againſt the Pope.

LEO X. ſtill continued his Sollicitations during the Year 1518, for the League againſt the *Turks.* He ſent Legates to all the chief Courts of *Europe* to negotiate this Affair, which, according to the Plan he had formed, could not fail of bringing immenſe Sums into his Treaſury. The Perſon he deputed to go to *England*, was Cardinal *Laurence Campeggio.* But *Wolſey* being affronted that the Pope had not thought of him, the Pope was obliged to make him eaſy by joining him in the Commiſſion with the other. *Wolſey* found means afterwards to get his Collegue recalled, to remain ſole *Legate à latere* in *England*, and to get his Commiſſion prolonged from time to time, tho' there was no neceſſity for it. All the Efforts which the Pope made uſe of, ended at laſt in nothing more than a defenſive League between the chief Sovereigns, in which the *Turks* were not ſo much as mentioned. But that was not the Thing the Pope wanted. He hoped to have all the Chriſtian Princes engage in a Croiſado, which was to be under his own Direction, and which would help to fill his Coffers.

He continues to ſollicit the Croiſado.

Joins Wolſey *in the Commiſſion with his Legate to* England, *but* Wolſey *gets his Collegue recalled.*

Defenſive League of the Chriſtian Princes.

THE moſt conſiderable Tranſactions of the Year 1518, with regard to *England*, were the Negotiation, and the Treaty thereupon concluded for reſtoring *Tournay*; and another Treaty which was made on that occaſion for the Marriage of *Francis* the *Dauphin*

Treaties for reſtoring Tournay, *and the Marriage of the Dauphin to Princeſs* Mary.

[a] The Origin of the Reformation is ſo material a part of Hiſtory, that 'tis preſumed an Explanation of the Indulgences, as given by Mr. *Rapin* in his Hiſtory, Vol. V. may not be unacceptable. They were plenary Pardons for Sins, ſold every where at ſo moderate a Price, that no Chriſtian who cared for the Salvation of his Soul, would be without them. Therefore the Pope made no doubt of raiſing an immenſe Sum, and for this end he ſent his Collectors into ſeveral Parts of Chriſtendom to levy it, and Preachers who had Orders to extol the great Benefits of them. The Jacobin Friars being appointed for *Saxony* in the room of the *Auguſtins*, who uſed to preach there for the Croiſades, the latter were provoked at it, and paſſed ſevere Cenſures both upon the Preachers and Collectors. And among others, *Luther*, who was one of the *Auguſtin* Friars, publiſh'd Papers againſt them, in which he expoſed the pious Fraud of the Indulgences themſelves, and thereby brought ſuch a ſwarm of Enemies upon him, as engaged him to prove that neither thoſe Indulgences, nor the Papal Authority itſelf, which till then the Publick had ſo credulouſly eſpouſed, and fondly ſupported, had any Foundation in Scripture. Yet the Pope's Miniſters uſed in Taverns to play away at Dice the power of delivering Souls out of Purgatory; and they were not aſhamed to publiſh in their Pulpits, that there was no Wickedneſs, how great ſoever, nay, though one had raviſhed the Virgin *Mary* herſelf, but might be forgiven by thoſe Bulls of Indulgence, or Pardons: and that the Souls tormented in Purgatory, as ſoon as the Money was flung into the Baſon, skipped for joy amidſt the Flames, and flew ſtrait to Heaven; but that if the Sum offered was a Farthing leſs than ten Shillings, it would not avail.——See *Lonicerus* in his *Theatrum Hiſtoricum*, Fol. 241. *Chriſtianus Maſſæus* l. 20. *Chron. Guiccardini*; and above all, Father *Paul*'s Hiſtory of the Council of *Trent*, Biſhop *Burnet*'s of the Reformation, and the Annals of *Goodwin* Biſhop of *Hereford*, tranſlated by his Son *Morgan Goodwin* LL.D.

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Dauphin to *Mary*, *Henry*'s Daughter. Cardinal *Wolsey* perceiving that the Peace which *Europe* enjoyed, rendered him neither so necessary nor so formidable to the King of *France* as before, and that in all probability *Guillard*'s offer to take the Oath to the King of *England*, would be a means of restoring him to his Bishoprick, thought it high time to comply with the Sollicitations of *Francis*, who spared no Cost to make him his Friend. By an Accommodation he might hope that Prince would make him Satisfaction for the Loss of his Government; whereas he hazarded the Loss of all, by striving to keep all. Therefore he induced *Henry* to restore *Tournay* to *France*, on paying down the Sum of 600,000 Crowns; but before he entered into a Treaty on this Head, he took care to secure to himself a Pension of 12,000 Livres by way of amends.

Her Portion.

While the Affair of *Tournay* was negotiating, a Marriage was also treated of betwixt the Dauphin and the Princess *Mary*, with whom the King her Father gave a Portion of 333,000 Crowns, which was to be deducted out of the Money he was to receive for *Tournay*. At the same time another Treaty was concluded for an Interview betwixt the two Kings in some part of *Picardy*.

Treaty for an Interview betwixt the two Kings.

THE Death of the Emperor *Maximilian*, which happened in *January* 1519, caused great alteration in the Affairs of *Europe*. Every body knows that both *Charles* King of *Spain*, and *Francis* of *France* aspired to the Empire; and that the Election of *Charles* gave the King of *France* that Jealousy, which was one of the principal Causes of renewing the War. However, it did not break out immediately; for the two Monarchs were each of them disposed to take just measures beforehand, that they might be well supported in a War, which, according to all appearance, would be attended with great Consequences. Of all the Powers in *Europe*, there was none more capable than *England* to turn the Ballance to which side soever she joined. For this reason the two Rival Princes were exceeding industrious for a while to secure the Friendship of *Henry* VIII. The only way they had to come at it, was by the Favour of Cardinal *Wolsey*, which both strove to gain by Caresses, Presents, and extraordinary Honours. *Francis* gave him a very evident Mark of his Confidence, in a Point about which Sovereigns are generally very nice, by leaving it to his Discretion to regulate every thing relating to the Interview which he was to have with *Henry*. Moreover, he promised him the Suffrages of 14 Cardinals to chuse him Pope, in case he out-lived *Leo* X. But *Wolsey* thought the Emperor was best able to procure him that high Dignity, and it was more for this reason than any thing else, that he closed entirely with *Charles*, and begun by degrees to form that Union betwixt him and the King his Master, which was like to prove of so much advantage to him.

Death of the Emperor Maximilian. *The Election of* Charles V. *the Cause of a new War in* Europe, *by the Rivalship of the King of* France.

They both court Henry's *Friendship by the means of* Wolsey.

HENRY VIII.

THE Interview of the two Kings having been put off till *June* 1520, Cardinal *Wolsey* according to a Power which he had received from both Kings, settled the Time, Place, and Form of it. He gave the King of *England* some Advantage, by ordering the first Interview to be made upon his Territories; but *Francis* seemed to take no notice of it, and to be satisfied with the Reason which was urged by *Wolsey*, *viz.* that *Henry* had faced the dangers of the Sea to pay him the Visit. While *Henry* was making ready for the Voyage, and was actually advanced as far as *Canterbury*, he heard that the Emperor was arrived at *Dover*. All the Historians say that *Henry* was surprized at this unexpected Visit, tho' 'tis not very likely. At least *Wolsey* could not but know it beforehand, because in the preceding Month of *March*, *Charles* engaged to procure him a Bishoprick in *Spain*, and a Pension upon some other Bishoprick, immediately after the Conference which he was to have with the King of *England*. Be this as it will, *Wolsey* got a Commission to go and compliment the Emperor, and to carry him to *Canterbury*. 'Tis probable that was the time when the Emperor effectually secured the Cardinal in his Interest, by promising to make him a Pope, for that was properly the end of this Prince's Visit; who was so uneasy at the intended Interview betwixt *Francis* and *Henry*, that he made some Efforts to divert *Henry* from going; but as he was too far engaged to recede, he only promised that he would not enter into any Measures to his prejudice. The Emperor being satisfied, embarked again for the *Netherlands*, as did *Henry* for *Calais*; from whence he repaired to the place of Interview, which was called *the Field of Cloth of Gold*, or *the Golden Camp*, because of the Magnificence of the two Courts.

He settles Henry's *Interview with* Francis.

As Henry *was setting out for the Interview, the Emperor arrives at* Dover.

Wolsey goes to receive him.

The Emperor returns to the Netherlands, *and* Henry *sails for* Calais.

WHILE the two Kings took their Pleasure, their Ministers agreed on a Treaty, whereby *Francis* I. engaged after the entire Payment of the Million of Crowns already mentioned, to give *Henry* 100,000 Livres *Tournois per Annum*, till the Dauphin's Marriage with *Mary* was consummated. This shews how far *Francis* was convinced of the necessity of making the King of *England* his Friend. The Emperor was equally persuaded of the same necessity for his own part, but he went a surer way to work by securing the Interest of the Favourite. After the Interview, *Henry* went to see the Emperor

Interview and Treaty betwixt the Kings of England *and* France.

Betwixt Henry *and the Emperor.*

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Emperor at *Graveling*, and the Emperor return'd him the Viſit at *Calais*; of which *Francis* was jealous, and not without Reaſon, becauſe the Foundations of that Alliance, which was afterwards made betwixt the Emperor and *Henry*, were laid in theſe reciprocal Viſits. *Charles* V. kept his word with *Wolſey*, by procuring for him from the Pope a Penſion of 2000 Ducats upon the Biſhoprick of *Palencia*, and the Adminiſtration of that of *Badajox*, which brought him in 5000 more.

The Pope's Grants of Biſhopricks in Spain to Wolſey.

IN 1521, the War betwixt the Emperor and *France* began, after each of them had try'd his utmoſt to provoke the other to ſtrike the firſt Blow, to the end that he might have occaſion to call for the Aſſiſtance of the King of *England*. But *Francis* might have look'd for it long enough; for *Henry* had reſolv'd beforehand to take part with the Emperor, and the only thing wanting was a plauſible pretext for it, which he was not long without. *Francis* I. having caus'd *Navarre* to be attack'd, and ſtir'd up * *Robert de la Mark* to take Arms againſt the Emperor, and even to ſend him a Challenge, the Emperor call'd upon *Henry* for his Aſſiſtance, in purſuance of the League of *London*. *Henry* being deſirous to ſalve Appearances, ſent an Embaſſy upon this Head to *Francis*, who, that *Henry* might have no pretence to declare againſt him, oblig'd *Robert de la Mark* to lay down his Arms. And as to the War in *Navarre*, that cou'd be no Plea for *Henry*'s declaring againſt him, becauſe *Francis* was authoriz'd to ſupport *Henry d'Albret*, by the Treaty of *Noyon*.

Francis attacks Navarre, *and ſets* Robert de la Mark *upon the Emperor.*

WHILE the Emperor complain'd againſt the King of *France* for having begun the War by means of *Robert de la Mark*, he form'd a League with the Pope, to drive the *French* out of *Milan*; and e'er that League broke out, he took a ſevere Revenge upon *Robert de la Mark*, by ravaging his Country with Fire and Sword, and ſeizing his Towns. His aim, as has been ſaid, was to oblige *Francis* I. to take ſome Step which might repreſent him as the Aggreſſor. On the other hand, *Francis* was upon his Guard, leſt he ſhou'd fall into the Snare. But as he was apprehenſive of the Fate of *Champagne*, becauſe of the near approach of the Emperor to it with an Army far more numerous than was neceſſary to chaſtiſe *Robert de la Mark*, he ſent a Repreſentation to *Henry*, that he cou'd no longer excuſe himſelf from taking Arms to ſecure his Dominions. Upon this, *Henry* offer'd himſelf for Mediator; and being accepted as ſuch by the two Parties, it was agreed that a Congreſs ſhou'd be held at *Calais*, there to treat of a Peace, by the Mediation of the King of *England*, who ſent Cardinal *Wolſey* thither to repreſent him, with the Title of his Lieutenant. The Conferences at *Calais* laſted two Months and a half, during which time there was an open War in *Italy*, *Champagne*, the *Netherlands*, and *Navarre*. The League of the Pope and the Emperor ſucceeded according to their Wiſhes. *Lautrec*, who commanded at *Milan*, was forc'd to abandon that City; of which, and ſome other places, the Allies took poſſeſſion. On the other hand, the Emperor's Army made great Ravage in *Champagne*, while the *French* beſieg'd *Fontarabia* on the Frontiers of *Spain*.

Emperor's League with the Pope to drive the French *out of* Milan.

The Emperor takes Revenge on Robert de la Mark.

Milan, *&c. abandon'd by the* French.

French *beſiege* Fontarabia.

EACH of the two Princes now in Arms had taken ſuch Precautions, leſt he ſhou'd be thought the Aggreſſor, that it was a difficult matter to judge which of the two had begun the War; and this was properly the only Queſtion debated in the Conferences at *Calais*, in which *Henry* and the Cardinal did not act with abundance of Sincerity. For inſtead of endeavouring to procure Peace, *Wolſey* put it as far back as he cou'd, his only View being to make the King of *France* chargeable with the blame of the Rupture. In fine, this Negotiation ended only in a Treaty about Trifles which might as well have been let alone. Mean while *Wolſey*, under pretence of going to perſuade the Emperor to a Peace, went to him at *Bruges*, and agreed on a League with him againſt *France*, and about his Marriage with the Princeſs *Mary*, who had been eſpous'd to the Dauphin. Before he went to *Calais*, he was furniſh'd with ſufficient Powers to treat with whomſoever he ſhou'd think fit.

Henry's *and the Cardinal's Inſincerity in the Conferences at* Calais.

A trifling Treaty the end of the Conferences.

Wolſey *agrees on a League with the Emperor, and on his Marriage to the Princeſs* Mary.

DURING this, Pope *Leo* X. died upon the firſt of *December*, which caus'd the Confederate Army in the Duchy of *Milan* to diſperſe. But *Lautrec* for want of Troops and Money was not in a condition to improve the Opportunity.

Pope Leo's Death.

IN the beginning of the Year 1522, *Francis* I. ſent Letters Patent to *Henry*, calling upon him for Succours againſt the Emperor, in purſuance of the League at *London*; dated *October* 2. 1518. To which *Henry* only return'd anſwer by a Herald, who declar'd War againſt him as the firſt Aggreſſor, by virtue of the very ſame Treaty.

Francis calls on Henry *for Aſſiſtance againſt the Emperor, and is anſwer'd with a Herald, who declares War againſt* France.

THE Conclave that met to chuſe a Pope, broke up in *January* 1522, after they had elected *Adrian* VI. who had been Præceptor to *Charles* V. and was actually Regent in *Spain*. *Wolſey* naturally imagin'd that this Election was owing to the Intrigues of the Emperor, tho' he had promis'd to procure the Papacy for him. However he diſſembled his Reſentment, and the Emperor, as he return'd thro' *England* for *Spain*, took care to pacify him with Preſents and Penſions. While *Charles* ſtaid in *England*, he ratify'd the League which he

Pope Adrian VI. *choſe.*

The Emperor ſtops Wolſey's *mouth with Preſents, &c. and ratifies the Treaty of* Bruges.

Francis threatens to take Arms.

Henry is made Mediator of the Quarrel, and a Congreſs appointed.

* This *Robert de la Mark* was Prince of *Sedan*, and Sovereign of *Bouillon*. His quarrel with the Emperor was for denying Juſtice to the young Princes of *Chimay*, to whom he was Guardian. See *du Bellay*'s Memoirs.

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he had concluded at *Bruges* with Cardinal *Wolsey*, and *Henry* did the same on his part.

Ill success of the French *Arms in* Italy.

THE War which continued in *Italy* during the Year 1522, was very disadvantageous to *Francis* I. whose Army, after the Loss of the Battle of *Bicoque*, was forc'd to repass the Mountains; and not long after the *French* were likewise drove out of *Genoa*.

Pope's Bull for a Truce despis'd by Francis, *upon which the Pope enters into a League against him.*

POPE *Adrian* VI. being inform'd that *Francis* I. was preparing to return into *Italy* with a numerous Army, was prevail'd upon by the Enemies of *France* to publish a Bull in 1523, by which he order'd a Truce of three Years to be observ'd by all Christian Princes. *Francis* made a mere Jest of this Bull; for which Contempt the Pope was reveng'd on him by entring into a League form'd against *France*, in which *Ferdinand* Archduke of *Austria*, *Francis Sforza* Duke of *Milan*, the *Genoese* and *Florentines* were also engag'd.

BESIDES the Advantages which *Charles* V. expected from this League, he propos'd very great matters to himself from the Rebellion of the Constable (the Duke) *de Bourbon*, whom he had corrupted to make a powerful diversion in *France*. But this finishes the Subject of the Acts in this Tome of the *Fœdera*, as far as they relate to Foreign Affairs, of which these are the chief.

Henry's *Alliance with* Maximilian. *P.* 259.

1. AN Act renewing the Alliance which was made *June* 20, 1502. betwixt the Emperor *Maximilian* and *Henry* VII. dated *August* 20, 1509[a].

With Lewis XII. *P.* 270.

2. ANOTHER for renewing the Treaty of Peace and Friendship made betwixt *Henry* VIII. and *Lewis* XII. dated *March* 23, 1510[b].

AFTER this Treaty we meet with a great number of Acts which have a Dependency on it; such as Ratifications, Oaths, *&c.*

With the King of Arragon. *P.* 281.

3. A Treaty of defensive Alliance betwixt *Henry* VIII. and *Ferdinand* King of *Arragon*, concluded at *London May* 24, 1510. and *Ferdinand*'s Ratification of it; dated *June* 21. following[c]. *Ferdinand* took care to have this Clause inserted in it.

Item, *Rex sic requisitus, statim post ipsam Requisitionem, se Regis sic invadentis Hostem publice declarabit*, &c. *& guerram actualiter aget in propriâ personâ si Rex Gallorum fuerit. Quod si Rex Gallorum non fuerit, tunc per Capitaneum & Locum suum tenentem, &c.*

i. e. And the King so requir'd shall immediately after the said Summons publickly declare himself an Enemy to the Prince who attacks the other King, and shall actually make War upon him in Person, if the Aggressor happens to be the King of *France*: And if not, then by his Captain and Lieutenant.

HENRY VIII.

Archers sent over for his War with the Moors. *P.* 294.

4. A Commission to the Lord *Darcy* to command[d] a thousand Archers for the assistance of the Catholick King against the *Moors*; dated *March* 8, 1511[e].

Ferdinand's *Letter of Thanks.* *P.* 297.

5. *FERDINAND*'s Letter of Thanks to him for the said Supply[f].

I have already observ'd that *Ferdinand* intended to imploy his Fleet and his Army against *France*, and not against the *Moors*. Yet, mark what he says in this Letter.

Nos tamen confitemur Vobis plurimum debere, cum ad hanc sacrosanctam Expeditionem, non solum cum exercitu tam liberaliter adjuvare nos voluistis; sed etiam prudentissimo amantissimoque consilio, quod, nimirum, lubentissime sequeremur, si hujusmodi nostra esset Expeditio, quæ Ducem aliquem Generalem ex Nostris pateretur, & non propriam personam nostram exigeret. Sunt enim in hoc bello gerendo, magnoque negotio, plures causæ perdifficiles, quæ nostram prorsus personam requirunt, & non alterius Ducis officium. Præterea, non ignoramus, tam in mari, quam in terrâ, subeundos nobis esse labores multos, magnaque pericula. Verum enimverò, cum considerabamus quantò majores Jesus Christus, Dominus noster, pro nobis labores pertulit, & mortem crucis, quam passus est, pro cujus honore & gloriâ hanc expeditionem suscepimus, nullus labor in ea nobis succedere poterit, qui non sit Nobis optata & dulcissima requies, nihilque omittemus tam magnum, quod non sit maximum lucrum Nobis allaturum. Sed confidimus & speramus in ejus Clementiâ, pro quo hanc expeditionem paramus, & Bellum gesturi sumus, quod ipse suæ causæ favebit, atque Nos pro se præliantes adjuvabit.

i. e. NEVERTHELESS we confess our selves very much oblig'd to you, not only for the Army with which you have been pleas'd so generously to assist us for this Holy Expedition, but also for your most prudent and affectionate Advice; which we shou'd most readily follow, if our Expedition was of such a nature as did not require our immediate Presence, and might as well be conducted by any of our Generals. For in the management of this War, and great Affair, there are many very difficult Cases which demand nothing less than our own appearance in Person, and in which any other Leader wou'd be of no service. Besides, we are not ignorant that many are the Toils, and great the Dangers which we must encounter with, as well by Sea as Land. But when we consider the much greater Labours, and even the Death on the Cross which our Lord Jesus Christ, for whose

[a] At *Westminster*. [b] At *London*. [c] At *Montiel*.

[d] All our modern Historians, not excepting even Mr. Archdeacon *Echard*, have follow'd Lord *Herbert*'s Copy, which makes this number 1500; but the Letter which *Ferdinand* sent in acknowledgement for that Supply, calls them but 1000.

[e] At *Canterbury*. [f] Dated at *Seville*, *April* 20, 1511.

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whoſe Honour and Glory we have undertaken this Expedition, went thro' and ſuffered for us, nothing can happen to us in it, which we ſhall think Labour, but rather our moſt deſirable and ſweeteſt Reſt; nor ſhall we reckon any Loſs too great for obtaining the greateſt Gain. But we truſt and hope in his Mercy, for whom we are preparing to make this Expedition, and going to War, that he will favour his own Cauſe, and help us fighting for him.

Pope's League with the K. of Arragon *and* Venetians. *P.* 305.

6. THE League concluded at *Rome* between *Julius* II. the King of *Arragon* and the *Venetians*; dated *Oct.* 4, 1511.

'TIS ſaid in the Treaty itſelf, that it was concluded with the Approbation and Conſent of the King of *England*, and with the participation of Cardinal *Bambridge* his Ambaſſador. It appears likewiſe by the very Terms of the Treaty, that it was made to recover for the Pope not only the City of *Bologna*, but alſo every thing that belonged mediately or immediately to the Church, that is to ſay, chiefly the Duchy of *Ferrara*.

Henry's League with Ferdinand. *P.* 311.

7. THE Treaty of Alliance betwixt *Henry* and *Ferdinand* for defence of the Church; dated at *London*, *Nov.* 17, 1511.

THE Preamble of this Treaty is of the ſame Style as *Ferdinand*'s Letter abovementioned. The two Kings ſeem to breathe nothing but the Glory of God, and the Welfare of the Catholick Church. Mean while *Henry*'s true Aim was to conquer *Guyenne*, and *Ferdinand*'s to deceive his Son-in-Law, and to ſeize *Navarre* under pretence of defending the poor oppreſſed Church. There was not a ſingle Clauſe in the Treaty which did not tend to *Ferdinand*'s Aim; but it was not poſſible for *Henry* to perceive it, till the thing was done and over.

Commiſſion for his Ambaſſadors to go to the Lateran *Council. P.* 325.

8. A Commiſſion to the Biſhop of *Worceſter*, and to Sir *Robert Wingfield*, to go and aſſiſt at the *Lateran* Council in quality of Ambaſſadors from *England*; dated *April* 1, 1512[a].

Ibidemque pro Nobis & Regno noſtro & Nomine noſtro communicandi, tractandi & concludendi, de & ſuper omnibus & ſingulis, quæ pro bono Univerſalis Eccleſiæ Catholicæ, & pro Reformatione ejuſdem tam in Capite, quam in Membris.

i. e. AND there to confer, treat and conclude for us and our Kingdom, and in our Name, of and concerning all and ſingular the Articles which may be judged neceſſary for the welfare of the whole Catholick Church, and for the Reformation thereof, as well in the Head as in the Members, *&c.*[b]

Commiſſion to Sir Edw. Howard. *P.* 316.

9. A Commiſſion to Sir *Edward Howard* to command the Fleet intended for defence of the Church; dated *April* 7, 1512[c].

THIS was the Fleet which was to act againſt *France*, while the King's Troops were employed in the Conqueſt of *Guyenne*. In all appearance the Marqueſs of *Dorſet*'s Commiſſion ran likewiſe that 'twas for Defence of the Church.

Ferdinand's *Commiſſion to treat of a League with the Pope, &c. P.* 336.

10. *FERDINAND*'s Commiſſion to *Lewis Carroz* of *Villaragud*, his Ambaſſador in *England*, to conclude a League with the Pope, the Emperor, the King of *England*, and the *Venetians* againſt *France*; dated *July* 20, 1512[d].

THIS was after the Battle of *Ravenna*.

Henry's *Commiſſion to conclude Leagues for the Pope and Church. P.* 341.

11. A Commiſſion to the Earls of *Surry* and *Shrewsbury* to conclude Leagues for defence of the Pope and the Church; dated *Nov.* 10, 1512[e].

His Declaration for the League of Rome.

12. *HENRY*'s Letters Patent, declaring that he adheres to the League of *Rome*; dated *Nov.* 13, 1512[f].

IN theſe two Acts the King took it for granted that the Pope was ſtill oppreſs'd, that the *French* ravaged *Romagna*, and that the League of *Rome* was ſtill in force; but he was miſtaken.

Indulgences for thoſe who go with Henry *againſt* France. *P.* 343.

13. INDULGENCES for thoſe who ſhall accompany *Henry* to the War againſt *Lewis* XII.

I ſuſpect that this Piece, which is without any Date, or ſo much as the Pope's Name, is miſplaced by Mr. *Rymer*, and that it ought to be put after the Treaty of *Mechlin*[g].

14. A Commiſſion to treat with the Emperor for the defence of the Church; dated *Dec.* 20, 1512[h].

THIS was in order to conclude the Treaty of *Mechlin*.

Truce betwixt France *and* Spain. *P.* 350.

15. THE Treaty of Truce between *Lewis* XII. and *Ferdinand*, concluded at *Orthez* the firſt of *April* 1513, in which we find this Clauſe.

Nos Jacobus de Conchillos, Epiſcopus Cathanienſis, tanquam Orator & Procurator Regis Arragonum, nomine ſuo, ac vice & nomine Maximiliani Imperatoris & Henrici Regis Angliæ Fratrum ſuorum, pro quibus præfatus Catholicus Rex fortem ſe facit, quòd præſentia & infra ſcripta Capitula per utraſque Majeſtates ſuas ratificabuntur, &c.

i. e. WE *James de Conchillos*, Biſhop of *Catana*, as Ambaſſador and Proctor of the King of *Arragon*, in his Name, and in the Name and on the part of the Emperor *Maximilian*, and *Henry* King of *England* his Brothers, for whom the ſaid Catholick King has engaged, that the preſent and underwritten Articles ſhall be ratify'd by both their Majeſties, *&c.*

Henry's *League with the Pope, Emperor, &c. at* Mechlin. *P.* 354.

16. THE Treaty of Alliance betwixt *Leo* X. *Maximilian* I. *Henry* VIII. and *Ferdinand*, concluded *Apr.* 5, 1513. at *Mechlin*.

THE Emperor and *Henry* were the two only ſtipulating Powers.

P. 358.

17. THE Ratification of the Treaty of *Mechlin*, in *Ferdinand*'s Name, by *Lewis Carroz*

[a] At *Weſtminſter*. [b] My Lord *Herbert* obſerves, that this Clauſe was only to blind the Publick, becauſe certainly nothing could be further from the Pope's Thoughts than to ſet this Council upon a Reformation, either of himſelf or of the Church. That Hiſtorian ſays, that in this Council the Sentence of Excommunication was confirmed againſt the Authors of the other Council, and the Acts of it revers'd. [c] At *Knoll*. [d] At *Burgos*. [e] At *Weſtminſter*. [f] Ibid. [g] In the Year 1513. [h] At *Weſtminſter*.

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Carroz of Villaragud, his Ambaſſador in *England*; dated at *London April* 18, 1513. It has this Clauſe in it.

Verum quamvis mihi Catholici Regis Arragonum Oratori prædicto ſatis ampla, valida, ac ſufficiens poteſtas, ipſam ligam, una cum Oratoribus prædictis concludendi, a ſupremo Domino meo collata & tributa fuerit; tamen quibuſdam arduis cauſis præpeditus, hujuſmodi Concluſioni intereſſe non potui. Sed quoniam mihi ſatis compertum & teſtatum eſt, nihil in prædicto fœdere contineri quod præfato Domino meo non gratum aut acceptum futurum erit, nihilque magis ei cordi ſit, quam ut fœdus ipſum perfectè compleatur, Ego igitur, &c.

i. e. But altho' valid and ample Powers were given to me the Ambaſſador of the foreſaid King of *Arragon*, by my Sovereign Lord, to conclude the League my ſelf with the Ambaſſadors aforeſaid; and for certain weighty Reaſons I could not be preſent at the concluſion of it; yet becauſe I am very ſure that there is nothing in the ſaid League but will be grateful and acceptable to my ſaid Lord the King, and that he has nothing more at heart than that the ſame ſhould be ratified, I do therefore, *&c.*

The Ambaſſador's Oath for the Obſervation of the Treaty of Mechlin. P. 363.

18. THE Oath of the ſaid Ambaſſador in the Name of *Ferdinand* King of *Arragon*, and *Joan* Queen of *Caſtille*, for obſerving the Treaty of *Mechlin* [a].

THE Ambaſſador ſays of himſelf, that he was *in hac parte ritè ordinatus, legitimè conſtitutus, & ſufficienter authorizatus*, *i. e.* that for this purpoſe he was rightly ordained, legally conſtituted, and ſufficiently authorized.

YET for all this, his Proceeding was diſavowed by *Ferdinand*.

Acts relating to the Preparations for War. P. 364, *to* 370.

19. SEVERAL Acts relating to the Preparations for War.

20. LETTERS Patent for authorizing the Queen Regent to give Orders to the Treaſury; dated *June* 11, 1513 [b].

Cardinal Bambridge's *Letter to K.* Henry. P. 376.

21. LETTER from Cardinal *Bambridge* to the King; written [c] *Sept.* 12, 1513.

IN this Letter there is mention of a certain Brief of *Julius* II. committed to the keeping of the Cardinal *de Sinigallia*, in order to be delivered to *Henry*, after he has vanquiſhed the Enemies of the Church. In all appearance this was a Brief by which *Julius* II. transferred to *Henry* the Title of Moſt Chriſtian King. Cardinal *Bambridge* having demanded it of the Cardinal *de Sinigallia*, after the Battle of *Guinegaſte*, and the taking of *Terouenne*, the latter anſwered that he could not deliver it without an expreſs Order ſigned with the King's own Hand. It appears by this Letter, that there was ſome Formality wanting in the Pope's Brief, and that it was apprehended there would be a Difficulty in getting it confirmed by *Leo* X.

22. A Letter from the Cardinal *de Sinigallia* to the King, to acquaint him that according to his Order he has delivered *Julius* IId's Letter to Cardinal *Bambridge*. 'Tis dated *Octob.* 14, 1513 [d].

The Cardinal de Sinigallia's *Letter to the K. giving him the Title of* Moſt Chriſtian King. P. 379.

HE therein gives the King the Title of *his moſt Chriſtian Majeſty*, which is a Confirmation of the abovementioned Conjecture [e].

Treaty of Liſle. P. 379.

23. THE Treaty concluded at *Liſle* between the Emperor and *Henry*; dated *Octob.* 15, 1513.

THERE's a miſtake in the Title of this Act, where we read *Carolum Imperatorem electum*, inſtead of *Maximilianum*.

Pope's Letter exhorting King Henry to a Peace. P. 386.

24. *LEO* Xth's Brief to the King, exhorting him to Peace; dated *Dec.* 17, 1513 [f].

Another Letter to the King from the Cardinal de Sinigallia. P. 387.

25. LETTER from the Cardinal *de Sinigallia* to the King, to excuſe his having refuſed to deliver *Julius* IId's Brief to the Cardinal of *York*, without expreſs Order from his Majeſty; dated *Dec.* 20, 1513 [g].

THIS Letter being of the 20th of *December*, and the abovementioned from the ſame Cardinal, wherein he ſaid he had delivered that Pope's Brief, being of the 14th of *October*, 'tis manifeſt that the Date of one of them muſt be wrong, becauſe the firſt Letter ought to come after the laſt. I conjecture that this ought to have been dated the 20th of *September*, and not the 20th of *December*.

HOWEVER, it does not appear that *Henry* made any Uſe of that Brief. And probably *Leo* X. refuſed to confirm it.

Pope's Letter to K. Henry when he ſent him the conſecrated Cap and Sword. P. 393.

26. *LEO* Xth's Letter to *Henry* when he ſent him the Sword and Cap conſecrated upon *Chriſtmas*-day; dated *March* 1, 1514 [h].

27. THE Treaty of Truce betwixt *Lewis* XII. and *Ferdinand*, concluded at *Orleans*, *March* 14, 1514.

Peter de Quintana, *Ferdinand*'s Ambaſſador, and authorized by the Emperor, therein comprehends the King of *England*, *pro quo idem Sereniſſimus Imperator fortem ſe facit*; *i. e.* for whom the ſaid moſt ſerene Emperor undertakes. 'Tis ſurprizing how *Lewis* XII. could be content with any more Securities of that Nature, after he had been impoſed upon in the ſame manner at the Treaty of *Orthez*.

Henry's Letter to Wolſey. P. 403.

28. *HENRY* VIIIth's Letter to *Thomas Wolſey* Biſhop of *Lincoln*, without a Date.

THIS is the Letter wherein the King gives his Miniſter an account of the Conference he had with the Duke of *Longueville*, when he only demanded the Annuity of 100,000 Crowns.

Lewis grants full Powers for a Treaty with him. P. 405.

29. *LEWIS* XIIth's Commiſſion to the Duke *de Longueville*, to *John de Selua* Chief Preſident of *Roan*, and to *Thomas Bohier*, *Militi Generali* [i] of *France*, to treat of a Peace with *Henry*; dated *July* 29, 1514 [k].

30.

[a] Sworn at St. *Paul*'s Church *London*, *April* 25, 1513. [b] At *Weſtminſter*. [c] At *Rome*. [d] At *Rome*.

[e] The Lord *Herbert*, who had ſeen the original Contract of the Capitulation of *Tournay*, dated *Sept.* 23, 1513, ſays alſo that the Citizens therein gave K. *Henry* the Title of *Roy tres-Chretien*, or the moſt Chriſtian King.

[f] At *Rome*. [g] Ibid. [h] Ibid. [i] *Bellay*, in his Memoirs, gives him the Title of General of *Normandy*. [k] At *St. Germain en Lay*.

FOEDERA Tom. XIII. *Their Treaty of Peace. P.413. Lewis's Marriage-Treaty with Princess Mary. P.423. His Bond. P.428.*

30. THE Treaty of Peace and Friendſhip between *Lewis* XII. and *Henry* VIII. dated *Auguſt* 7, 1514 [a].

31. THE Marriage Treaty betwixt *Lewis* XII. and *Mary*; of the ſame Date; as is alſo,

32. *LEWIS* XIIth's Bond for the Payment of a Million of Crowns.

INSTEAD of making the leaſt mention of the Annuity, theſe were the Foundations of the Bond.

Nos igitur Oratores prædicti ——tam pro ſumma dicti Reſti ſive Reſidui nondum ſoluti, quam pro aquitamento & redemptione Obligationis prædicti Caroli Ducis Aurelianenſis: Nec non pro ſingulari benevolentia & ſummo amore, quo Rex noſter Chriſtianiſſimus præfatum Regem Angliæ proſequitur, ac ut firmior ſit & fidelior contractæ jam inter eos amicitiæ obſervantia, nomine dicti Regis promittimus, &c.

i. e. We therefore the Ambaſſadors aforeſaid, as well for the reſidue or remainder of the ſaid Sum not yet paid, as for the Diſcharge and Redemption of the Obligation of the ſaid *Charles* Duke of *Orleans*; and alſo for the ſingular Good-will and very great Affection which our Moſt Chriſtian King beareth to the ſaid King of *England*, and to the end that the Obſervation of the Friendſhip now contracted between them, may be the more firm and hearty, do promiſe in the Name of the ſaid King, *&c* [b].

The King's Letters to Wolſey. P.439, 455.

33. MANY Acts follow, which are dependent on theſe Treaties and this Bond. And there are three Letters from *Lewis* XII. to *Wolſey*, in the two laſt of which, he calls him *my good Friend of* York [c].

Leo X's Letter to the King about Cardinal Hadrian. P.467.

34. *LEO* Xth's Letter to the King, relating to Cardinal *Hadrian*; dated *Octob.* 31, 1514 [d].

THIS Letter requires an Explanation. Cardinal *Hadrian* of *Cornetto*, Biſhop of *Bath* and *Wells*, was the Pope's Collector in *England*, but he got *Polydore Virgil* to officiate for him as Sub-Collector. *Wolſey* aiming at the Dignity of a Cardinal, employed Cardinal *Hadrian*, but he betrayed him, and did him ill Offices; for which reaſon *Wolſey*, in order to be revenged of him, got him turned out of his Office of Collector, and *Polydore Virgil* to be clap'd in the *Tower* [e], and he afterwards prevailed on the King to write to the Pope, to intreat him to depoſe Cardinal *Hadrian*: to which Letter this from the Pope was the Anſwer. The Pope therein tells him that he had condeſcended to remove the Cardinal from the Poſt of Collector, for no other reaſon but becauſe the King had deſired it, and that he would do even more for him, if it was not plain that he acted only at the Inſtigation of another, and not of his own accord.

Polydore Virgil the Pope's Sub-Collector committed to the Tower.

35. THE Treaties renewed betwixt *Francis* I. and *Henry*, with a great many other Acts thereon depending. Dated in the Months of *April* and *May* 1515. *Henry's Treaties with Francis I. P. 473, to 494.*

36. *FERDINAND*'s Commiſſion to renew the Alliance with *England*; dated *May* 2, 1515 [f]. *With Ferdinand. P. 494.*

37. *HENRY*'s Commiſſion to renew the Treaties with the Archduke *Charles*, Prince of *Caſtille*; dated the 7th of the ſame Month [g]. *With Archduke Charles. P. 495.*

38. TREATY of Friendſhip betwixt *Henry* and the King of *Arragon*; dated *Octob.* 19, 1515 [h]. *With the K. of Arragon.*

39. AN Engagement of *Michael de Abbatis*, Secretary to *Francis Sforza*, to give Cardinal *Wolſey* a Penſion of 10,000 Ducats, as ſoon as his Maſter is in poſſeſſion of *Milan*. *Penſion promis'd to Wolſey. P. 525.*

THIS Piece being without Date and Subſcription, was probably no more than a Model or rough Draught.

40. TWO Treaties, one of Friendſhip, the other of Commerce, betwixt *Henry* and *Charles* Prince of *Caſtille*; dated *Jan.* 24, 1516. at *Bruſſels*. *Treaties with Charles Prince of Caſtille. P. 533, 539.*

41. COMMISSION to *Robert Wingfield* to treat with the *Swiſſers*; dated *Feb.* 21, 1516 [i]. *With the Swiſs. P. 547.*

42. TREATY of defenſive Alliance betwixt the Emperor *Henry* VIII. and *Charles* of *Spain*; dated *Octob.* 29, 1516 [k]. *With the Emperor, and King of Spain. P. 556.*

43. A Commiſſion from *Leo* X. to *Nicholas Scomberg* a *German* Cordelier, to go and treat with ſeveral Princes for a League againſt the *Turks*; dated the Nones of *January*, 1517 [l]. *Pope ſollicits a League againſt the Turks. P. 578.*

44. *LEO* Xth's Letter to acquaint him of the Conſpiracy againſt him, and of the Impriſonment of two Cardinals for the ſame; dated *May* 19, 1517 [m]. *Conſpiracy againſt the Pope. P. 589.*

45. A Grant of 3000 Livres Penſion to Cardinal *Wolſey* by *Charles* King of *Spain*; dated *June* 8, 1517 [n]. *Wolſey's Penſion from the King of Spain. P. 591.*

CHARLES in the ſaid Grant calls him *Our moſt dear and ſpecial Friend.*

46. *LEO* Xth's Letter to the King, deſiring Aſſiſtance from him againſt the Enemies of the Church; dated *June* 20, 1517 [o]. *Pope's Letter to Henry for his Aſſiſtance againſt the Enemies of the Church. P. 592.*

THIS was in order to make War upon *La Rovero*, who was ſettled again at *Urbino*.

47. *LEO* Xth's circular Letter to the Biſhops of *England*, commanding them to raiſe *His Order to the Biſhops to raiſe a Tenth upon the Engliſh Clergy. P. 596.*

[a] At *London*. [b] Mr. *Rapin* after having given the Subſtance of theſe Treaties, *&c.* in his Hiſtory, Vol V. of the Original, makes this juſt Reflexion on the whole: "Thus, *ſays he*, did this War, which was undertaken, as "pretended, for the ſake of Religion, and for the Glory of God, conclude by a Treaty, in which there was not "the leaſt mention, either of Religion, or of the Pope, or of the Church." [c] The one is dated at *Eſtampes*, *Sept.* 2. 1514. the ſecond has no Date, but the third is from *Paris* in *Sept.* 1514. [d] At *Rome*.

[e] He ſtaid in Priſon about a Year, and it was owing purely to the Pope's Interceſſion, that he was then releas'd; which ill Treatment, Mr. *Rapin* thinks, was enough to make him remember all *Wolſey*'s ill Qualities in his Hiſtory of *England*. [f] At *Ventoſilla*. [g] At *Weſtminſter*. [h] At *London*. [i] At *Weſtminſter*. [k] At *London*. [l] At *Rome*. [m] At *Rome*. [n] At *Ghent*. [o] At *Rome*.

raise an entire Tenth upon their Clergy, in order to help him to support the War of *Urbino*. 'Tis dated *August* 24, 1517[a]. and has these Clauses in it.

His Order to the Bishops to raise a Tenth upon the English *Clergy.* P. 596.

Omni Exceptione, sive Excusatione cessante, cogere & compellere eisque in virtute Sanctæ obedientiæ mandare debeas.

Quod si non succederet, quod Nobis persuadere non possumus, id potius tuâ culpâ & negligentiâ quàm aliundè eveniſſe credere cogeremur, & ad officium quod ad bonum & devotum Sedis Apostolicæ Episcopum pertinet, non sine animi nostri displicentiâ, Fraternitatem tuam defuisse cognosceremus.

i. e. You must not admit of any Exception or Excuse whatsoever, but force and compel them, after you have commanded them upon the Obedience they owe to the Holy See.

AND if this shou'd not succeed which we cannot believe, we shall be forc'd to charge it rather to your Fault and Neglect, than to any thing else, and shall be displeas'd to find you have been wanting in the Duty incumbent upon a good and devout Bishop of the Apostolical See.

Wolsey appointed Collector of the Tenths. P. 598.

48. *Leo* Xth's Bull, appointing Cardinal *Wolsey* Collector of the Tenths for the War of *Urbino*; dated[b] the 9th of the Calends of *September* 1517.

HE thereby empower'd him to excommunicate all that refus'd the Tenth, and even to deprive them of their Benefices.

Cardinal's Letter to Henry *about the Croisade.* P. 603.

49. A Letter from the College of Cardinals to the King about the Affair of the Croisade; dated *January* 8, 1518[c].

THEY represent to him, that the *Turks* having already destroy'd the Empire of the *Mammelucs* in *Egypt*, will infallibly fall upon *Europe*; that their Designs must necessarily be prevented, *&c.* Therefore they pray him to send some Person to *Rome* with a power to agree upon such Preparations as shall be thought necessary.

Wolsey made the Pope's Legate à Latere. P. 606.

50. *Leo* Xth's Bull, appointing Cardinal *Wolsey* Legate *à Latere* in *England*, jointly with Cardinal *Campeggio*[d]; dated[e] the 16th of the Calends of *June* 1518. It has this Clause *viz.*

Rectè scientes & meritò quidem quanta sit circumspectionis tuæ apud eundem Regem gratia & auctoritas, quid etiam tuo magno prudentive consilio, acrique ingenio rectè ac facile persuadere & dissuadere scias & possis, &c.

i. e. Knowing full well what Favour and Authority you justly have with the said King, and that such is your great Wisdom and Ingenuity, that you can easily persuade or dissuade him as you please, *&c.*

Cardinal Hadrian's *Degradation.* P. 607.

51. LETTER from the Cardinal *de Medicis* to the King, to acquaint him of the Degradation of Cardinal *Hadrian* of *Cornetto:* dated *July* 5, 1518[f].

HE wou'd fain persuade the King that the Cardinal *Hadrian* was depos'd purely to do him a pleasure: but *Guicciardin* gives us to understand that the Cardinal had been concern'd in a Conspiracy against the Pope.

Pope's extraordinary Privilege to Wolsey *and his Brother Legat.* P. 609.

52. THE Privilege granted by *Leo* X. to his two Legates, *Wolsey* and *Campeggio*; dated the 6th of the Calends of *August* 1518[g]. It was this, *viz.*

Ut toties quoties aliquis Vestrûm Missam coram eisdem Rege & Regina aut alteri ex eis, celebraverit, omnibus & singulis utriusque sexus Christi Fidelibus verè pœnitentibus & confessis, seu Propositum confitendi habentibus, & celebrationi Missæ hujusmodi, seu saltem Benedictioni super populum largiendæ interessentibus, Plenariam peccatorum suorum Remissionem & Indulgentiam relaxandi atque concedendi Auctoritate Apostolicâ Tenore Præsentium Facultatem concedimus pariter & elargimur.

i. e. That as often as either of you shall celebrate Mass before the said King and Queen, or either of them, we empower you by these Presents to grant plenary Remission of Sins and Indulgence, by the Apostolical Authority, to all and every Believer in Christ of either Sex, who is truly Penitent and has confess'd, or intends to confess, provided they are present at such Mass, or even at the Benediction of the People.

Wolsey's Pension from the King of France. P. 610.

53. LETTERS Patent of *Francis* I. whereby he grants Cardinal *Wolsey* a Pension of 12,000 Livres, to make him amends for relinquishing the Bishoprick of *Tournay*; dated[h] *July* 31, 1518.

Henry's Treaty with the Emperor, &c. P. 624.

54. A Treaty of defensive Alliance for five Years between the Emperor and the Kings of *France*, *England* and *Spain*, for the Defence of their Dominions; dated at *London*, *October* 2, 1518.

THO' the real View of those Princes in this Alliance was to put themselves in a condition to resist the *Turks*, if they shou'd be attack'd by them, the *Turks* were not so much as named in it, notwithstanding all the Pope's Efforts to engage them in an offensive League.

His Daughter's Marriage Treaty with the Dauphin. P. 632.

55. THE Marriage Treaty betwixt the Dauphin *Francis*, and *Mary* who was *Henry*'s Daughter; dated[i] *October* 4, 1518[k].

56.

[a] At *Rome*. [b] Ibid. [c] At *Rome*.

[d] Before he made his Entry into *London*, which was on the 29th of *July*, *Wolsey* being inform'd that he had a mean Equipage, sent him 12 Mules with Coffers, which, as Lord *Herbert* says, were richly cover'd, but some of them being overturn'd in *Cheapside* and broke, were found to be empty. Another Author of good Credit, who calls his *History* of *England*, in two Volumes 8vo, a faithful Extract from Authentick Records, approved Manuscripts, *&c.* says, that tho' the Coffers were as rich to all appearance, as if they contain'd half the Treasure of *Rome*, yet when the Lids flew open, they shew'd nothing but *Old Breeches, Boots and Shoes, broken Meat, Marrow-Bones, Crusts of Bread, and the like Trumpery:* which caus'd great Laughter amongst the Spectators.

[e] At *Rome*. [f] Ibid. [g] At *Rome*. [h] At *Angeas*. [i] At *London*.

[k] This Marriage was to be celebrated as soon as the Dauphin was 14 Years of Age; and each of the two Kings engag'd to pay 500,000 Crowns in case the Marriage shou'd be put off by his means.

56. TREATY for the Reſtitution of *Tournay*; another againſt Depredations on either ſide. Another of Peace and Friendſhip betwixt *Francis* I. and *Henry* VIII. and another for the Interview of the two Kings[a].

Other Treaties betwixt Francis and Henry about Tournay, and Interview, &c. P. 642, 649.

THERE are many Acts which are dependent on theſe Treaties, from p. 633, to 681.

57. *LEO* Xth's Bull, declaring his Acceſſion to the abovemention'd Treaty, concluded at *London* the 2d of *October*; dated *December* 31, 1518[b].

Pope's Acceſſion to the Treaty of London. P. 681.

58. THE full Power which *Francis* I. granted to Cardinal *Wolſey* to ſettle the Time, Place and Form of the Interview, *&c.* 'Tis dated *January* 10, 1519[c].

Wolſey's full Power from the King of France to ſettle the Interview with King Henry. P. 691.

59. ANOTHER of the ſame Nature; dated *February* 23, 1519[d].

60. THE Regulation made by Cardinal *Wolſey* for the Interview of the two Kings; dated *March* 12, 1520[e].

His Regulation of it. P. 705.

61. *CHARLES* Vth's Letters Patent, whereby he engag'd to procure the Biſhoprick of *Badajox* for Cardinal *Wolſey*, and a Penſion of 2000 Ducats upon the Biſhoprick of *Palencia*; dated at *Compoſtella*, *March* 29, 1520. It was to be done

Charles Vth's Engagement to give Wolſey the Biſhoprick of Badajox, &c. P. 714.

Intra duos menſes, & antequam conventu ipſius Regis Angliæ Avunculi noſtri recedamus, &c.

i. e. Within two Months after the Date thereof, and before our Departure from the Interview with our ſaid Uncle the King of *England*.

62. A Proviſional Treaty of Commerce betwixt *England* and the *Netherlands*, dated *April* 11, 1520[f].

Treaty of Commerce with the Netherlands. P. 714.

63. TREATY betwixt *Francis* I. and *Henry* VIII. concluded at the Interview of the two Kings, betwixt *Ardres* and *Guiſnes*[g].

Henry's Treaty with Francis. P. 719.

64. *Leo* Xth's Bull, for ſettling on Cardinal *Wolſey* a Penſion of 2000 Ducats upon the Biſhoprick of *Palencia* in *Spain*. 'Tis dated *July* 29, 1520[h].

Wolſey's Penſion on the Biſhoprick of Palencia. P. 725.

65. LETTERS Patent of *Francis* I. empowering *Henry* to regulate the Differences with the Emperor; dated *July* 1, 1521[i].

Henry appointed Mediator of the quarrel betwixt the Emperor and Francis. P. 748.

66. *HENRY*'s Letters Patent, appointing Cardinal *Wolſey* his Lieutenant and Deputy for the Congreſs of *Calais*; dated *July* 29, 1521[i].

67. *HENRY*'s Commiſſion to the Cardinal to treat with the Pope, the Emperor, the King of *Spain*, &c[k].

His ample Commiſſion to treat P. 750.

68. THE Treaty concluded at *Calais*, *October* 11, 1521.

The Treaty of Calais. P. 752.

THE principal Article of this Treaty was the Proviſion made for the ſafe Return of the Plenipotentiaries.

69. THE Letters Patent of *Francis* I. calling for Succours from *Henry* againſt the Emperor, in purſuance of the Alliance concluded at *London* on the 2d of *October* 1518. They are dated *February* 23d, 1522[l].

Francis calls on Henry for Aid againſt the Emperor. P. 764.

70. THE Engagement of the Emperor *Charles* V. to pay a Penſion of 9000 Crowns of Gold to Cardinal *Wolſey*, to make him amends for the Penſion of 12,000 Livres which he receiv'd from the King of *France*, for his relinquiſhing the Biſhoprick of *Tournay*; dated at *London*, *June* 8, 1522.

Wolſey's Penſion from the Emperor. P. 769.

71. ANOTHER of the ſame nature, to compenſate him for the Penſion of 2000 Ducats which *Leo* X. had granted him out of the Biſhoprick of *Badajox*, dated[m] *July* 3, 1522.

P. 770.

72. THE Emperor's Letter to Cardinal *Wolſey*; dated at *Valladolid*, *November* 11, 1522. It begins thus:

Emperor's Letter to him. P. 776.

My Lord Cardinal, my good Friend,

"I have receiv'd yours, *&c.*—— And "thank you for the Zeal you always diſ- "cover for my Perſon and Affairs, deſiring "you to continue it, as I firmly truſt you "will. You know that I have my entire "Confidence in you.—— And I deſire you "to credit my Ambaſſadors as much as my "ſelf, and to approve your ſelf upon this "urgent Occaſion, to be what I eſteem you, "my Right Truſty Friend, for I ſhall al- "ways remember it."

73. A Letter from the Doge of *Venice*, to congratulate the Cardinal upon the Title of Defender of the Faith, granted to the King by the deceaſed Pope, dated *March* 17, 1523[n].

Doge of Venice his Letter to Wolſey. P. 786.

74. A Calculation of what may be the monthly Expence of the Army which Monſieur *de Bourbon* intends to carry into *France* in the Name of the Emperor.

Computation of the monthly Expence of the Emperor's Army in France. P. 795.

ACCORDING to this Reckoning, the Expence of the Army wou'd amount to 104,100 Crowns *per* Month.——'Tis probable that this Piece, which has no Date to it, is miſplac'd in the middle of the Year 1523.

ARTICLE II. Henry VIIIth's *Affairs with* Scotland.

WHEN *Henry* VIII. came to the Crown, he took care to renew the Peace with *Scotland*, as well as with other States. And afterwards, when he was perſuaded into a War with *France*, he us'd all the Precautions poſſible to prevent a Rupture with King *James* IV. his Brother-in-Law, by endeavouring to accommodate the Differences which might give any occaſion or pretext for it. But all was to no purpoſe, for it was not poſſible to hinder *Scotland* from aſſiſting *France*, from whence upon all occaſions the *Scots* receiv'd in

Henry *renews the Peace with* Scotland.

Scotland's *conſtant adherence to* France.

[a] Dated at *London* as above. [b] At *Rome*. [c] At the Caſtle of *Luſignan*.
[d] At *Cogniac*. [e] At his Reſidence near *Weſtminſter*. [f] At *London*.
[g] Dated *June* 6, 1520. [h] At *Rome*. [i] At *London*. [k] Dated as before.
[l] At *St. Germain en Laye*. [m] At *Walton-Caſtle*. [n] At *Venice*.

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in their turn powerful Protection, or elſe they would have been ſubdued by the *Engliſh* long before. It was a fundamental Maxim of the Policy of that Nation to adhere conſtantly to the Intereſts of *France*: Therefore notwithſtanding all the Care which the Kings of *England* took to have it inſerted in the Treaties of Peace, that it ſhould not be lawful for either of the two Kings to give aſſiſtance to the Enemies of the other; it ſeems that the *Scots* pretended that *France* was naturally out of the queſtion. At leaſt they did not think that when the King of *England* was the Aggreſſor, they were hindered by this Clauſe from aſſiſting their antient Ally the Kingdom of *France*. For this reaſon, the Deſign which *Henry* VIII. had formed in 1512, to make War againſt *France*, was no ſooner divulged, than *James* IV. made a League with *Lewis* XII. of which *Henry* being informed, gave Orders to the Earl of *Surry*, before he left *England*, to oppoſe the Invaſion which he had reaſon to expect from the North.

James IV's *League with that Nation.*

He challenges K. Henry.

HE was no ſooner gone, but the King of *Scotland* ſent a Herald to him, with a Challenge, dated *July* 16, 1513. wherein he declared War againſt him if he did not deſiſt from that which he had undertaken againſt *France*. *Henry* received this Letter while he lay before *Terouenne*, and being not very quick in his Anſwer, *James* entered *England* at the head of an Army, and there made himſelf Maſter of *Norham*. Not many days after, the Earl of *Surry* coming up with him, they met at *Flodden-field*, where on the 9th of *September* they joined Battle, in which the *Scots* Army was defeated, and the King of *Scotland* killed [a]. The *Engliſh* ſaid they found the Corpſe, and ſent it to *London*; but the *Scots* aſſerted it was not the Corpſe of their King, and yet they could not ſay what became of it, becauſe it was never ſeen afterwards. *Henry* wanted the Pope's Permiſſion to interr it in St. *Paul's* Church, becauſe the deceaſed had been excommunicated by Cardinal *Bambridge* Archbiſhop of *York*, in purſuance of a Bull of *Julius* II. which excommunicated all the Adherents of *France*.

Invades England, *and takes* Norham.

But is kill'd at Flodden-field.

Henry *petitions the Pope for leave to bury his Corpſe in St.* Paul's *Church.*

JAMES IV. left two Sons, the eldeſt of which being of his own Name ſucceeded him, tho' but two Years of Age, by the Title of *James* V. The Father had by his laſt Will and Teſtament appointed his Wife *Margaret*, who was *Henry* VIIIth's Siſter, to be Regent during the Minority of his Son, or at leaſt while ſhe remained in her ſtate of Widowhood; which, according to a Remark of *Buchanan*, was the firſt Inſtance that was ever known of the Regency of *Scotland*'s being put into the hands of a Woman. Mean time the States did not oppoſe it, becauſe they hoped that *Henry*, out of regard to the Queen his Siſter, would not take his Advantage of *Scotland*, which at that time was in a very low Condition.

The Acceſſion of James V. *of* Scotland.

His Mother made Regent.

THE Queen being married again, not long after [b] to *Archibald Douglas* Earl of *Angus*, the States diſpoſed of the Regency in favour of the Duke of *Albany*, who was the neareſt Relation to the young King by the Father's ſide. This Duke, who had never been in *Scotland*, was at that time in *France*, where he was born. He was Son to that Duke of *Albany* whom I formerly mentioned, who retiring into *France*, died there, and left his Family ſettled in that Country. The Nomination of this Regent being made in 1514, ſome time before the Death of *Lewis* XII. the ſaid Prince hindered him from going to *Scotland* for fear of diſobliging *Henry* VIII. who was diſguſted with the *Scots* for depriving the Queen his Siſter of the Regency, and giving it to a Prince born and bred in *France*, and altogether devoted to that Crown. *Francis* I. did as *Lewis* XII. had done, and retained the Duke of *Albany* in *France*, till the Treaty betwixt *France* and *England* was renewed: So that the Duke of *Albany* did not arrive in *Scotland* till the 18th of *May* 1515. During his abſence, Factions were formed in *Scotland*, which very much diſturbed the Tranquillity of that Kingdom. When the new Regent arrived there, he found that the *Engliſh* Party was very powerful, and that *Henry* concerned himſelf a little too much in the Affairs of that Kingdom, on pretence that he was the young King's Uncle. He did ſomething to prevent it, but it was not poſſible for him entirely to cruſh the *Engliſh* Faction, which was ſupported by the Queen Mother, and *Henry* VIII.

Her Marriage.

Duke of Albany *made Regent.*

He is detain'd in France.

Factions in Scotland.

Henry *aims to get the Duke of* Albany *removed from the Regency.*

I have already taken notice of the endeavours which *Henry* uſed in 1516, for procuring a League againſt *France*, and for renewing the War. The Duke of *Albany* being a Thorn in his Side, becauſe, as he rightly judged, the Duke would not fail to take the part of *Francis* I. he attempted to deprive him of the Regency. For this end, he accuſed him of aiming at the Crown; and pretending to be very anxious for the Life of the King his Nephew, he deſired the States to nominate another Regent, or elſe he himſelf would provide for the Security of the young King. But the States returned him an Anſwer which convinced him they did not deſign to be directed by his Counſels. Mean time the Duke of *Albany* being willing to keep fair with him, deſired a Truce of him, and offered

[a] Lord *Herbert* ſays, that moſt of the Nobility that attended the King in the Field, together with one Archbiſhop, two Biſhops, and four Abbats, and about 10,000 others, were killed on the ſide of the *Scots*. On our ſide, ſays *Polydore Virgil*, there died about 5000. Biſhop *Godwin* ſays, that of the *Scots* Nobility there fell twelve Earls and ſeventeen Barons, and of the common Soldiers 8000; and that the number of thoſe taken Priſoners was much the ſame, beſides the Loſs of all their Ordnance, and almoſt all their Enſigns. But the *Scots* ſay, there were but 500 killed on each ſide.

[b] *Auguſt* 6, 1514, according to Lord *Herbert*.

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offered to go to *England* in Perſon to pay him his Devoirs. This Complaiſance, and the Difficulties *Henry* met with in the execution of the Project he had formed againſt *France*, made him conſent to a Truce with *Scotland*, which was afterwards prolonged to the end of the Year 1517.

His Truce with Scotland.

HENRY not being able to prevail with the States of *Scotland* to deprive the Duke of *Albany* of the Regency, found out another Expedient, in which he had better Succeſs. The Duke going to *France* in 1517, *Henry* made a ſecret Treaty with *Francis* I. by which *Francis* engaged to keep the Duke of *Albany* in *France*; and he actually hindered him from returning into *Scotland*. During this abſence of the Regent, *Henry* fomented Diviſions among the *Scots*, with a deſign probably to make his advantage thereof, whenever an opportunity preſented. But the War in which he was afterwards engaged, by ſiding with *Charles* V. againſt *France*, broke the Meaſures which he might have taken with reſpect to *Scotland*.

His ſecret Treaty with the King of France *to keep the Duke of* Albany *from returning home.*

THE Congreſs which was held at *Calais* in 1521, having convinced *Francis* I. of *Henry*'s Partiality for the Emperor, he naturally ſuppoſed that he ſhould not be long at peace with *England*. Therefore he made haſte to ſend back the Duke of *Albany* into *Scotland*, who arrived at *Edinburgh* in *October* 1521, after four Months abſence. As ſoon as he came thither, he took all the meaſures poſſible to humble the *Engliſh* Faction, and obliged Earl *Douglas*, who was the Queen's Huſband, to retire to *France*. But notwithſtanding this, it was not in his power to do all that he wiſhed to make the *French* Party ſuperior to the *Engliſh*.

The Duke's Return to Scotland.

He forces the E. of Angus *to retire to* France.

HENRY being very ſenſible what the King of *France* had in view when he ſent back the Duke of *Albany* to *Scotland*, wrote a Letter to the States of the Realm, which was full of Invectives againſt the Regent; and threaten'd them with a War if they did not expel him the Kingdom; and he actually ſent a Herald to the Duke with a Summons to retire. The Regent returned a very modeſt Anſwer to the King of *England*'s Charge againſt him: but the States gave him an Anſwer that was more ſmart, in which they told him in plain Terms, that he himſelf was the only Author of the Troubles in *Scotland*.

Henry ſummons the Duke to depart the Kingdom.

His and the States of Scotland's *Anſwer.*

IF the Duke of *Albany* had never ſo good an intention to ſerve *France*, it was not in his power. He raiſed an Army indeed, and actually carried it to the Frontiers. But when they were debating about their entrance into *England*, he was on a ſudden abandoned by a great part of the Nobility, who refuſed to accompany him any further. For this reaſon he propoſed a Truce to the *Engliſh*, to which *Henry* readily conſented, becauſe a Diverſion from *Scotland* could not but be very troubleſome to him: And when the Truce was renewed, the Duke of *Albany* returned to *Francis* I.

The Duke of Albany *invades the* Engliſh *Frontier, but is abandoned by his Nobility.*

HENRY VIII.

He returns to the French *Court.*

AS for the Acts relating to *Scotland*, we find none in the *Fœdera* from the Year 1509 to 1513, but Safe-Conducts for the Ambaſſadors of *Scotland*, and Commiſſions to negotiate with *James* IV. without any particular Treaty. The chief Acts that follow in the Year 1513, *&c.* are,

1. *HENRY*'s Anſwer to the King of *Scotland*'s Charter of Defiance; dated in the Camp before *Terouenne*, *Aug.* 12, 1513.

Henry's *Anſwer to the King of* Scotland's *Challenge. P.* 382.

THIS Anſwer is very ſharp; *Henry* tells the King of *Scotland*, "That he is not "ſurprized at his Inſincerity, becauſe in "this he has only copied after his Pre"deceſſors, who never kept Faith and "Promiſe longer than pleaſed them. He "threatens to cut off all Hopes from him "and his Poſterity of ever ſucceeding to "the Crown of *England*. He ſets before "his Eyes the Example of the King of *Na*"*varre*, who for his devotion to *France* "loſt his Kingdom, while *Lewis* XII. "gave himſelf no trouble to reſtore him. "In ſhort, he tells him that he will never "forget this Affront, and hopes by the "help of God and his Patron St. *George* to "be revenged on him."

WHETHER the King of *Scotland* received this Anſwer, is uncertain; for he took the Field without ſtaying for it, and was killed about a Month after at the Battle of *Floddenfield* [a].

2. *Leo* Xth's Brief or Licence to *Henry*, to interr the Corpſe of the King of *Scotland* in St. *Paul*'s Church *London*; dated [b] *Nov.* 29, 1513. The Pope concludes it thus:

Pope's Licence to bury the Corpſe of K. James *in* England. *P.* 385.

Nos in hoc tam pio & laude digniſſimo deſiderio tuo, ſicut in cæteris, morem Majeſtati tuæ gerere cupientes, attendenteſque, ut dicitur & credi debet, idem Jacobus Scotorum Rex, ante obitum, dum in extremis ageret, erratorum memor, aliqua ſigna pœnitentiæ, quæ tali tempore poterant, dedit, licentiam & facultatem concedimus, &c.

Committentes & mandantes venerabili Ricardo Londonienſi Epiſcopo, ut ipſum quondam Regem, antequam ejus Corpus ſepeliatur, ab omnibus Excommunicationum laqueis, ad hunc effectum duntaxat, ut in loco ſacro poſſit commodè ſepeliri, auctoritate noſtrâ abſolvat; injunctâ ſuper hoc Majeſtati tuæ, nomine ipſius Regis, aliquâ conveniente Pœnitentiâ quam adimplere tenearis.

i. e. We being deſirous to gratify your Majeſty in this ſo pious and moſt praiſe-worthy Requeſt, as well as in other things; and conſidering that, as 'tis reported, and credibly too, the ſaid *James* King of *Scots* calling to

[a] Which lies near the *Cheviot-Hills*.

[b] At *Rome*.

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mind his Tranſgreſſions, when he was in the Agonies of Death, gave as many ſigns of Repentance as he poſſibly cou'd at that time; do grant Leave and Power, *&c.*

Commiſſioning and commanding the Right Reverend *Richard* Biſhop of *London*, that he do by our Authority abſolve the ſaid King, before his Corpſe is bury'd, from all Excommunication; to this effect only, that it may be decently interr'd in Holy Ground, and upon condition that your Majeſty do in his Name undergo ſome convenient Penance [a].

James V's *Letter to the Pope.* P. 513.

3. LETTER from *James* V. to the Pope; dated *July* 3, 1515 [b].

HE acquaints him of the Arrival of the Regent, and then complains againſt the King of *England*, becauſe he aſſum'd the Stile and Title of Protector of *Scotland*, and becauſe under that pretext the Pope conferr'd the Biſhopricks and Abbeys of *Scotland* at his Recommendation. He deſires him to forbear diſpoſing of the Benefices of *Scotland* for the future, at the Recommendation of Foreign Princes; *niſi Sanctitas veſtra aliis gratificans Regnum hoc vetuſtiſſimum perditum ire volet*, i. e. unleſs your Holineſs by gratifying others has a mind to let this moſt ancient Kingdom run to Ruin.

Scots *Parliament's Anſwer to King* Henry. P. 550.

4. THE Anſwer of the *Scots* Parliament to the King of *England*, relating to the Duke of *Albany*; dated *July* 4, 1516 [c].

FROM that time we find nothing in this Tome relating to *Scotland*, but ſhort Prolongations of the Truce betwixt *England* and *Scotland*; a Proclamation by the King on account of the Invaſion deſign'd by the Duke of *Albany* in 1523, and a Commiſſion from *Henry* in that very Year, to agree about a Diet, therein to treat of a Peace or Truce.

Acts relating to Domeſtick Affairs.

King of Spain *renews the Treaty with* Henry. P. 249.

1. A COMMISSION from *Ferdinand* King of *Arragon* to the Count *de Fuenſalida*, to renew the Treaty of Alliance with *Henry* VIII. and that for *Henry*'s Marriage with *Catherine* Princeſs of *Wales*; dated *May* 11, 1509 [d].

Catherine's *Reſignation of her Dowry to* Henry. P. 251.

2. AN Act, whereby *Catharine* Princeſs of *Wales* gives up her Dowry of 200,000 Crowns in favour of her Marriage with *Henry* VIII. and conſents that the ſame ſhall never be demanded again of *Henry* in any caſe whatſoever; dated [e] *June* 7, 1509.

The like Renunciation by the King and Queen of Spain. P. 253, 254.

3. THE like Renunciations of the Count *de Fuenſalida*, in the name of *Ferdinand* King of *Arragon*, and *Joan* Queen of *Caſtile*, by virtue of his full Powers; dated *June* 9, 1509.

HENRY VIII.

Remarks on thoſe Acts.

'TIS proper to obſerve upon theſe three Acts, that tho' *Henry* had been eſpous'd to *Catherine* his Siſter-in-Law, yet by order of the King his Father, he had made a ſecret Proteſt againſt this Marriage [f]. *Ferdinand* cou'd not but ſee that neither *Henry* VII. nor the Prince his Son, were very fond of conſummating the Marriage, becauſe *Henry* was eighteen Years of Age at the Death of the King his Father: And as ſoon as he came to the Crown, he propos'd it to the Conſideration of his Council, whether it was proper that the Marriage, to which he had a ſecret Averſion, ſhou'd be conſummated.

Arguments in Council about Henry's *Marriage with* Catherine.

Warham Archbiſhop of *Canterbury* oppos'd it to his utmoſt, ſaying it was contrary to the Law of God, and that by conſequence *Julius* II's Diſpenſation was null. *Richard Fox* Biſhop of *Wincheſter* maintain'd on the contrary, that the Diſpenſation was ſufficient. In this caſe one wou'd have thought Prudence ſhou'd have determin'd *Henry* to the ſureſt ſide of the Queſtion, namely, not to conſummate the Marriage. But *Fox*, who had been bred up in the School of *Henry* VII. the moſt covetous Prince upon Earth, alledg'd in favour of the Marriage, that if *Catherine* ſhould be ſent back, ſhe muſt have her Portion along with her. 'Tis very probable that it had been objected by one or other of the contrary Party, that, even tho' the Marriage ſhou'd be conſummated, a Caſe might happen when the Reſtoration of the Portion wou'd be unavoidable, becauſe *Catherine* might die without Iſſue. It was no doubt for this Reaſon that the Renunciation contain'd in thoſe Acts, was demanded of *Catherine* and *Ferdinand*, in order to ſtop the Mouths of ſuch as ſhou'd oppoſe the Marriage.

Polydore Virgil *made a Denizen of* England. P. 290.

4. THE Denization of *Polydore Virgil*; dated *October* 2, 1510 [g].

THEY make a difference in *England* betwixt Denization and Naturalization. The King may make a Denizen by his Charter; but for Naturalization there muſt be an Act of Parliament.

Letters to Wolſey *from the Pope, &c. in favour of* Polydore. P. 515, 516.

5. TWO Letters from the Pope, and Cardinal *Julius de Medicis*, to King *Henry*, in favour of *Polydore Virgil* [h].

Pope's Bull againſt Abuſes among the Clergy. P. 532.

6. *Leo* Xth's Bull, conceruing Abuſes among the inferior Clergy; dated [i] the Day before the Ides of *February* 1516.

THE Pope having been inform'd that ſome in *England* receiv'd the Tonſure for no other reaſon but to be exempt from Lay Juriſdiction, orders that for the ſpace of five Years, the Tonſure alone ſhall not be given without all the minor Orders, and that of Subdeacon; and that if any contravene the ſame,

[a] The Lord *Herbert*, who ſays the Corpſe was embalm'd, and brought firſt to *Newcaſtle*, and then to *Sheen* in *Surrey*, ſeems very doubtful whether it was ever buried in any conſecrated Place, becauſe of this Penance enjoin'd upon King *Henry*. [b] At *Edinburgh*. [c] Ibid. [d] At *Valladolid*. [e] At *Greenwich*.

[f] Biſhop *Burnet* ſays, it was made on the very Day he came of Age, and that his Father charg'd him at his Death to break it off entirely. [g] At *Weſtminſter*.

[h] The former dated at *Rome*, *Aug.* 13. and the latter at *Bologna*, *Sept.* 3, 1515. [i] At *Florence*.

ſame, he may be try'd by the Lay Courts, as much as if he was no Clergyman.

Who are permitted to read Luther's Books. P. 742.

7. *Leo* Xth's Bull, empowering the Cardinal Legate to permit the reading of *Luther*'s Books, to ſuch as do it with a deſign to confute them; dated the 15th of the Calends of *May*, 1521.

Pope's Bull ſtyling King Henry Defender of the Faith. P. 756.

8. HIS Bull for conferring on King *Henry* VIII. the Title of *Defender of the Faith*; dated the 5th of the Ides of *October*, 1521[a].

IN this XIIIth Tome of the *Fœdera*, the ſaid Bull is engrav'd from the Original, ſhewing the very Hand-writing of the Cardinals to it.

His Thanks to Henry for the Dedication to him of his Book againſt Luther. P. 758.

9. *Leo* Xth's Letter of Thanks to *Henry* for the Dedication of his Book againſt *Luther*; dated [b] *November* 4, 1521 [c].

THIS Letter is ſtuffed throughout with Flatteries of the King, on account of his Book; of which this only may ſerve for a Proof.

Quaſi reputantes, non ſine permiſſu divino, erupiſſe, adverſus Chriſti Eccleſiam, Lutheranam hanc Impietatem, ut ipſa majore cum gloria talem Propugnatorem & Defenſorem ſortiri poſſit.

i. e. Being inclin'd to think that this wicked Lutheraniſm broke out againſt the Church of Chriſt, not without the Divine Permiſſion, that the Church might have the greater Glory in obtaining ſuch a Protector and Defender.

Treaty with the King of Denmark. P. 798.

10. TREATY of Alliance betwixt *Henry* VIII. and *Chriſtiern* King of *Denmark*; dated *June* 30, 1523 [d].

CHRISTIERN having been turn'd out of his Dominions, was at that time in *England* [e].

Acts relating to Cardinal Wolſey.

Grants to Wolſey. P. 269.

1. A GRANT to *Thomas Wolſey* Dean of *Lincoln*, of a Houſe that had belong'd to *Empſon*; dated [f] *Jan.* 30, 1510 [g].

Of a Prebend at Windſor. P. 293.

2. GRANT to *Wolſey* of a Prebend at *Windſor*; dated *Feb.* 17, 1511 [h].

Of the Biſhoprick of Lincoln. P. 390 to 393.

3. BULLS for the Biſhoprick of *Lincoln*, conferr'd upon *Wolſey*; dated the 8th of the Ides of *February* 1514 [i].

Of the Abbey of Bermondſey. P. 405.

4. A GRANT to *Thomas Wolſey* of the Power of nominating to the Abbey of *Bermondſey*, when it ſhall be vacant; dated [k] *June* 24, 1514.

Of the Archbiſhoprick of York. P. 450.

5. BULLS for the Archbiſhoprick of *York*, conferr'd upon *Wolſey*; dated the 17th of the Calends of *October*, 1514.

6. THE Creation and Oath of *Wolſey* as Chancellor of *England*, *Dec.* 22, 1515.

Of making out Conge d'Elires. P. 606.

7. A POWER given to Cardinal *Wolſey* to grant *Conge d'Elires*, or the Royal Aſſent to Nominations for Biſhopricks, and to order the Reſtitution of Temporalities; dated *May* 16, 1518 [m].

Of the Biſhoprick of Bath and Wells. P. 610.

8. A BULL for conferring on *Wolſey* the Biſhoprick of *Bath* and *Wells*, vacant by the Deprivation of Cardinal *Hadrian*; dated the 3d of the Calends of *Auguſt* 1518 [n]. It has this Clauſe;

Nos cupientes ut Statum tuum juxta Cardinalatûs exigentiam dignitatis, decentiùs tenere valeas, de alicujus ſubventionis auxilio providere Eccleſias ipſas unitas etiam cum Sanctæ Cæciliæ de Urbe, quæ Titulus tui Cardinalatûs exiſtit, & Eboracenſis cui præeſſe dignoſceris, aliiſque Eccleſiis, Monaſteriis & Beneficiis Eccleſiaſticis quæ in Titulum vel Commendam aut aliàs obtines, & in poſterum obtinebis, aut Penſionibus annuis, quas percipis, aut percipies in futurum —— commendamus.

i. e. It being our Deſire to make farther Proviſion for you, that you may be enabled the more decently to ſupport your Dignity of Cardinal, we commend thoſe united Churches to you, together with *St. Cecilia's de Urbe*, which is the Title of your Cardinalſhip, the See of *York*, over which you are known to preſide, and the other Churches, Monaſteries and Eccleſiaſtical Benefices which you do now, or ſhall hereafter enjoy by Title, *in Commendam*, or otherwiſe, or with the annual Penſions which you ſhall receive now or hereafter.

Of the Legateſhip. P. 734, 739, 795.

9. TWO Bulls of *Leo* X. ſhewing the ſeveral Prolongations of the Term of Cardinal *Wolſey*'s Legateſhip; dated [o] the 8th of the Ides of *Jan.* and the Calends of *April* 1521.

Of the Abbey of St. Alban. P. 775.

10. A BULL of *Adrian* VI. granting the Abbey of St. *Alban* to Cardinal *Wolſey*, to hold it *in Commendam* during his Life; dated the 6th of the Ides of *November* 1522 [p].

Of the Biſhoprick of Durham. P. 784, 785.

11. THE Bulls of *Adrian* VI. conferring the Biſhoprick of *Durham* on Cardinal *Wolſey*, without prejudice to his other Benefices; dated the 7th of the Calends of *April* 1523 [q].

12.

[a] At *Rome*. [b] Ibid.

[c] This Book, being a Defence of the ſeven Sacraments, was ſent to the Pope richly bound; and the Lord *Herbert* ſays, he ſaw the Preſent itſelf in the Vatican Library at *Rome*. It was cried up by the Clergy as the moſt Learned Piece that ever the Sun ſhone upon; and the King was compar'd to *Solomon*, and to all the Chriſtian Emperors. But *Luther*, proud of ſuch an Antagoniſt, anſwer'd it, and treated him as much below the Reſpect due to a King, as his Flatterers had rais'd him above it.

Some think that *Stephen Gardiner* and Sir *Thomas More* had the Pains of compoſing that Book, tho' their Prince had the Honour of it. And as to the Title beſtowed on him for it by the Pope, Dr. *Fuller* in his *Church-Hiſtory* tells us, there went a Tradition, that *Patch* the King's Fool perceiving the King very jocund one Day, ask'd him the Reaſon; and that when the King told him it was becauſe he had an Honour conferr'd on him more than any of his Anceſtors, reciting the ſaid Title of *Defender of the Faith*, the Fool made this arch Reply, *Prithee good* Harry, *let Thee and I defend one another, and let the FAITH alone to defend itſelf.* Tho' *Henry* was fonder of this than all his other Titles, yet *Spelman* has remark'd, that ſeveral of the former Kings of *England* bore the ſame Title. [d] At *London*.

[e] Mr. *Rapin* obſerves in his other Hiſtory, that it was no wonder that *Chriſtiern* was receiv'd by *Henry* more like a Prince under Oppreſſion, than a barbarous Tyrant as he was, becauſe his Queen was Siſter to the Emperor, by whoſe Intereſt *Wolſey* hoped to be advanc'd to the Papal Dignity. [f] At *Weſtminſter*.

[g] This was the Parſonage-Houſe, with twelve Gardens, Orchards, &c. betwixt the *Thames* and *St. Brides* in *Fleet-ſtreet*. [h] At *Weſtminſter*. [i] At *Rome*.

[k] At *Otford* a Town in *Kent*, where *Warham* Archbiſhop of *Canterbury* built a Palace in this Reign, which 'tis ſaid coſt him 33,000*l*. [m] At *Woodſtock*. [n] At *Rome*. [o] Ibid. [p] At *Rome*. [q] Ibid.

FOEDERA Tom. XIV. P. 795.

12. A BULL of *Adrian* VI. which prolongs the Legateſhip of *Wolſey* for five Years after the Expiration of the five laſt Years granted by *Leo* X. dated [a] the Day before the Ides of *June* 1523.

THERE are many other Acts of ſome importance to Hiſtory, which for brevity ſake we are oblig'd to paſs over, and ſhall proceed now to give an account of the XIVth Tome of Mr. *Rymer*'s *Fœdera*.

THE Fourteenth Tome takes in the Acts of this Reign for twenty Years, *viz.* from *July* 1523, to *July* 1543 *.

HAVING divided my Account of the Acts of this Reign into ſeveral Stages, I take no more than four Years and a half into this, as well becauſe of the abundance of Matter, and the Importance of the Events which happen'd during that time, as becauſe if I went further, I ſhou'd be oblig'd to enter into the Affair of *Henry* VIIIth's Divorce, and leave it imperfect, or elſe run it out to an extraordinary length. In theſe four Years, which are fruitful of great Events, the only Article to be conſider'd, properly ſpeaking, is Foreign Affairs; I mean the Quarrel againſt *Charles* V. and *Francis* I. into which *Henry* VIII. could not avoid entring. The Affairs of *England* with *Scotland*, tho' of no great Importance, will indeed make a ſeparate Article for the ſake of preſerving the Thread of the Hiſtory: But as to Domeſtick Affairs, we find nothing remarkable enough in the Acts of theſe four Years and half to deſerve a particular Article, nor indeed have they much Connection with one another.

1. *Foreign Affairs.*

THO' Cardinal *Wolſey* had no reaſon to like the Emperor upon account of the Pontificate, of which that Prince had given him great Hopes, but procur'd it for another; he did not think fit to be reveng'd of him, nor ſo much as to ſhew his Reſentment for it. On the contrary, he thought it his Intereſt to adhere the cloſer to him, becauſe he had learnt by Experience how powerful his Party was in the Conclave. The great Age and Infirmities of Pope *Adrian* VI. gave him hopes that the Papal See wou'd quickly be vacant. Therefore it was for his advantage not only to have ſuch a Friend as the Emperor, but alſo to ſtrengthen his hands; ſo that when the See became vacant, he might have it in his power to give law to the Cardinals. Theſe were probably the Motives which determin'd *Wolſey* to favour the Emperor's Deſigns, and to inſpire the King his Maſter with a Reſolution to ruin *France*. The Pretext was the great Danger that *Francis* I. wou'd become too powerful, if he ſhou'd accompliſh his Deſigns in *Italy*; as if *Europe* wou'd have been in leſs danger from the too great Power of the Emperor. 'Tis certain that this Miniſter did whatever he pleas'd with the King his Maſter; and that of this, not only the *Engliſh*, but all the Princes of *Europe* were thoroughly convinc'd, as we have ſeen from a Bull of *Leo* X. and a Letter from the Doge of *Venice* already mention'd.

HENRY VIII.

THE Aim of the Emperor, and of *Henry*, was to ruin *France* by the means of the Conſtable *de Bourbon*, who made them hope for Wonders from the Correſpondence, and the great Credit which he had in the Kingdom. The Conjuncture was as favourable as they cou'd wiſh. *Francis* I. big with a Deſign to recover the Dutchy of *Milan*, was preparing to paſs into *Italy* with a numerous Army conſiſting of his beſt Troops. This made it eaſy for his Enemies to attack his King-

Duke of Bourbon's Revolt.

Deſigns of the Emperor and Henry againſt France.

[a] At *Rome*.

* It cannot have a better Introduction than Mr. *Rymer*'s Dedication of it to the Queen, as follows.

Moſt Excellent Sovereign,

" In this Tome you give the World a View of what was tranſacted within the Compaſs of twenty Years, " from the 15th to the 35th of *HENRY* VIII. your Majeſty's Predeceſſor of moſt Noble Memory.

" Nothing of publick Affairs in *Europe*, Eccleſiaſtical or Civil, were tranſacted without his Countenance or " Direction. His Title, *Defender of the Faith*, is repeated and confirm'd to him with the higheſt Applauſe, and " in a moſt ſolemn Manner.

" And now it is that he caſts a particular Eye on his two Univerſities, *Cambridge* and *Oxford*: Schools and " Colleges are every where, for the Advancement of Learning, founded and endowed; and with the utmoſt " Application they proceed to improve and cultivate the liberal Sciences and good Literature.

" Now it is that we hear of the *Hebrew Lectures*, and the *Linacre Lectures*; now is our Holy Bible printed in " *Engliſh*, as are alſo the *Grayle*, the *Antiphoner*, the *Hymptual*, the *Portans*, and the other Books for Divine " Service of the *Uſe of Sarum*: And to ſet the Church in a clearer Light, inſtead of the ill-digeſted rude Oeco- " nomy of former Times, inſtead of *white Friars*, *black Friars*, and *grey Friars*, now have our Clergy an uniform " decent Garb, wear a new Face, grow refin'd, and act a more polite Part in Converſation.

" And now for their greater Dignity, Luſtre, and Authority, *New Churches*, *Cathedral Churches* are appointed " all over the Realm; and we have ſo many *Biſhop-Suffragans*, together with their *Deans*, *Archdeacons*, *Preben-* " *daries*, and their other Subalterns.

" Now it is that we have a *Biſhop* of *Oxford*, a *Biſhop* of *Briſtol*, *Biſhops* of *Peterborough*, *Taunton*, *Colcheſter*, " *Ipſwich*, *Glouceſter*, *Shaftesbury*, *Hull*, *Bedford*, *Penryth*, *Thetford*, *Cheſter*; *Suffragan-Biſhops* up from *Berwick* " upon *Tweed*, to the Biſhop of *Weſtminſter*.

" Furthermore, if a *deſerving Perſon* came in the way, when no *Cathedral vacant*, there wanted not for him " *Pluralities* and *Incompatibilities* that amount to an Equivalent.

" Nor was the *Building of Churches* his only Glory. He had his ſhare in the *Secular Occurrences* of his Time; " he held the *Balance of Power* in his Hand, and the *Scale* turn'd according to his *Direction*. He was declared " *Protector of Leagues*, and no *Confederacy* was firm without him. His Contemporaries, *Francis the French* " *King*, and *Charles* V. two ambitious, unquiet, enterpriſing Princes, in their Turns never fail'd to cut out Work " for him: One while they court him for their Ally, or make him Umpire, and ſubmit their Quarrel to his " Arbitration.

" To which ſoever Party he joins, Succeſs and Victory go along with them: If he ſides with the *French*, the " *Imperial Armies* are defeated; when he ſides with the *Emperor*, King *Francis* in the Field of Battle is made " Priſoner. In other Expeditions, ſome good *French* Towns and Territories remain to the *Engliſh*.

" Thus proceeded the Reign of King *Henry* VIII. as appears in the Courſe of this Tome, which ends with " the moſt joyful Proſpect of uniting your two Kingdoms, *England* and *Scotland*, by the means of a Marriage " for the King's only Son *Prince Edward*, with the young *Queen of Scotland*. This Marriage was negotiated, " concerted, and concluded; but this *Union* was a Bleſſing reſerv'd for your Majeſty, *&c.*

FOEDERA Tom. XIV.

Kingdom in his abſence, and they reſolv'd to do it in three places at once. The Conſtable was to act in *Burgundy*, aſſiſted by all his Friends, and by all the Malecontents in the Kingdom, beſides ſeven or eight thouſand Men that the Emperor ſent in ſmall Bodies to the *Franche Compte*, which were to be under the Command of the Count *de Furſtemberg*. *Henry* was to ſend an Army into *Picardy* to join that which the Emperor had promis'd to have on foot in thoſe Parts, under the Command of the Count *de Bure:* and at the ſame time *Charles* was to cauſe *Bayonne* and *Fontarabia* to be attack'd. But for fear that their too early Preparations wou'd give Umbrage to *Francis* I. and oblige him to ſtay in his Kingdom, and defer his Expedition to *Italy*, they agreed not to begin to act all three together, till the Month of *September*, the very time, when the Pope and the *Venetians*, who were juſt enter'd into the League, wou'd in all probability have given him the moſt Diſturbance.

Their Miſcarriage, and the Duke of Bourbon's Flight.

THE Conſtable's Conſpiracy was diſcover'd, and the Duke himſelf oblig'd to loſe no time in his Eſcape; and conſequently the great Projects of the Allies vaniſh'd into Smoke, or at leaſt fell far ſhort of the Succeſs they expected. Nevertheleſs the *Spaniards* made themſelves Maſters of *Fontarabia*, thro' the Cowardice of the Governour. But the Count *de Furſtemberg*, who had made an Incurſion into *Champagne*, was drove out again by the Duke of *Guiſe*, who purſu'd him even as far as *Lorrain*, where he overtook and defeated him. The Count *de Bure* and the Duke of *Suffolk* enter'd *Picardy* very late, and were forc'd to retreat before they had made any conſiderable Progreſs, by the Dukes *de Vendome* and *de la Tremouille*, who commanded in that Country.

Fontarabia taken by the Spaniards.

Count de Furſtemberg defeated by the Duke of Guiſe.

The Duke of Suffolk forc'd to retreat from Picardy.

The Campaign in Italy.

THIS Year's Campaign in *Italy* wou'd have been very fatal to the Emperor, if the Admiral *de Bonnivet*, to whom *Francis* had given the command of his Army, had improv'd his advantages, or if he had been oppos'd by a General of leſs Experience than *Proſper Colonna*, who broke all his Meaſures. This *Proſper* dying not long after, the Emperor ſent the Duke *de Bourbon* into *Italy* to command his Troops there.

Pope Adrian's Death.

POPE *Adrian* VI. died in *September*, without having been let into the Deſigns of the Emperor and *Henry*, who had only made him believe, by his Miniſter who was in their Intereſt, that his entring into the League was an infallible means to oblige the King of *France* to conſent to the Truce of three Years, which he had ſtiffly refus'd. *Adrian's* Succeſſor was the ſame Cardinal *de Medicis*, who was ſupported by the Imperial Faction, and aſſum'd the Name of *Clement* VII. which was matter of great Mortification to Cardinal *Wolſey*, who having flatter'd himſelf that the Emperor wou'd uſe all his Intereſt to make him Pope, now ſaw that this pretended Friend had no ſuch thing in View. But he conceal'd his Reſentment, that he might the more ſurely work his Revenge.

His Succeſſor Clement VII.

THE Death of *Adrian* VI. and the Election of *Clement* VII. put the Imperialiſts in *Italy* into a ſtrange Confuſion. In 1524, very ſoon after the Pope's Death, the Troops of the Church quitted the Army of the Allies, and *Clement* VII. was no ſooner elected than he recall'd thoſe of *Florence*, and declar'd openly that he wou'd be Neuter, tho' it was he who had engag'd his Predeceſſor to join with the Allies againſt *France*. By this means the Imperial Army was not only weaken'd in number of Troops, but principally by the want of Money, which was no longer furniſh'd by *Rome* and *Florence*. But tho' in publick the Pope made a mighty Noiſe of his Neutrality, yet in ſecret he ſupply'd the Duke of *Bourbon* with 20,000 Ducats, and conſented that the *Florentines* ſhou'd give him a Remittance of 50,000.

Pope abandons his Allies.

But ſecretly ſupplys the Duke of Bourbon.

WITH theſe Succours, and a Reinforcement of 10,000 *Landſqnenets* (or *German* Foot Soldiers) which arriv'd very *à propos* at *Milan*, the Duke of *Bourbon* took the Field, and joining the *Venetians*, commanded by the Duke of *Urbino*, he drew near to the *French* Army, which was very much weaken'd, *Francis* I. having paid them no Money ever ſince their entrance into *Italy*. In this ſad plight, *Bonnivet* reſolv'd to go and give battle to the Allies, but the two Generals did not think fit to run any hazard. They knew what a condition the Admiral was in, and did not doubt but he wou'd ſoon be forc'd to abandon the *Milaneſe*, which happen'd accordingly; for *Bonnivet* not being able to fight, nor to ſubſiſt his Army after the Allies came ſo near him, reſolv'd at laſt to make the beſt Retreat he cou'd, and to repaſs the Mountains.

The French *abandon* Italy.

THE *French* had no ſooner left *Italy*, than the Emperor and *Henry* form'd new Projects. After having happily defended the Duchy of *Milan*, the Emperor reſolv'd to cauſe *Provence* to be invaded by the Duke of *Bourbon*, with an Army, for the Maintenance whereof *Henry* promis'd to pay 100,000 Crowns *per* Month, but reſerv'd to himſelf the Liberty of paying only the firſt Month, if he found it more convenient to make a powerful Diverſion in *Picardy*, by acting there in his own Perſon.

Deſigns of the Emperor and Henry *againſt* France.

ACCORDING to this Project, the Duke of *Bourbon* march'd towards *Provence*, but was not near ſo ſtrong as he expected. The *Venetians*, who only engag'd in the League for Defence of the Duchy of *Milan*, wou'd not be concern'd in the Expedition; and the Emperor was oblig'd to leave part of his

Duke of Bourbon *marches into* Provence.

FOEDERA Tom. XIV. P. 795.

12. A BULL of *Adrian* VI. which prolongs the Legateſhip of *Wolſey* for five Years after the Expiration of the five laſt Years granted by *Leo* X. dated [a] the Day before the Ides of *June* 1523.

THERE are many other Acts of ſome importance to Hiſtory, which for brevity ſake we are oblig'd to paſs over, and ſhall proceed now to give an account of the XIVth Tome of Mr. *Rymer's Fœdera*.

THE Fourteenth Tome takes in the Acts of this Reign for twenty Years, *viz.* from *July* 1523, to *July* 1543 *.

HAVING divided my Account of the Acts of this Reign into ſeveral Stages, I take no more than four Years and a half into this, as well becauſe of the abundance of Matter, and the Importance of the Events which happen'd during that time, as becauſe if I went further, I ſhou'd be oblig'd to enter into the Affair of *Henry* VIIIth's Divorce, and leave it imperfect, or elſe run it out to an extraordinary length. In theſe four Years, which are fruitful of great Events, the only Article to be conſider'd, properly ſpeaking, is Foreign Affairs; I mean the Quarrel againſt *Charles* V. and *Francis* I. into which *Henry* VIII. could not avoid entring. The Affairs of *England* with *Scotland*, tho' of no great Importance, will indeed make a ſeparate Article for the ſake of preſerving the Thread of the Hiſtory: But as to Domeſtick Affairs, we find nothing remarkable enough in the Acts of theſe four Years and half to deſerve a particular Article, nor indeed have they much Connection with one another.

1. *Foreign Affairs.*

THO' Cardinal *Wolſey* had no reaſon to like the Emperor upon account of the Pontificate, of which that Prince had given him great Hopes, but procur'd it for another; he did not think fit to be reveng'd of him, nor ſo much as to ſhew his Reſentment for it. On the contrary, he thought it his Intereſt to adhere the cloſer to him, becauſe he had learnt by Experience how powerful his Party was in the Conclave. The great Age and Infirmities of Pope *Adrian* VI. gave him hopes that the Papal See wou'd quickly be vacant. Therefore it was for his advantage not only to have ſuch a Friend as the Emperor, but alſo to ſtrengthen his hands; ſo that when the See became vacant, he might have it in his power to give law to the Cardinals. Theſe were probably the Motives which determin'd *Wolſey* to favour the Emperor's Deſigns, and to inſpire the King his Maſter with a Reſolution to ruin *France*. The Pretext was the great Danger that *Francis* I. wou'd become too powerful, if he ſhou'd accompliſh his Deſigns in *Italy*; as if *Europe* wou'd have been in leſs danger from the too great Power of the Emperor. 'Tis certain that this Miniſter did whatever he pleas'd with the King his Maſter; and that of this, not only the *Engliſh*, but all the Princes of *Europe* were thoroughly convinc'd, as we have ſeen from a Bull of *Leo* X. and a Letter from the Doge of *Venice* already mention'd.

HENRY VIII.

THE Aim of the Emperor, and of *Henry*, was to ruin *France* by the means of the Conſtable *de Bourbon*, who made them hope for Wonders from the Correſpondence, and the great Credit which he had in the Kingdom. The Conjuncture was as favourable as they cou'd wiſh. *Francis* I. big with a Deſign to recover the Dutchy of *Milan*, was preparing to paſs into *Italy* with a numerous Army conſiſting of his beſt Troops. This made it eaſy for his Enemies to attack his King-

Duke of Bourbon's Revolt.

Deſigns of the Emperor and Henry againſt France.

[a] At *Rome*.

* It cannot have a better Introduction than Mr. *Rymer's* Dedication of it to the Queen, as follows.

Moſt Excellent Sovereign,

" In this Tome you give the World a View of what was tranſacted within the Compaſs of twenty Years, " from the 15th to the 35th of *HENRY* VIII. your Majeſty's Predeceſſor of moſt Noble Memory.

" Nothing of publick Affairs in *Europe*, Eccleſiaſtical or Civil, were tranſacted without his Countenance or " Direction. His Title, *Defender of the Faith*, is repeated and confirm'd to him with the higheſt Applauſe, and " in a moſt ſolemn Manner.

" And now it is that he caſts a particular Eye on his two Univerſities, *Cambridge* and *Oxford*: Schools and " Colleges are every where, for the Advancement of Learning, founded and endowed; and with the utmoſt " Application they proceed to improve and cultivate the liberal Sciences and good Literature.

" Now it is that we hear of the *Hebrew Lectures*, and the *Linacre Lectures*; now is our Holy Bible printed in " *Engliſh*, as are alſo the *Grayle*, the *Antiphoner*, the *Hymptual*, the *Portans*, and the other Books for Divine " Service of the *Uſe of Sarum*: And to ſet the Church in a clearer Light, inſtead of the ill-digeſted rude Oeco- " nomy of former Times, inſtead of *white Friars*, *black Friars*, and *grey Friars*, now have our Clergy an uniform " decent Garb, wear a new Face, grow refin'd, and act a more polite Part in Converſation.

" And now for their greater Dignity, Luſtre, and Authority, *New Churches*, *Cathedral Churches* are appointed " all over the Realm; and we have ſo many *Biſhop-Suffragans*, together with their *Deans*, *Archdeacons*, *Preben-* " *daries*, and their other Subalterns.

" Now it is that we have a *Biſhop* of *Oxford*, a *Biſhop* of *Briſtol*, *Biſhops* of *Peterborough*, *Taunton*, *Colcheſter*, " *Ipſwich*, *Glouceſter*, *Shaftesbury*, *Hull*, *Bedford*, *Penryth*, *Thetford*, *Cheſter*; *Suffragan-Biſhops* up from *Berwick* " upon *Tweed*, to the Biſhop of *Weſtminſter*.

" Furthermore, if a *deſerving Perſon* came in the way, when no *Cathedral vacant*, there wanted not for him " *Pluralities* and *Incompatibilities* that amount to an Equivalent.

" Nor was the *Building of Churches* his only Glory. He had his ſhare in the *Secular Occurrences* of his Time; " he held the *Balance of Power* in his Hand, and the *Scale* turn'd according to his *Direction*. He was declared " *Protector of Leagues*, and no *Confederacy* was firm without him. His Contemporaries, *Francis the French* " *King*, and *Charles* V. two ambitious, unquiet, enterpriſing Princes, in their Turns never fail'd to cut out Work " for him: One while they court him for their Ally, or make him Umpire, and ſubmit their Quarrel to his " Arbitration.

" To which ſoever Party he joins, Succeſs and Victory go along with them: If he ſides with the *French*, the " *Imperial Armies* are defeated; when he ſides with the *Emperor*, King *Francis* in the Field of Battle is made " Priſoner. In other Expeditions, ſome good *French* Towns and Territories remain to the *Engliſh*.

" Thus proceeded the Reign of King *Henry* VIII. as appears in the Courſe of this Tome, which ends with " the moſt joyful Proſpect of uniting your two Kingdoms, *England* and *Scotland*, by the means of a Marriage " for the King's only Son *Prince Edward*, with the young *Queen of Scotland*. This Marriage was negotiated, " concerted, and concluded; but this *Union* was a Bleſſing reſerv'd for your Majeſty, *&c.*

FOEDERA Tom. XIV.

Kingdom in his abſence, and they reſolv'd to do it in three places at once. The Conſtable was to act in *Burgundy*, aſſiſted by all his Friends, and by all the Malecontents in the Kingdom, beſides ſeven or eight thouſand Men that the Emperor ſent in ſmall Bodies to the *Franche Compte*, which were to be under the Command of the Count *de Furſtemberg*. *Henry* was to ſend an Army into *Picardy* to join that which the Emperor had promis'd to have on foot in thoſe Parts, under the Command of the Count *de Bure:* and at the ſame time *Charles* was to cauſe *Bayonne* and *Fontarabia* to be attack'd. But for fear that their too early Preparations wou'd give Umbrage to *Francis* I. and oblige him to ſtay in his Kingdom, and defer his Expedition to *Italy*, they agreed not to begin to act all three together, till the Month of *September*, the very time, when the Pope and the *Venetians*, who were juſt enter'd into the League, wou'd in all probability have given him the moſt Diſturbance.

Their Miſcarriage, and the Duke of Bourbon's Flight.

THE Conſtable's Conſpiracy was diſcover'd, and the Duke himſelf oblig'd to loſe no time in his Eſcape; and conſequently the great Projects of the Allies vaniſh'd into Smoke, or at leaſt fell far ſhort of the Succeſs they expected. Nevertheleſs the *Spaniards* made themſelves Maſters of *Fontarabia*, thro' the Cowardice of the Governour. But the Count *de Furſtemberg*, who had made an Incurſion into *Champagne*, was drove out again by the Duke of *Guiſe*, who purſu'd him even as far as *Lorrain*, where he overtook and defeated him. The Count *de Bure* and the Duke of *Suffolk* enter'd *Picardy* very late, and were forc'd to retreat before they had made any conſiderable Progreſs, by the Dukes *de Vendome* and *de la Tremouille*, who commanded in that Country.

Fontarabia taken by the Spaniards.

Count de Furſtemberg defeated by the Duke of Guiſe.

The Duke of Suffolk forc'd to retreat from Picardy.

The Campaign in Italy.

THIS Year's Campaign in *Italy* wou'd have been very fatal to the Emperor, if the Admiral *de Bonnivet*, to whom *Francis* had given the command of his Army, had improv'd his advantages, or if he had been oppos'd by a General of leſs Experience than *Proſper Colonna*, who broke all his Meaſures. This *Proſper* dying not long after, the Emperor ſent the Duke *de Bourbon* into *Italy* to command his Troops there.

Pope Adrian's Death.

POPE *Adrian* VI. died in *September*, without having been let into the Deſigns of the Emperor and *Henry*, who had only made him believe, by his Miniſter who was in their Intereſt, that his entring into the League was an infallible means to oblige the King of *France* to conſent to the Truce of three Years, which he had ſtiffly refus'd. *Adrian*'s Succeſſor was the ſame Cardinal *de Medicis*, who was ſupported by the Imperial Faction, and aſſum'd the Name of *Clement* VII. which was matter of great Mortification to Cardinal *Wolſey*, who having flatter'd himſelf that the Emperor wou'd uſe all his Intereſt to make him Pope, now ſaw that this pretended Friend had no ſuch thing in View. But he conceal'd his Reſentment, that he might the more ſurely work his Revenge.

His Succeſſor Clement VII.

THE Death of *Adrian* VI. and the Election of *Clement* VII. put the Imperialiſts in *Italy* into a ſtrange Confuſion. In 1524, very ſoon after the Pope's Death, the Troops of the Church quitted the Army of the Allies, and *Clement* VII. was no ſooner elected than he recall'd thoſe of *Florence*, and declar'd openly that he wou'd be Neuter, tho' it was he who had engag'd his Predeceſſor to join with the Allies againſt *France*. By this means the Imperial Army was not only weaken'd in number of Troops, but principally by the want of Money, which was no longer furniſh'd by *Rome* and *Florence*. But tho' in publick the Pope made a mighty Noiſe of his Neutrality, yet in ſecret he ſupply'd the Duke of *Bourbon* with 20,000 Ducats, and conſented that the *Florentines* ſhou'd give him a Remittance of 50,000.

Pope abandons his Allies.

But ſecretly ſupplys the Duke of Bourbon.

WITH theſe Succours, and a Reinforcement of 10,000 *Landſquenets* (or *German* Foot Soldiers) which arriv'd very *à propos* at *Milan*, the Duke of *Bourbon* took the Field, and joining the *Venetians*, commanded by the Duke of *Urbino*, he drew near to the *French* Army, which was very much weaken'd, *Francis* I. having paid them no Money ever ſince their entrance into *Italy*. In this ſad plight, *Bonnivet* reſolv'd to go and give battle to the Allies, but the two Generals did not think fit to run any hazard. They knew what a condition the Admiral was in, and did not doubt but he wou'd ſoon be forc'd to abandon the *Milaneſe*, which happen'd accordingly; for *Bonnivet* not being able to fight, nor to ſubſiſt his Army after the Allies came ſo near him, reſolv'd at laſt to make the beſt Retreat he cou'd, and to repaſs the Mountains.

The French *abandon* Italy.

THE *French* had no ſooner left *Italy*, than the Emperor and *Henry* form'd new Projects. After having happily defended the Duchy of *Milan*, the Emperor reſolv'd to cauſe *Provence* to be invaded by the Duke of *Bourbon*, with an Army, for the Maintenance whereof *Henry* promis'd to pay 100,000 Crowns *per* Month, but reſerv'd to himſelf the Liberty of paying only the firſt Month, if he found it more convenient to make a powerful Diverſion in *Picardy*, by acting there in his own Perſon.

Deſigns of the Emperor and Henry *againſt* France.

ACCORDING to this Project, the Duke of *Bourbon* march'd towards *Provence*, but was not near ſo ſtrong as he expected. The *Venetians*, who only engag'd in the League for Defence of the Duchy of *Milan*, wou'd not be concern'd in the Expedition; and the Emperor was oblig'd to leave part of his Troops

Duke of Bourbon *marches into* Provence.

FOEDERA Tom. XIV.

Troops in *Italy*, under Command of *Lanoy* Viceroy of *Naples*, for the Guard of that Country: ſo that the Duke of *Bourbon*'s Army did not exceed 16,000 Men.

HENRY VIII.

AT the firſt News of the March of the Imperialiſts, *Francis* I. iſſued ſuch good Orders, that the City of *Marſeilles* was immediately furniſh'd with a good Garriſon, and every thing neceſſary for a long and vigorous Defence. Mean time he aſſembled an Army of 40,000 Men at *Avignon*, who were in a condition to act, before the Duke of *Bourbon*, then taken up with the Siege of *Marſeilles*, had made any conſiderable Progreſs. This was the reaſon that the Duke fearing to be attack'd, reſolv'd to return to *Italy*. He rais'd the Siege therefore with ſome Precipitation, and march'd back towards *Milan*. *Francis* finding himſelf at the head of an Army very ſuperior to his Enemy, reſolv'd to improve the advantage, in order to recover the Duchy of *Milan*. As the Duke of *Bourbon* went the fartheſt way about, the King did not think of purſuing him, but march'd a nearer Road to *Milan*, in hopes of being there before him. The two Armies marching thither with extraordinary Diligence, arriv'd in the *Milaneſe* much about the ſame time, tho' by different ways. The Duke of *Bourbon* went to join *Lanoy* at *Pavia*, and *Francis* having made himſelf Maſter of the Town of *Milan*, left *Trivulce* there with a Body of Troops to beſiege the Caſtle, and then march'd in purſuit of his Enemy, who retir'd as he advanc'd, and gave him the opportunity of beſieging *Pavia*. He ſat down before it on the 28th of *October*.

Lays ſiege to Marſeilles;

But is forc'd to raiſe it and return to Italy.

He arrives in the Milaneſe *one way, and the King of* France *another.*

The Imperialiſts abandon the Milaneſe *to the* French, *who beſiege* Pavia.

WHILE the Imperial Army was in *Provence*, Cardinal *Wolſey* having a Pique againſt the Emperor, put Maxims into the head of the King his Maſter, which were quite the reverſe to thoſe that he had purſued hitherto, and inclin'd him to break with the Emperor. So that *Henry* being directed by his Miniſter, not only paid but one Month of the Subſidy which he had promis'd, and made no Diverſion in *Picardy*, but even demanded of the Emperor the Payment of thoſe Sums which he had lent him when he was in *England*. All this gave the Emperor ſuſpicions which were but too well founded, becauſe *Wolſey* was diſguſted. We ſhall preſently ſee what were the Effects of his Diſguſt, but we muſt firſt relate what paſs'd in *Italy*.

Henry *begins to fall out with the Emperor.*

THE arrival of *Francis* I. in the *Milaneſe*, with a formidable Army, put the Duke of *Bourbon*, and the Viceroy of *Naples* into very great Confuſion. They were abandon'd by the Pope, the *Florentines* and the *Venetians*; their Army was far inferior to his, and they had no Money to pay it. In this Extremity their only Hopes were in the length of the Siege of *Pavia*, which was like to laſt long enough to give time to take other Meaſures. This Siege was undertaken in the beginning of the Winter, and they had great Expectations from the Valour and Experience of *Anthony de Leve* who commanded in the place. They reſolv'd therefore to improve this opportunity by ſending for Troops from *Germany*, and the Duke of *Bourbon* went himſelf into that Country to haſten the Levies as much as poſſible.

CLEMENT VII. was every whit as much embarraſs'd as the Emperor's Generals. *Francis* I. was not ignorant how this Pontiff ſtood affected, while he was Cardinal and Prime Miniſter to *Adrian* VI. and there was no very great Appearance that his Sentiments or Inclination were alter'd ſince he was become Pope. The Step he took in procuring Money for the Duke of *Bourbon*, was a plain Token which way he was inclin'd. Conſequently the King of *France*'s Arrival in the *Milaneſe*, and the proſpect there was that he wou'd make himſelf Maſter of the intire Duchy, having given the Pope a juſt Apprehenſion of ſeeing himſelf expos'd to the Reſentment of that Monarch, he thought it his beſt Courſe to prevent it, by falling in with his Intereſt. Therefore, after he had, for Form ſake, ſent a Nuncio to the two Armies to exhort them to Peace, he made a Treaty with *Francis*, by which he engag'd not to diſturb him either in the Conqueſt, or in the Poſſeſſion of the *Milaneſe*. Beſides this Treaty which was made publick, and at which the Emperor was very much incens'd, he concluded another ſecret Treaty to make the Conqueſt of the Kingdom of *Naples* the more eaſy for *Francis* I. by giving paſſage for the Army of *France*, which was deſign'd for that Expedition, thro' the Territories of *Florence* and the Church. This Treaty being ſign'd, *Francis* ſent a Detachment from his Army under Command of the Duke of *Albany* to attack the Kingdom of *Naples*. But he order'd the Duke to halt in *Tuſcany* for 2000 Men, which were to be brought from *Provence*, by *Renzo de Ceri*, who had defended *Marſeilles*.

Pope's Treaty with the King of France.

Duke of Albany *ſent with Forces to attack* Naples.

Some time after, *Renzo de Ceri* coming from *Marſeilles* to join the Duke of *Albany*, found means in his Paſſage to make himſelf Maſter of *Savona*; which was the reaſon that *Francis* ſent another Detachment under the Marquis *de Saluces*, to poſt himſelf at *Savona*, with a view to facilitate the Conqueſt of *Genoa*. The three Detachments which the King had made, the one for the Caſtle of *Milan*, another for *Naples*, and the third for *Savona*, the Severity of the Seaſon, and the Inconveniences of the Siege, ſo weaken'd the Army of *France*, that the Imperialiſts began to have better hopes of their Affairs, which Hopes were augmented by the Arrival of the Duke of *Bourbon*, who in the beginning of the Year 1525, brought them

Savona taken.

them a Reinforcement of 10,000 Men. The Battle of *Pavia* is ſo well known, that 'tis needleſs to enter into the Particulars of it, farther than juſt to take notice that the Imperialiſts attack'd the Army of *France*, that this Army was routed, and that the King himſelf was taken Priſoner.

Battle of Pavia, in which the King of France is taken Priſoner.

THIS unexpected Event changed the face of Affairs in a moment, eſpecially in *Italy*, which was never in ſo great danger of falling under the Dominion of the Emperor. The *Venetians*, who foreſaw what would be the Conſequences of the Victory of *Charles*, and of the King of *France*'s being his Priſoner, propoſed immediately to make a League with the Pope, *France* and *England* againſt the Emperor. But *Clement* VII. had ſo lately put a groſs Affront upon the Emperor, that he was afraid to take this Step, and choſe rather to treat for his own part with the Viceroy of *Naples*, who acted in the Emperor's Name. In order to hinder the Pope from entring into the League propoſed to him, the Viceroy made no difficulty to engage the Emperor to reſtore the Duchy of *Milan* to *Francis Sforza*, tho' he was very ſenſible that his Maſter had no ſuch Intention. But this was the only way to defeat the Project of the League, becauſe the Reſtoration of *Sforza* to *Milan* was the Baſis of the Liberty of *Italy*, which could not be ſecured as long as the Emperor remained in poſſeſſion of that Duchy. By this Treaty, which could have no effect till the Emperor had ratified it, the Viceroy baffled the Meaſures which the *Venetians* were going to take, and made *Venice*, *France* and *England* all ſo jealous of the Pope, that there was no room to imagine that theſe Powers would truſt him long. This was the reaſon that the Emperor's Generals, who wanted Money to pay their Troops, made no ſcruple to disband great part of them; the rather becauſe *Trivulce*, who had beſieged the Caſtle of *Milan*, was already returned over the Mountains, and that the Duke of *Albany* was alſo marched back into *France* by another Road.

Venetians Propoſal of a League againſt the Emperor.

Pope treats with him.

Emperor's Generals diſband their Forces.

As the Hiſtory of that time is very well known, I ſhall only give the Subſtance of what is moſt neceſſary for underſtanding the Acts in this XIVth Tome of the *Fœdera*.

THE Emperor offered his Priſoner to ſet him at liberty, on certain Conditions, of which the principal Articles were, that he ſhould reſtore the Duchy of *Burgundy* to him, which *Lewis* XI. had taken from *Mary* his Grandmother; that he ſhould reſtore the Duke of *Bourbon* to all his Dominions, and give him *Provence* and *Dauphiny*; and that of all theſe together, a Kingdom ſhould be formed for the Duke, independent on the Crown of *France*. We ſhall not inquire here whether the Emperor had a right to demand *Burgundy*, and whether this Duchy lawfully belonged to the King of *France*. But as to the ſecond Condition, it was certainly unjuſt and intolerable, and probably it was only added to quaſh the firſt.

Emperor's Offers to the K. of France for his Liberty, which he rejects.

HOWEVER that be, *Francis* was very far from accepting thoſe Offers, and made other Propoſals in his turn, *viz.* To marry *Eleanor* the Queen Dowager of *Portugal*, Siſter to the Emperor: To hold the Duchy of *Burgundy* in the nature of her Portion, and to render it Hereditary to the Children that ſhould be born of that Marriage: To reſtore the Duke of *Bourbon* to his Dominions, and to give him his Siſter the Ducheſs of *Alençon* in Marriage: To give the ſame Sum for his Ranſom, that King *John* did when he was taken Priſoner by the *Engliſh*; and laſtly to pay the King of *England* all that was due to him from the Emperor.

K. of France's Counter-Offers to the Emperor, which he alſo rejects.

IF *Charles* had been inclined to a Peace, one would have thought theſe Conditions good enough to have ſatisfied him, but being reſolved to have *Burgundy*, that was the Article which could not be got over. After this, *Francis* I. was carried into *Spain*, where the Negotiations of Peace were continued for ſome time, tho' to no purpoſe.

Francis I. carried to Spain.

MEAN while, the Pope, who by his Treaty with *Lanoy*, thought he had taken ſufficient Care of his own Affairs, and of the Security of *Italy*, was quite out in his Reckoning. The Emperor pretending to approve of this Treaty, ſent a Ratification of it, wherein he made no mention of three ſeparate Articles which related to the private Intereſts of the Pope. On the other hand, when he ſent the Inveſtiture of the Duchy of *Milan* to *Francis Sforza*, he tacked a Condition to it which rendered it of no effect; namely, that before he renewed the Inveſtiture, *Sforza* ſhould pay him 1200,000 Ducats: A Sum which 'twas impoſſible for him to raiſe. The Pope having rejected this imperfect Ratification, continued in the ſame Terms with the Emperor as he was before he had treated with him. But the Emperor gained a conſiderable Point, becauſe he had hindered that League. The *Venetians* being thorowly ſenſible that the Emperor's Deſign was to keep *Milan*, or to grant the Inveſtiture of it to the Archduke *Ferdinand* his Brother, laid hold on that Opportunity to renew their Inſtances to the Pope, with reſpect to the League which they had propoſed at firſt. *Clement* VII. with that Craft which was ſo natural to him, pretended to hearken to them; but at the ſame time that he was negotiating at *Rome* with the *Venetians*, he under another pretence,

The Emperor's artful dealing with the Pope, to whom he ſends an imperfect Ratification of the Treaty of Rome.

Pope rejects it.

The Venetians aim at forming a League againſt the Emperor.

Pope treats with both at once.

FOEDERA Tom. XIV.

tence, ſent a Legate into *Spain* to renew his Treaty with the Emperor.

The Emperor lays a Snare for Sforza *to ſtrip him of the* Milaneſe.

DURING this, the Emperor perceiving that the Powers of *Italy* were obſtinately bent on demanding the Reſtoration of *Sforza*, thought of an Expedient, which was to contrive a plauſible Pretext to refuſe it. The Duke of *Bourbon* being gone to *Madrid*, the Marquis *de Peſcaire* who commanded in the *Milaneſe*, pretended to be very much diſguſted with the Emperor, and to ſeek means to be revenged on him. He acted his part ſo well, that he engaged *Sforza*, the Queen Regent of *France*, the Pope and the *Venetians* in a Conſpiracy, the aim of which was to make himſelf King of *Naples*, and to eſtabliſh *Sforza* at *Milan*, after having cut the Throats of all the *Spaniards* in that Duchy. When the Emperor had got proofs enough in his hand to ſhew that *Sforza* was entered into the Conſpiracy, he ſent an Order to *Peſcaire* to turn him out of every Foot of Land in the *Milaneſe*; which Order was ſo punctually executed, that *Sforza* had nothing left but the Caſtle of *Milan*, where he was actually beſieged. After that time, whenever the Emperor was preſſed to the Reſtoration of *Sforza*, he made anſwer, that he would reſtore him when he had once purged himſelf of the felonious Crime laid to his charge.

THE Emperor's Artifice doubled the Diligence of the *Venetians*. They told the *Spaniſh* Ambaſſador in plain Terms, that they would run all hazards rather than ſuffer his Maſter to remain in poſſeſſion of *Milan*. *Clement* VII. did not act with the ſame Reſolution; he amuſed *France* and the Senate of *Venice*, in hopes that they would conſent to the League propoſed; but this was only till News came of the Concluſion of the Treaty which he had been negotiating in *Spain*. At laſt, his Legate having ſent him word that the Treaty was ſigned, without acquainting him with any of the Particulars, he broke off his Negotiations with *Venice*. But when the Treaty came to *Rome*, it was full of ſuch Ambiguities, that the Pope abſolutely refuſed to ratify it. Hereupon the *Spaniſh* Ambaſſador whoſe ſole Aim was to hinder him from joining with the *Venetians*, played him a Trick which he did not expect. He pretended to be very much ſurprized himſelf to find ſo many double Entendres in the Treaty, and laying the Blame of it upon the Secretary who drew it up, he adviſed the Pope to get it drawn up himſelf in what Terms he thought proper, and ſaid that he would engage to put it into his hand in two Months time, ratified by the Emperor. The Pope was catched in the Snare, and during thoſe two Months he durſt not renew his Negotiations with *France* and *Venice*, which was the very thing that the Emperor wanted, in order to break off the Negotiation, or at leaſt to put off the Concluſion of the League as long as poſſible.

The Pope trick'd by the Ambaſſador of Spain.

HENRY VIII.

WE muſt now ſee what part *Henry* VIII. acted in all theſe Affairs.

WHEN *Francis* I. was taken Priſoner at *Pavia*, *Henry* was at War with him, and in Alliance with the Emperor; but as I have already ſaid, he began to be diſguſted with his Ally, not ſo much upon his own account as his Miniſter's. After the Diſaſter that had happened to *France*, he was not a little confounded which of the two Parties to join with. There was an abſolute Neceſſity of his coming to a Determination either to continue his League with the Emperor, in order to make powerful Efforts for pulling down the Power of *France*, which was already conſiderably ſhaken, and to appropriate great part of that Kingdom to himſelf; or elſe to ſupport that tottering Kingdom, and thereby to maintain the Balance of *Europe*. There were not wanting plauſible Reaſons for both theſe Alternatives, but at laſt he determined to chuſe that which was moſt juſt and honourable; and, if I may venture to give my Opinion, that which was moſt for the advantage of *England*. 'Tis not to be queſtioned but *Wolſey* preſſed him to it, in order to be revenged of the Emperor. One ſhould be apt to aſcribe it to his Zeal for the Welfare of his Maſter and the Nation, if his Conduct during all the time of his Miniſtry, did not make it ſhrewdly ſuſpected whether he ever acted from ſuch a Motive.

Henry determines to break with the Emperor.

HENRY having taken a Reſolution to break with the Emperor, ſent the Biſhop of *London*, and Sir *Robert Wingfield*, to him, to make certain Demands of him, which he well knew that Prince would not grant. Among other things he pretended, by virtue of an Article in the *Windſor* Treaty, which he explained after his own manner, that the Emperor was obliged to put the Captive King into his hands. The Emperor returning only a general Anſwer to all the demands, *Henry* took occaſion from thence to treat openly with *France*, and acquainted the Regent who was Mother to the Captive King, that if ſhe would pleaſe to ſend her Ambaſſadors to him, they ſhould be welcome. It muſt be obſerved, that at the time when *Francis* I. was marching for *Italy*, the Regent ſent a Man into *England*, who had long Conferences with Cardinal *Wolſey*, and 'tis not improbable that *Henry* enter'd into ſome Engagements with *France* at that very time. Whether it was ſo or not, the Regent ſent two Ambaſſadors to *England*, of whom one was the ſame Perſon that had conferred with the Cardinal formerly.

Treats with France.

THE Ambaſſadors in an occaſion ſo extraordinary as this was, having no pains to take

take to bring over *Henry* to the Interests of *France*, left him, as one may say, Charte blanche, and signed several Treaties at the King's Palace at *Moore*, on the 30th of *August*, in which it must be owned that *Henry* treated the *French* with uncommon Generosity. Though he might have demanded Places, one may say Provinces, as a Præmium for his Alliance; yet he was content with a new Treaty for securing the Sums due to him by the foregoing Treaties, as one may be easily convinc'd by comparing them together. As soon as *Charles* V. was inform'd of the Treaty of *Moore*, he recall'd his Ambassador from *London*, and *Henry* sent the like Message to his Ministers at *Madrid*.

Treaty of Moore.

Henry's Generosity to France.

Charles and Henry recall their Ambassadors.

'TILL the Year 1526, the Emperor had gain'd considerably by his Negotiations with *France*, and the *Italian* Powers, because it lay in his power to divide his Enemies whenever he thought fit. By yielding *Burgundy* to *France*, he was in a manner sure that *Francis* I. wou'd abandon *Italy* to him; and by his establishing *Sforza* at *Milan*, he cou'd not doubt but the Pope and the *Venetians* wou'd be easy, and abandon *France* to his Arms. But the Treaty of *Moore* made a great Alteration in his Affairs.

THE King of *France*, who was soon inform'd of it, kept much more upon the reserve than he had been hitherto, and the Pope being disgusted with the Emperor, because in a second Ratification of the Treaty concluded in *Spain*, he had left the Restoration of *Sforza* uncertain, sent him word in plain Terms, that without that Article it was in vain to hope for Peace. The Emperor therefore had reason to fear, that all those Powers wou'd at length reunite against him, after he had so long trifled with them; and this made him resolve at last to conclude a Treaty either with the Pope, or with *France*. While he was pausing which to chuse, *Francis* I. weary of his long Imprisonment, determin'd at last to restore *Burgundy* to him, or at least to pretend that the present State of his Affairs forc'd him to such a mortifying Resignation. This produc'd a Treaty which was sign'd at *Madrid* the 14th of *January* 1526; but, for what Reason I know not, is inserted in this XIVth Tome of the *Fœdera*, among the Acts of the Year 1529. By this Treaty *Francis* I. recover'd his liberty, leaving his two eldest Sons as Hostages in the Emperor's hands, and engaging expressly to return to his Prison if he fail'd in the performance of the Treaty.

Pope will not hear of any Terms of Peace without the Restoration of Sforza.

Francis I. set at liberty by the Treaty of Madrid. P. 308.

'TIS hardly to be doubted that *Francis* when he sign'd this Treaty, resolv'd to break it when he was at liberty. All the steps he took from the moment he got loose, made it very evident, and the Pope and *Venetians* had not the least doubt of it, as we shall see hereafter. Mean time the Emperor, having as yet no suspicion upon this Head, had no sooner sign'd the Peace with *France*, than he broke off the Negotiations with the Pope, and publickly refus'd *Sforza* the Investiture of *Milan*.

WHAT the Pope and *Venetians* imagin'd, came to pass. *Francis* I. was no sooner return'd home, but he ratified the Treaty of *Moore*, and refus'd to ratify that of *Madrid*, alledging to the Viceroy of *Naples*, who had accompany'd him into *France*, several Excuses which were the Forerunners of a formal and absolute Refusal. Not long after this, while he was at *Cognac*, he receiv'd Ambassadors from the Pope and the *Venetians*, who came to propose a League to him against the Emperor. He made no scruple to sign this League on the 17th of *May*, but he was not willing it shou'd be publish'd before he had receiv'd an Answer from the Emperor, to whom he had made certain Offers, and particularly a Sum of two Millions of Gold, as an Equivalent for the Dutchy of *Burgundy*. The Emperor having rejected these Offers, the League was publish'd at *Cognac* on the 18th of *June*.

His Return to his Kingdom.

He signs a League against the Emperor at Cognac.

His Offer to the Emperor of an Equivalent for Burgundy.

THE Conduct of *Francis* I. broke all the Measures of the Emperor, who by making a Peace with *France*, had hopes of becoming Master of all *Italy*. Instead of that, he had let go his Prisoner, and was to stand the shock of the League that was form'd against him. Yet for all this, his Condition was not so bad as it seem'd to be. *Francis* I. had no real Design to force him to restore his Children to him by Arms; his only View was to intimidate him, and to make him believe that *France*, *England*, the Pope, and the *Venetians* were going to join their strongest Efforts to oblige him to make an equitable Peace. But when the Emperor was inclin'd to hearken to Reason, *Francis* was always for dropping his Allies. This was the reason that for a very long time, he was exceeding cautious, lest he shou'd exasperate this formidable Enemy still more by Efforts too vigorous, whereas his Intention was always to conclude the Affair in question by a Treaty. Probably he had imparted his Design to the King of *England*, because *Henry*'s Conduct was still the same. These two Monarchs always threaten'd the Emperor, and they concluded several Treaties together, to make him believe that they were just going to unite all their Forces to attack him. But among these first Treaties there is not so much as one for a League offensive.

His aim to frighten the Emperor.

THE Pope and the *Venetians* were the Dupes of these two Princes. Being deceiv'd with their fair Speeches, which made them hope for great matters from the Union of their Forces, they were the first that took Arms, in hopes of saving the Castle of *Milan*, then reduc'd to the last Extremity; but they cou'd not succeed, for which *Guicciardin* blames

The Pope and Venetians *bubbled by the Kings of* England *and* France.

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blames the Duke of *Urbino*, who commanded the joint Army of the two Allies; and who, says he, betray'd the common Cause, for fear that if the Pope shou'd effect his purpose of driving the Emperor out of all *Italy*, he wou'd also take away his Duchy of *Urbino*, of which he recover'd Possession, after the Death of *Leo* X. As soon as the Pope and the *Venetians* were thus embark'd in War, the two Kings let them alone to act in the *Milanese*, without caring how things went there, just to amuse them, and frighten the Emperor. *Francis* did not send the Emperor the Money he promis'd to pay the Army, and only kept a Body of *Italians* on foot there, under Command of the Marquis *de Saluces*.

The Duke of Urbino's *Treachery.*

The Duke of *Bourbon* being return'd in the mean time to *Milan*, found the Imperial Army there very much weaken'd, and in great want of Money, so that he was oblig'd to raise Contributions on the Inhabitants, in order to save them from the Plunder with which the Army threaten'd them. *Guicciardin* says, that if the Duke of *Urbino* had improv'd his Advantages, he was so superior to the Duke of *Bourbon*, that he might have drove him out of *Milan*, but he contented himself with keeping the City block'd up. For this very Reason, the Emperor, in order to recover the Superiority in *Italy*, caus'd 14,000 Men to be rais'd in *Germany*, which the Baron *de Frondsperg* was to command, and carry to the relief of the Duke of *Bourbon*.

Emperor raises Succours for the Duke of Bourbon.

DURING this, *Hugh de Moncade*, who commanded in *Naples* in the Viceroy's Absence, and the Duke of *Sessa* the *Spanish* Ambassador at *Rome*, did the Emperor very important Service, by stirring up the *Colonnas*, who were the Pope's Enemies, to enter the Territories of the Church with an armed Force. *Clement* VII. resenting this, order'd the Duke of *Urbino*, with the Consent of the *Venetians*, to bring the Confederate Army from the *Milanese* to *Rome*, in order to make an Incursion into the Kingdom of *Naples*. But the Emperor's two Ministers found means to ward off this Blow, by obliging the *Colonnas* to give the Pope all the Satisfaction that he cou'd desire; and the Duke of *Urbino* was countermanded.

The Colonna's *make War upon the Pope.*

Their submission.

THIS Accommodation was only made to amuse the Pope. For about a Month after, the *Colonna's* enter'd *Rome* at the head of 5 or 6000 Men, without any body's having Intelligence of their March, and threaten'd to plunder the City. The Pope had but just time to retire to the Castle of *St. Angelo*, where he had neither Provision nor Ammunition to sustain a Siege, nor Forces to hinder *Rome* from being plunder'd. He had no way to get off, but by making a particular Truce with the Emperor for four Months, whereby he was oblig'd to recall the Troops which he had in the *Milanese*; where the Duke of *Urbino* remain'd alone with the *Venetian* Army, but still kept that Capital block'd up; so weak was the Duke of *Bourbon*! The Pope's Troops were no sooner arriv'd at *Rome*, but he broke the Agreement he had made with the *Colonna's*; and the War betwixt the Pope and the Emperor broke out again upon the Frontiers of *Naples*, and the Lands of the Church, with various Success, of which 'tis needless to mention the Particulars.

They enter Rome *on a sudden, and oblige the Pope to retire to* St. Angelo *Castle.*

The Pope's Truce with the Emperor.

He breaks his Agreement with the Colonna's, *and renews the War with the Emperor.*

MEAN time the Pope cou'd not tell what to think of the Conduct of the King of *France*, who, tho' the most interested in this War, made not one considerable Effort to maintain it: And *Henry* was altogether as inactive on his part. So that the Pope, who had always believ'd that the Treaty of *Moore* contain'd a League Offensive and Defensive between the Kings of *France* and *England*, and who, like his Predecessors, had hopes of making them his Tools, was oblig'd to be the Tool of another, and to support a War alone, which run him into such an Expence, that his Revenues were hardly sufficient to defray it. Perhaps this is the first and only Instance that a Pope was ever so impos'd on. *Clement* VII. often try'd to persuade *Henry* to enter into the League, by flattering him that he shou'd have the Title of *Head*, and *Protector of the Sacred League*, with a considerable Pension to be paid out of the Duchy of *Milan*, when conquer'd; but *Henry* was deaf to all his Offers. His own Experience had taught him what it was to make Alliances with Popes; and he very well knew that as soon as the Emperor was resolv'd to let go the Duchy of *Milan*, neither the Pope nor the *Venetians* wou'd be much concern'd for the Interest of *England*.

His endeavours to bring Henry *into the League of* Cognac.

BUT the Confusion which the Pope was in, tho' very great, was nothing to what happen'd to him afterwards. The Baron *de Frondsperg* arriving in *Italy* in 1527, with 14,000 Men, and marching towards the *Milanese*, the Duke of *Urbino* rais'd the Blockade of *Milan*, under pretence of going to stop the march of the *Germans*, which however he was unable, or else unwilling to do. The Duke of *Bourbon* being then at liberty, and not knowing how to subsist his Army longer at *Milan*, upon whose Inhabitants he had often rais'd Contributions, resolv'd to go and join *Frondsperg*, and to carry the War into the Pope's Country. He executed his Design in the beginning of the Year 1527, and stop'd some time in the *Plaisantin* to levy Contributions, of which he was in extreme want. Afterwards, he march'd towards the *Bolognese*, where he halted again to raise Money. *Guicciardin* says, that the Duke of *Urbino* only follow'd the Imperial Army at a distance, and was glad to see them take that Road, while for his

Duke of Urbino *raises the Blockade of* Milan.

Duke of Bourbon *goes and joins* Frondsperg.

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his own part he contented himſelf with covering the State of *Venice*.

AT the firſt News of the Duke of *Bourbon*'s march, the Pope rais'd ſome Troops; but ſoon after, he choſe rather to treat with the Viceroy of *Naples*, and to conclude a Truce of 8 Months with him, on condition of paying 60,000 Ducats to the Duke of *Bourbon*'s Army. This Truce being ſign'd, he made a reduction of his Troops to ſave Charges, and only kept 2000 Men on foot. But the Duke of *Bourbon* refus'd to agree to this Truce, on pretence that the Sum ſtipulated was not ſufficient to pay the Arrears due to his Troops. Therefore the Viceroy went to *Florence*, and at laſt agreed with the Duke, that the Pope ſhou'd pay him 80,000 Ducats down, and 60,000 every Month of *May*. As ſoon as the Pope had receiv'd the News of this ſecond Convention, he disbanded the 2000 Men he had ſtill remaining on foot, that he might be the better able to pay the Sums contracted for. But whether the Duke of *Bourbon* conſented to this Agreement only to amuſe the Pope, or whether he cou'd not be ſure of his Troops, he continu'd his March towards *Rome* with extraordinary Diligence, and arriv'd before that City on the 5th of *May*. He immediately ſent to the Pope to deſire Paſſage thro' that City for *Naples*; which being refus'd him, he caus'd a Breach of the Town to be attack'd, in which he was kill'd, but the Breach was forc'd, and the City plunder'd[a], while *Clement* VII. with thirteen Cardinals fled in a great fright to the Caſtle of *St. Angelo*. The Prince of *Orange* immediately ſucceeded the Duke of *Bourbon* in the command of the Imperial Army. The Pope defended his Caſtle till the 6th of *June*, when he was forc'd to capitulate, and ſurrender himſelf into the hands of the Imperialiſts, who put a *Spaniſh* Gariſon into the Caſtle, and kept him Priſoner there, together with his Cardinals, till he had perform'd the Articles of the Capitulation. As ſoon as the News of the Pope's being taken Priſoner was known, the *Venetians* took *Ravenna* and *Cervia*; the Duke of *Ferrara* made himſelf Maſter of *Modena*; *Sigiſmond Malateſta* of *Rimini*; and the *Florentines* recover'd their Liberty, after they had expell'd the Pope's Legate.

Truce between the Pope and the Viceroy of Naples.

Duke of Bourbon refuſes it.

Makes another agreement with the Viceroy.

His Arrival at Rome, *which he attacks, and is kill'd.*

Rome plunder'd.

Pope flies again to the Caſtle of St. Angelo, *where he is taken Priſoner.*

NOT long before the Conqueſt of *Rome*, *Francis* I. and *Henry* VIII. had thought fit to make ſome alteration in their Meaſures. When they ſaw that the Emperor was not ſo eaſily to be frighten'd as they expected, they reſolv'd to ſtrike a bolder ſtroke, and to make an offenſive League together againſt him; but whether it was with a ſincere Deſign to make War upon him, or only to intimidate him, is hard to know. *Francis* I. wiſh'd to recover his Children, and he was very ſenſible that a War carry'd on by Allies, who had ſeparate Intereſts, was not capable of producing that Effect. *Henry* VIII. began at that time, in all appearance, to think of his Divorce with Queen *Catherine*, in which he cou'd not naturally expect any oppoſition, except from the Emperor, who was her Nephew. Therefore it was neceſſary either to weaken him to ſuch a degree that the Pope ſhou'd have no cauſe to fear him, or elſe to perſuade him, for fear of the Union betwixt *France* and *England*, to let the Divorce take place quietly. The offenſive League ſeem'd perfectly calculated for this purpoſe. Be this as it will, on the 30th of *April*, when the Duke of *Bourbon* was advanc'd very near *Rome*, the two Kings concluded three new Treaties. The firſt imported in Subſtance, That they ſhou'd both ſend Ambaſſadors to the Emperor, to make him Offers relating to the Reſtoration of the two Hoſtages, and to demand of him the Payment of the Sums which he ow'd to *Henry*; and that if he did not return an Anſwer in 20 Days, the two Kings ſhou'd declare War againſt him. Another Article of the firſt Treaty was for a Marriage between *Francis* I. or the Duke of *Orleans*'s ſecond Son, with *Mary*, who was *Henry*'s Daughter.

HENRY VIII.

Henry's Tricks with France.

THE ſecond Treaty imported, That the two Kings ſhou'd make War againſt the Emperor in the *Netherlands*, with an Army of 35,000 Men, and a Fleet on which they were to embark 15,000 Men; and that the Pope and *Venetians* ſhou'd be deem'd as included in the League, on condition they wou'd carry on the War againſt the Emperor.

BY the third Treaty, *Henry* renounc'd all his Rights and Pretenſions to the Kingdom of *France*; and *Francis* engag'd for himſelf and his Succeſſors for ever, to pay every Year to *Henry* and his Succeſſors, Kings of *England*, a Penſion of 50,000 Crowns, payable at two Terms, and above 15,000 Crowns in Salt of *Brouage*[b].

His Renunciation of all Right to the Kingdom of France.

THE News of the taking of *Rome*, and of the Pope's being made Priſoner, arriving ſoon after the Concluſion of theſe Treaties, the two Kings thought fit to alter an Article of their ſecond Treaty, and to agree to carry on the War againſt the Emperor in *Italy*; but that, by reaſon of the difficulty of ſending *Engliſh* Troops thither, *Henry* ſhou'd furniſh his Quota in Money. They agreeed alſo that Cardinal *Wolſey* ſhou'd go and confer with the King of *France* at *Amiens*. Mean time, *Henry* having ſent an

A Clauſe in one of the Treaties alter'd on account of the taking of Rome.

[a] So many Hiſtorians have given an Account of the Sacking of *Rome*, that 'twere needleſs to mention the Particulars: ſome Writers indeed, as Mr. *Rapin* ſays in his other Hiſtory, have been pleas'd to lay all the Blame of it upon the Proteſtants who were among the Troops of *Frondſperg*. But the Majority agree, that the *Spaniards* were as unkind to the Holy City as the *Germans*.

[b] It has been lately computed, that the Salt in this Diſtrict, which lies in a Bay on the Coaſt of *Saintonge*, brings in the *French* King 14 Millions of Livres *per annum*.

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an Ambaſſador to *Madrid*, in purſuance of the Treaty of *April* 30. the Emperor told him that he would ſend his Anſwer to the King by an Expreſs.

Wolſey ſent over to France *to confer with the King.*

CARDINAL *Wolſey* ſetting out in the beginning of *July*, as it had been agreed in the late Treaty, went to *Abbeville*, there to ſtay till the Arrival of the King of *France* at *Amiens*. He was regal'd in *France* with all the Honours that cou'd be paid to a crown'd Head. While he ſtaid at *Abbeville*, he receiv'd an Anſwer from the Emperor, touching his Diſpute with the King of *France*. It ſeem'd by this Anſwer, which ſhall be inſerted hereafter, that the Emperor had a vaſt Regard for *Henry*, and that he conſented to accept the firſt Offers which *Francis* I. had made to the Viceroy of *Naples*, tho' with certain Reſtrictions which very much alter'd them. Nevertheleſs, the Difficulties were not inſurmountable, if *Francis* had had the ſame Inclination for Peace as he had when he made the firſt Propoſals. But he was quite otherwiſe diſpos'd ſince he had concluded an offenſive League with *Henry*. Beſides, he had already reſolv'd to ſend a powerful Army into *Italy*, under the Command of *Lautrec*, in order to make a Conqueſt of *Naples*, which he thought very feaſible. For this Reaſon, all the Reply which he made to the Emperor's Propoſals, at leaſt as far as appears to me, was with a deſign to deceive. But this is not a place to conſider it.

The Emperor's Anſwer to the Offers of France.

An Ambaſſador ſent to Rome *to negotiate* Henry's *Divorce from* Catherine.

IT muſt be obſerv'd here, as a thing very neceſſary for underſtanding the Affairs to which the Acts in this Tome of the *Fœdera* relate, that *Henry* had already reſolv'd upon his Divorce from *Catherine*; and that in a few days after *Wolſey*'s Departure for *Abbeville*, *Knight* was ſent to *Italy* to negotiate this Affair at *Rome*. Moreover, while *Wolſey* was in *France*, he wrote to *Henry* that the Affair of the Divorce already made a noiſe in *Spain*, and that it was abſolutely neceſſary to order the Ambaſſadors of *England* to quaſh the Report as much as poſſible, by giving out that it was only owing to an Objection rais'd by the Biſhop of *Tarbe* upon the Birth of the Princeſs *Mary*.

Three new Treaties with France.

THE Conferences between *Francis* I. and the Cardinal produc'd three new Treaties; by the firſt of which it was ſtipulated, that ſince by the Treaty of *April* 30, it was left to the King of *France*'s Option, either to marry the Princeſs *Mary* himſelf, or to leave her for his ſecond Son the Duke of *Orleans*, it was agreed that the Duke of *Orleans* ſhou'd marry her when both Parties came of Age; that then only, and not before, the Marriage-Articles ſhou'd be negotiated; and that even tho' both Kings ſhou'd think fit to diſpoſe of their Children otherwiſe, the other Treaties ſhould nevertheleſs remain in full Force, the ſaid Marriage being to be conſider'd only as a Supplement, and not as dependent on the other Treaties. As it no where appears that *Francis* I. was diſguſted with *Henry* for offering to give him, or the Prince his Son, a Daughter whom he endeavour'd in Fact to get declar'd Illegitimate, by demanding his Divorce from the Queen her Mother; yet 'tis very probable that *Wolſey* told *Henry*'s Deſign to *Francis* I. in confidence, and that it gave occaſion to this firſt Article of the Treaty, the reſt of which were only Conventions relating to the Expence of the War. HENRY VIII.

THE ſecond Treaty related to the Payment of ſome Penſions which *Francis Sforza* ſtood engag'd for to the two Kings, in caſe he ſhou'd be reſtor'd to *Milan*, *Henry*'s Guaranty of the Treaty which *Francis* I. ſhou'd make with the Emperor, and ſome other Articles.

THE third contain'd a Regulation for the Adminiſtration of the Eccleſiaſtical Affairs of the two Kingdoms during the Pope's Captivity.

THESE Treaties were ſign'd the 18th of *Auguſt*; and *Knight*, as I have already ſaid, departed about the beginning of *July* for *Italy*, to demand the Divorce from the Pope.

Henry's Aim in the League with France.

HENRY's View in making an offenſive League with *France*, was to oblige the Emperor to court his Friendſhip, and to let the Affair of the Divorce go on ſmoothly, without giving himſelf any trouble to ſupport the Intereſts of his Aunt Queen *Catherine*. But to conceal the true Motive of it, he demanded four things of the Emperor. 1. That he ſhould pay him all he owed him. 2. That he ſhould pay him 500,000 Crowns, as he had engaged, in caſe he did not marry the Princeſs *Mary*. 3. That according to their Treaty, he ſhould make him amends for the Penſion paid him by the King of *France*. 4. That he ſhould ſet the Pope at liberty, and make good all his Loſſes to him.

His Demands of the Emperor.

Emperor's Anſwer.

The Emperor made anſwer, that he knew he was a Debtor to the King of *England*, but that he was greatly ſurprized that the Payment of thoſe Debts ſhould be demanded of him at ſuch a Juncture, without the leaſt Offer of giving him up his Bonds; and that he himſelf would write to the King, acquaint him with the Reaſons why he did not think himſelf obliged to pay the 500,000 Crowns for not having married the Princeſs *Mary*; and that he had already iſſued his Orders to ſet the Pope at liberty.

BEFORE we conclude this Article, we muſt add a word or two of the Occurrences in *Italy*.

THE Pope was ſtill ſhut up in the Caſtle of *St. Angelo*, becauſe he was not able to perform the Articles of his Capitulation, and was ſtrictly enough confined; yet

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yet he found means to write a Letter to *Henry*, which was sign'd by the 13 Cardinals, his Fellow-Prisoners, intreating him to use his Interest and Power in his favour. On the other hand, *Francis* I. had already made a particular League with the *Venetians* to conquer the Kingdom of *Naples*, of which League *Lautrec* was appointed to be the General. The two Armies of *France* and *Venice* joining in the *Milanese*, made some Conquests there, and took *Pavia* by Storm. At the same time *Andrew Doria* found means to reduce *Genoa* under the Dominion of the King of *France*. At length *Lautrec* leaving the Duke of *Urbino* in the *Milanese* with the *Venetian* Troops, march'd towards the Kingdom of *Naples*, but so slowly, that it was plain he had Orders to make no great haste. The Reason was, because the King of *France* was willing to stay for the Emperor's final Answer.

Pope's Letter to King Henry from the Castle of St. Angelo.

King of France's League with the Venetians.

Pavia taken, and Genoa subdued.

LAUTREC's March, tho' slow, was very lucky for the Pope. For the Emperor understanding that his Army, which was still at *Rome*, and diminish'd two thirds by the Plague and Debaucheries, would be oblig'd to leave the City in order to go and defend the Kingdom of *Naples*, consented at length that the Pope shou'd be set at liberty, on condition that he wou'd pay the Arrears due to the Army. Therefore he made a Treaty on this Head, by which it was stipulated that the Pope shou'd remit 350,000 Crowns to the Imperial Army, and that he shou'd be releas'd out of the Castle of *St. Angelo* on the 10th of *December*, and remov'd to another place, there to be kept in Custody till he had perform'd this Treaty. But *Clement* being not sure that he was able to perform his Engagements, escap'd on the 9th of *December* at Night, in the Disguise of a Merchant, to *Orvieto*. And not long after, *Lautrec* advancing to *Bologna*, receiv'd a Letter from the Pope, which gave him to understand that he did not think himself oblig'd to perform the Articles he had been forc'd to consent to.

Lautrec's *slow March to* Naples.

Treaty for the Pope's removal from the Castle of St. Angelo.

His Escape to Orvieto.

THE Acts which relate to the aforesaid History, are as follow, *viz.*

1. A Letter from *Andrew Gritti* Doge of *Venice*, to Cardinal *Wolsey*, thanking him for the Pains he took in procuring the Peace betwixt the Emperor and the Republick; dated *July* 31. 1523[a].

Doge of Venice's Letter to Wolsey. P. 3.

2. LETTERS Patent of *Francis* I. for appointing *Louisa* of *Savoy* his Mother, Regent in *France*; dated at *Gien* upon the *Loire*, *August* 12. 1523.

Patents for the Regent of France. P. 6.

"THIS was at the very time that *Fran-*
"*cis* was preparing to go to *Italy*, before
"the Discovery of the Duke of *Bourbon*'s
"Conspiracy."

3. A Letter from *Clement* VII. to Cardinal *Wolsey*, advising him of his Advancement to the Pontificate, on the 13th of the Calends of *December* 1523. 'Tis dated[b] the 6th of the Calends of the same Month.

New Pope's Letter to Wolsey. P. 11.

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4. CREDENTIALS from *Andrew Gritti* Doge of *Venice*, for an Ambassador of the Republick, address'd to Cardinal *Wolsey*; dated *March* 31. 1525[c].

Ambassador's Credentials address'd to Wolsey. P. 36.

"THIS was after the Battle of *Pavia*,
"at the very time when the *Venetians*
"made their Efforts to form a League against
"the Emperor."

5. A Letter from *Francis Sforza* Duke of *Milan* to King *Henry*, concerning the Battle of *Pavia*; dated *May* 12. 1525[d].

Letter to Henry on the Battle of Pavia. P. 36.

6. A Commission from *Louisa* of *Savoy*, Regent of *France*, to *John Brinon* Lord of *Villaines*, and to *Joachim* of *Passan*, Lord of *Vaux*, to treat with *Henry*; dated at *Lyons*, *June* 9. 1525.

French *Ambassadors Commission to treat with* Henry. *P. 37.*

7. A special Commission from the Regent of *France*, for obliging the King her Son to the Payment of two Millions of Crowns of Gold, of thirty eight *Sous Tournois* each, to King *Henry* and his Successors; dated *Aug.* 16. 1525[e].

King of France's *Obligation for a Yearly Payment to the Kings of* England. *P. 45.*

"ALL the Conditions of the Treaty of
"*Moore* were settled at that time, so that
"nothing was wanting in order to sign it but
"this special Power."

8. THE first Treaty of Peace, Friendship, and defensive Alliance betwixt *Henry* VIII. and *Francis* I. concluded at *Moore*; dated *August* 30. 1525.

First Treaty at Moore. *P. 48.*

"HERE is a mutual Promise to assist
"one another.

"THE King of *Scotland* is included in
"it by *France*, and the Emperor by *Eng-*
"*land*.

"*HENRY* engages to intercede for
"the Liberty of *Francis*: *France* shall
"give the Bonds of 10 Noblemen, and 9
"great Cities, for the Execution of the
"Treaty.

"And *Francis* I. shall ratify it with his
"own Hand.

9. THE Oath of the Ambassadors of *France* for the Observation of it.

French *Ambassadors Oath to observe it.* *P. 57.*

10. SECOND Treaty for the Payment of certain Sums of Money due to *Henry*.

"ALL the Sums due reduc'd into Crowns
"of Gold of 38 *Sous*, amounted to one
"Million, eight hundred ninety four thou-
"sand, seven hundred 36 Crowns 32 *Sous*.

"THE Regent engag'd the King her
"Son to pay 47,368 Crowns 16 *Sous* every
"Month till the whole was paid.

"AND moreover, in case that *Henry*
"shou'd survive the entire Payment of it,
"he was to receive 100,000 Crowns *per*
"*Annum* during his Life, payable at two
"Terms."

11. THE third Treaty was for the Payment of the Arrears of the Jointure of *Mary* Duchess of *Suffolk*, Queen Dowager of *France*.

Third Treaty. *P. 69.*

"THE Regent engag'd her self for the
"Payment of this Jointure for the future,

[a] At *Venice*. [b] At *Rome*. [c] At *Venice* [d] At *Milan*. [e] At *Tours*.

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" and for the discharge of the Arrears, pay-
" ing 10,000 Crowns a Year till the whole
" was satisfy'd.

Fourth Treaty. P. 70.

12. THE fourth Treaty was against the Incroachments or Depredations which either Nation might make for the future.

Fifth Treaty. P. 74.

13. THE fifth Treaty had an Article for including the King of *Scotland* in the Treaty of Peace.

Sixth Treaty. P. 75.

14. And the sixth Treaty related to the Duke of *Albany*. All these, which properly were but Articles of one and the same Treaty, are of the same Date: but I shall treat more particularly of the two last, under the Article of *Scotland*.

Obligations for their performance.

15. THE Obligations of the Lords and Cities of *France* that were to be Security for performance of the Treaty of *Moore*[a].

Wolsey's Patent from the Regent of France. P. 100.

16. LETTERS Patent of the Regent of *France* in favour of Cardinal *Wolsey*; dated *November* 18. 1525[b].

" THE Regent acknowledg'd that there
" was due from *France* to Cardinal *Wolsey*,
" 121,898 Crowns, not only for the Arrears
" of four Years and a half of his Pension for
" the Bishoprick of *Tournay*, but for other
" Debts; and obliges her self to pay that
" Sum in seven Years, *viz.* 16,834 Crowns
" *per Annum*.

Acts relating to the above Treaty and the Ratification of it by Francis. P. 100, to 113.

17. SEVERAL Acts relating to the foregoing Treaties.

18. THE Ratification of all these Treaties with *Francis* I. under his own Hand; dated at *Madrid Dec.* 27. 1525.

Sforza's Letter to Wolsey P. 121.

19. LETTER from *Francis Sforza* to Cardinal *Wolsey* to beg his Protection; dated at *Cremona, Feb.* 7. 1526.

His Ambassy to him. P. 128.

20. *Francis Sforza's* Credentials for *Gregory Cazali*, address'd to Cardinal *Wolsey*; dated[c] *March* 12. 1526.

Francis's Bond for the two Millions. P. 129.

21. THE Obligation of *Francis* I. for the two Millions mention'd in the Treaty of *Moore*; dated at *Bayonne* the 17th of *March* 1526.

" THE *French* Historians date the deli-
" verance of *Francis* I. from his Impriso-
" ment, on the 18th of *March*, and yet this
" Act is dated at *Bayonne* the 17th.

His Ratifications of the Treaties of Moore. P. 134 to 154.

22. AUTHENTICK Ratifications of the Treaties of *Moore* by *Francis* I. dated at *Bourdeaux*, *April* 15. 1526.

His Commission for a Negotiation with Henry. P. 177.

23. HIS Oath for observing the Treaty of *Moore*; dated at *Cognac*, *May* 10. 1526.

24. A Commission from *Francis* I. to treat with *Henry* about what was proper to be negotiated with the Emperor; dated *June* 20. 1526. at *Angoulesme*.

Ambassador's Credentials to Wolsey. P. 179, 185.

25. CREDENTIALS for *Anthony Venier* the *Venetian* Ambassador, address'd to Cardinal *Wolsey*; dated *July* 23. 1526[d].

26. ANOTHER of the same Nature, address'd to Queen *Catherine*; dated[e] the 28th of *July*.

Treaty of Hampton-Court. P. 185.

27. TREATY between *Francis* I. and *Henry* VIII. at *Hampton-Court*; dated *Aug.* 8. 1526.

" 'TIS a reciprocal Engagement, that
" the one shou'd not treat with the Empe-
" ror without the other."

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28. *CLEMENT* VIIth's Commission to *Hubert de Gambara*, and *John Baptist Sanga*, to offer *Henry* the Title of *Protector of the League of* Italy, with a Pension; dated at *Rome* the 18th of the Calends of *September* 1526.

Henry is invited to be Protector of the League of Italy. P. 187.

Ratification of the above Treaty. P. 191.

29. RATIFICATION of the Treaty of *Hampton Court*; dated[f] *August* 20. 1526.

Duke of Ferrara's Letter to Henry. P. 194.

30. THE Duke of of *Ferrara's* Letter to *Henry*, to excuse himself because he cannot accommodate matters with *Clement* VII. dated *April* 4. 1527,

Another Treaty with Francis. P. 218.

31. TREATY of perpetual Peace between *Francis* I. and *Henry* VIII. dated at *Westminster*, *April* 30. 1527.

" *HENRY* for himself, and his Suc-
" cessors, renounces all Pretensions which
" he may have to the Kingdom of *France*,
" and every part of it, and in general every
" Place of which *Francis* I. was then ac-
" tually in possession.

" *FRANCIS* engages for himself and
" his Successors, to pay the Sum of 50,000
" Crowns *per Ann.* at two Terms, to the
" Kings of *England* for ever, *viz.* 25,000
" Crowns at each Term; the first of which
" to commence on the 1st of *May* or *No-*
" *vember* after *Henry's* Death, tho' it shou'd
" happen but one Day before it; and the
" Sum to be paid at *Calais* or *Canterbury*.

" In case that *Henry* shou'd die before
" the entire Payment of the two Millions
" due by a former Treaty, *Francis* shall
" pay the said two Millions without preju-
" dice or deduction of the Pension of 50,000
" Crowns.

" MOREOVER, *Francis* engages to
" give *Henry* every Year, Salt of *Brouage*,
" to the Value of 15,000 Crowns.

" THAT the King of *France* and his Sub-
" jects shall not molest *Henry* nor his Suc-
" cessors in the possession of *Calais*, and
" the other Places he holds in *France*.

" THAT the Attempts that shall happen
" to be made by the Subjects of the two
" Kings, contrary to the Treaty, shall not
" be thought to invalidate it.

" THAT the two Kings, the Nobility
" of both Realms, and the Towns of ——
" shall swear to the Treaty, and make o-
" ver their Estates for Security.

" THAT the Treaty shall be confirm'd
" by the Estates of *Normandy* and *Lan-*
" *guedoc*, and by the Parliaments of *Paris*,
" *Tholouse* and *Bourdeaux*; and in *Eng-*
" *land* by the Courts of Justice."

ALL these Precautions were to no manner of purpose, as will be seen hereafter.

Wolsey empower'd to treat for the Pope's Enlargement. P. 199.

32. A full Power granted to Cardinal *Wolsey* to treat with the Pope, the King of *France*, the *Venetians* and others, on ways and means for procuring Liberty to the captive Pope; dated *June* 18. 1527[g].

[a] They are from p. 90. of this XIVth Vol. of the *Fœdera* to p. 101. [b] At *Lyons*. [c] At *Milan*.
[d] At *Venice*. [e] Ibid. [f] At *Amboise*. [g] At *London*.

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The Emperor's Answer to the English Ambassadors about his Dispute with France. P. 200.

33. THE Emperor's Answer given in Writing to the *English* Ambassadors, relating to his Dispute with the King of *France*; dated at *Valladolid*, in *July* 1527.

As this Answer clearly discovers the matters in Dispute between the Emperor and the King of *France*, perhaps the Reader will not be displeas'd to see the Substance of it in this place.

" SINCE the most High, and most Excellent Prince, the King of *England*, as " the most Christian Prince and Defender of " the Faith, has begun to set his Hand to " so good a Work as the procuring a Reconciliation, and a universal Peace in " Christendom, and has therefore oblig'd " himself, since he has repeated his Offer, " to persevere in his good Purpose to employ himself in all things that may conduce to the said Peace of Christendom, " the Emperor and our Lord the King being desirous that the said King, and every " one, may fully know that his Majesty, " as he always did, does now make it his " whole Endeavour to attain to the said " Peace, has order'd the following Representation to be made to the Ambassadors " of *England* at this Court.

" IN the first place his Majesty lays it " down for a principal Foundation, that he " does not aim in any manner whatsoever, " by this present Writing, nor otherwise, to " make any Innovation in the Faith and " Oaths of the King of *France*; nor to derogate from the Treaty and Capitulation " made at *Madrid*; and he backs it with " this Protestation, to the end that every one " may see and know that it was ever his " Majesty's desire, as Experience has fully " shewn, that a good, sure, and firm Peace " may be made for the Service of God, the " Peace and Welfare of all Christendom, " and for obtaining a general Agreement " and Friendship, both for repelling the " *Turk*, and the Errors of *Luther*.

" HIS Majesty says, that the Offers made " by the King of *France* and his Mother to " the Viceroy of *Naples* are very mean, " and that they do not seem to be a Foundation for a good and firm Peace; nor " can his Majesty, upon that Ground be " more secure of the performance of what " may be concluded hereafter, than of " what has been treated and concluded, " but ill observ'd, by the said Capitulation " of *Madrid*; and that if the most Christian " King desires to have his Children again, " he knows the reason for which he has " put them in his Majesty's power, and upon what Conditions they continue in his " hands; the Performance of which Conditions is entirely in the Breast of the " most Christian King, without any room " for urging an impossibility. And if he " offers to plead that he is not bound to " them, and produces Reasons why, he " must take this for an Answer, That by " all the Laws, Divine, Civil, and Canon, " and also by all the Laws of War, he is " entirely bound to them, and that no " Fear, Force or Protection can excuse him. " Nevertheless, because for the sake of " such a Peace, his Majesty was willing not " only to give up a part of his Right, but " also to quit his own Property if the King " of *France* wou'd make the same Offers on " his part, as were made to the Viceroy of " *Naples*, which were *verbatim* as follows;

THE King and Madam (Louisa *his Mother*) *say, That they will perform the Treaty of* Madrid, *provided the Emperor will restore the Duke of* Milan; *That for* Burgundy, *they will pay the Emperor two Millions of Gold in the manner following*, viz. *a good Sum in hand, at which time Queen* (Eleanor) *shou'd be deliver'd up, and the rest upon a Day to be agreed on, and that then his Children shou'd also be deliver'd up. And if the Emperor had rather have the whole Sum of two Millions at one Payment, the Emperor shall upon Receipt thereof deliver up the Queen and the King's Children. Moreover, the said King will pay the King of* England *what the Emperor owes him: And the King desires that the Emperor wou'd be pleased to augment Queen* Eleanor's *Dowry, in proportion to the Sum he was to receive, because he may do it without costing him a Penny.*

" HIS Majesty, to give essential De" monstration of the great Love which he " bears to the King of *England*, his good " Brother; and to the end that by his Me" diation there may be a good and firm " Peace, will not refuse to hearken to the " Offers abovemention'd, admitting them to " be explain'd jointly with the eight De" clarations following.

1. " THAT whatever Capitulation and " Treaty be made, it be according to the " above Protest, without any Innovation or " Alteration of the said Capitulation and " Treaty of *Madrid*; except in such things " only as shall be expressly innovated and " alter'd by mutual Consent.

2. " THAT whatever Capitulation and " Treaty be made for dropping and sus" pending the Restitution of the Duchy of " *Burgundy* at this time, be without any " manner of prejudice or diminution of the " Right which his Majesty justly has and " claims to it, as Sovereign thereof, or un" der any Title whatsoever belonging to " his said Majesty, before the Capitulation " of *Madrid**.

3. " THAT all the Articles of the Trea" ty of *Madrid*, of which no mention or alteration

* As there was no Sum stipulated in the Treaty of *Madrid*, for the King's Ransom, and as the Restitution of *Burgundy* was mention'd instead of the Ransom, the Emperor was in the right to keep his Claim to *Burgundy*: otherwise *Francis* wou'd have paid his Ransom with two Millions, and abolish'd the Emperor's Pretensions to that Duchy.

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" alteration is made in the ſaid Offers, " whether general or particular, remain in " full force, and be entirely perform'd ac- " cording to the ſaid Capitulation of *Madrid*.

4. " THAT ſince his Majeſty does not " accept of the two Millions of Gold over " and above the Penſion given by way " of Indemnity[a] and the Moneys lent, " which the Viceroy, as above mention'd, " offer'd to his Majeſty, he hopes that the " ſaid Lord, the King of *England*, and the " Legate, will obtain an Augmentation of " the ſaid Sum of two Millions. Never- " theleſs, if an Addition cannot be made to " the ſaid Sum of two Millions, be it un- " derſtood, that what is now to be conclu- " ded and accompliſh'd on the part of the " King of *France*, be for the Payment of " two Millions of Crowns of Gold of good " and lawful Weight, and of what his Ma- " jeſty owes to the King of *England*, as " well for Monies lent, which by the ſaid " Propoſals made to the Viceroy, the King " of *France* has offer'd to his Majeſty[b], as " alſo for the Indemnity Money which the " King of *France* has undertaken by the " ſaid Treaty of *Madrid*; and alſo for the " Reſtitution of the Eſtate of the late Duke " of *Bourbon*, becauſe in his ſtead, his " Heirs have all manner of Right to enjoy " the Benefit of the ſaid Treaty; and that " in all other things for which the King of " *France* remains anſwerable, he may ac- " compliſh them entirely before the Princes " his Children depart out of the Kingdom " of *Spain*; ſince conſidering what has hap- " pen'd, the Emperor can have no real Se- " curity that what has been concluded and " agreed on ſhall be perform'd when the " ſaid Children are out of his power.

" THE fifth Declaration is, That what- " ever ſhall be concluded, be ratify'd by " the States General of the Kingdom of " *France*, and approv'd by the Parliaments, " conformably to the ſaid Treaty of *Ma-* " *drid*. And in caſe it can't be done by the " General Aſſembly of the States, that it be " ratify'd however in the ſame Form by the " particular States of every Province.

" THE ſixth Declaration is, That his Ma- " jeſty ſhall not be oblig'd to ſend into " *France*, Queen *Eleanor* his Siſter, till " all the Promiſes made by the King of " *France* are perform'd. And that the " Queen and the Children who are Hoſ- " tages, ſhall be ſent home together, as is " declar'd by the ſaid Treaty of *Madrid*.

" THE ſeventh Declaration is, That " ſince it belongs only to his Majeſty to " take Cognizance of the Faults of his Feu- " datories, yet at the Interceſſion of the " ſaid King of *England*, the Emperor de- " ſiring that his Vaſſals may have ſpeedy " Juſtice done them, is content, that at ſuch " time as ſhall be thought beſt, unſuſpected " Judges whom his Majeſty ſhall depute, make " a Declaration of Juſtice in the Affair of " Duke *Francis Sforza*. And if by Sen- " tence of the ſaid Judges, he is declar'd to " have done nothing whereby he ought to " be depriv'd and ejected out of the State " of *Milan*, then his Majeſty will be con- " tent, that the ſaid *Francis* be reſtor'd to " his former State, conform to the Inveſtiture " and Decree which his Majeſty ſent to him " from *Toledo*[c]. But if, on the contrary, " he is condemn'd, in ſuch Caſe the ſaid " State of *Milan* ſhall remain at his Ma- " jeſty's diſpoſal, as there is very good " reaſon[d].

" THE eighth Declaration[e] is, That the " ſaid King of *England* be Conſervator, " Protector and Guarantee of the Treaty " and Capitulation which ſhall be made: " And the ſaid King of *England* ſhall " give his Bond in ample Form, obliging " himſelf actually to aſſiſt the Party who " ſhall obſerve the Peace, and imme- " diately declare himſelf for him, againſt " him that breaks it; and that for this " purpoſe, he ſend a number of Horſe and " Foot to be rais'd at his own Expence, " and continued even to the end of the " War, as ſhall be declar'd by the ſaid " Treaty.

" AND becauſe, ſince the Treaty of " *Madrid*, his Majeſty, as is well known, " has been at great Expence to defend " himſelf from the Invaſion of Leagues " form'd againſt him, of which the King " of *France* has been the principal Con- " tractor, 'tis but reaſonable that the ſaid " King of *France* ſhou'd recompence and " ſatisfy his Majeſty for ſuch his Expence. " Of which Sums ſo to be paid by the King " of *France*, and reimburs'd to his Im- " perial Majeſty, ſo entire is his Majeſty's " Confidence in, and Affection for, the " King of *England*, his good Brother and " Uncle, that he is content he ſhou'd de- " clare and arbitrate the Sum of the ſaid " Expences.

" MOREOVER his Majeſty makes no " doubt, but hopes and firmly truſts, that the

[a] This was for the Penſion which *Francis* I. paid to *Henry*, and which the Emperor undertook to pay him when *Henry* took his part.

[b] *Francis* did not engage himſelf to pay what the Emperor ow'd to *Henry*, by the Treaty of *Madrid*, but only by the Offers made to the Viceroy.

[c] This Decree requir'd *Sforza* to pay him 1,200,000 Ducats before he receiv'd the Inveſtiture, which it was impoſſible for him to raiſe.

[d] The Emperor had Proofs in his hands of *Sforza*'s Rebellion, in which he was ſupported by the Regent of *France*, the Pope and the *Venetians*.

[e] This Declaration was the reaſon that *Francis* and *Henry* agreed by a late Treaty, that *Henry* ſhou'd not be Guarantee of the Treaty.

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" the ſaid Lord the King of *England* " knowing his Majeſty's juſt Right, and " being well inform'd how all things ſtand " betwixt his Majeſty and the ſaid King of " *France*, according to the original Writing " at large ſhewn to his Ambaſſadors here, " will cauſe the ſaid Conditions to be " amended, as in Reaſon they ought to " be; and that the Legate whom his Majeſty " always did, and does ſtill eſteem as his " Friend, will contribute to it with all his " power. And nevertheleſs, if in regard " to the ſaid Lord the King of *England*, " at his Requeſt, and in Love to him, he " deſires that his Majeſty ſhou'd recede from " the above-written; verily his Majeſty " has ſuch a Confidence in, and ſo great an " Affection for the ſaid Lord the King his " good Brother and Uncle, that in ſuch " caſe he wou'd do more for his ſake than " for any Prince in the World, to the end " that all may know his Majeſty's good " Will towards the ſaid Lord the King of " *England*, and that to him ought to be " aſcrib'd the Praiſe and Glory of this Peace " and Agreement, which the Emperor has " always heartily deſir'd, and for which, " as Experience has ſhewn, he has done " more than he ought in reaſon."

King of France's Power to Wolſey to pardon Criminals.

34. LETTERS Patent of *Francis* I. in favour of Cardinal *Wolſey*; dated[a] in *France*, in *July* 1527.

IN theſe Letters, *Francis* empowers his moſt dear and great Friend, the Cardinal of *York*, who was then going over to *France*, to pardon all Crimes, ſome few excepted, and to ſet open Priſons in the Towns of his Kingdom, thro' which he paſs'd.

His Conventions with Wolſey. P. 203.

35. CONVENTIONS between *Francis* I. and Cardinal *Wolſey*; dated at *Amiens*, *Auguſt* 18, 1527. It was agreed,

1. THAT the Duke of *Orleans* ſhou'd marry the Princeſs *Mary*, &c. without any reciprocal Obligation on the part of the two Kings.

2. THE Interview of the two Kings is put off to a more convenient time.

3. IF the Emperor accepts of a Peace, the Treaty of perpetual Peace ſhall ſubſiſt; but if not, the two Kings ſhall declare War againſt him.

P. 209.

36. ANOTHER Treaty of the ſame date; by which it was ſtipulated,

1. THAT if *Sforza* keep the Duchy of *Milan*, the two Kings ſhall demand the Penſions of him, which he has promis'd.

2. THAT the King of *England* ſhall not undertake the Guaranty of the Treaty between *Francis* and the Emperor, but that if a Peace cannot be made without it, *Henry* ſhall not act againſt the King of *France*, nor the King of *France* againſt him.

HENRY VIII.

3. THAT during the War, the *Engliſh* Merchants ſhall have the ſame Privileges in *France* as they have enjoy'd this Year paſt, in *Flanders*, *Brabant*, *Holland* and *Zealand*.

P. 212.

37. THERE's a third Treaty of the ſame date, by which it was agreed,

1. THAT the two Kings ſhall not conſent to the calling of a Council, if ſummon'd by the Emperor while the Pope is in Priſon.

2. THAT they will receive no Orders from the Court of *Rome*, 'till the Pope is fully at liberty.

3. THAT Eccleſiaſtical Affairs ſhall be regulated in *England* by the Legate, and in *France* by the Aſſembly of the Clergy.

Francis's Oath to obſerve them. P. 216, 217.

38. THE Oath of *Francis* I. for obſerving thoſe Treaties, ſworn at *Amiens* the ſame Day, *viz.* *Aug.* 18.

His Ratification. P. 218.

39. THE Ratification of the perpetual Peace by *Francis* I. of the ſame date.

He makes Henry Knight of St. Michael. P. 227, 228.

40. HIS Commiſſion to *Anne* of *Montmorency*, to carry the Order of St. *Michael* to King *Henry*; dated *September* 11, 1527[b].

41. THE Act for electing *Henry* VIII. to the Order of St. *Michael*, of the ſame date.

THE Praiſes of *Henry* VIII. are not ſpar'd in this Act.

His Oath to obſerve the Statutes of the Order. P. 299.

42. *Henry* VIIIth's Oath for obſerving ſuch of the Statutes of the Order of St. *Michael* as are not contrary to thoſe of the Order of the Garter.

Francis's Oath on the Order of the Garter. P. 232.

43. THE like Oath of *Francis* I. with reſpect to the Statutes of the Order of the Garter; dated *Nov.* 10, 1527[c].

THIS Order was carry'd to him by *Arthur* Viſcount *de Liſle*, natural Son to *Edward* IV.

His Acquittance to Henry, *for his Quota towards the War.* P. 233.

44. AN Acquittance given by *Francis* I. to *Henry*, for the payment of his Quota towards the Expences of the War in *Italy*, for the Months of *November* and *December*; 'tis ſign'd[d] *Dec.* 1, 1527.

THIS Contribution was paid,

By a Penſion due to *Henry*	47467	Crowns.
By the Cardinal's Penſion —	12500	
Ready Money —	4576	
	64543	

II. *Affairs of* Scotland.

WE left the Duke of *Albany* going to *France*, after he had ſign'd a Truce with *England*. During his Abſence, *Henry* made all the Efforts poſſible to engage the *Scots* to deprive the Duke of *Albany* of the Regency

[a] At *St. Dennis*. [b] At *Compiegne*.
[c] At *Paris*. [d] Ibid.

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HENRY VIII.

gency, and restore it to the Queen Dowager his Sister, with whom he was reconcil'd. As he saw himself engag'd in a War with *France*, he fear'd, not without reason, that the Duke of *Albany* wou'd return to *Scotland*, and give him a Diversion on the Northern Frontier. To prevent these Inconveniences, he sent an Army to *Scotland* under the Earl of *Surry*, who committed great Ravages there, and seiz'd *Jedburgh*, but with no other View than to compel the *Scots* to grant him his demand.

Henry sends an Army to Scotland, and foments Divisions there.

ON the other hand, he kept a good Fleet at Sea, in order to catch the Duke of *Albany*, if he shou'd attempt to return to *Scotland*. This was in effect what the Duke intended, and the King of *France* had given him a supply of 3000 Foot Soldiers, and 1200 Men at Arms, in order to keep up the Spirits of the *French* Faction in *Scotland*, which was just drooping. But his fear of the *English* Fleet hinder'd him from attempting the Passage. During this, the Troubles continued in *Scotland*, and *Henry* had the cunning to offer his Daughter to the King his Nephew, that his Party might have a pretext to cry out for a Peace with *England* upon any Terms. Mean time, the Duke of *Albany* perceiving the impossibility of his returning to *Scotland* while the *English* Fleet kept out at Sea, thought of an Expedient which succeeded to his Expectation. He dismiss'd his Ships, and disbanded his Army, as if he had no more thoughts of passing to *England*, and also retired to Court, after having given Order to his Troops and Fleet to rendevouz again upon the first Notice. *Henry* hearing that the Duke's Ships and Troops were dispers'd, thought he had broke his Measures, and therefore call'd his own Fleet into his Harbours. But soon after this, the Duke of *Albany* put to Sea, and happily arriv'd in *Scotland* on the 20th of *September* 1523. This very Year he design'd to make an Incursion into *England*, but when he was got upon the Frontier, perceiving that most of the great Men were not in a humour to go with him, he chose to go back, the rather because he heard the Earl of *Surrey* was marching directly to attack him. The Season was too far advanc'd for the two Armies to keep the Field any longer, and they went into Winter Quarters.

He proposes his Daughter Mary to the King.

The Duke of Albany returns to Scotland by a Stratagem.

IN the year 1524, *Henry* being more and more averse to the Emperor, and better inclin'd to *France*, did not disturb the Tranquility of *Scotland*. He knew well that there was no danger of any Diversion from that Quarter, so long as he did not molest *France*. And this made the Duke of *Albany* resolve to go and offer his Services to *Francis* I. who carry'd him with him into *Provence* and afterwards to *Italy*.

He returns to France.

WHILE the Duke of *Albany* was absent, King *James*, who was then thirteen or fourteen Years of Age, being under the Direction of the Queen his Mother, and of the Earl of *Arran*, who was of the *Hamilton* Family, summon'd a meeting of the States, and obtain'd an Order that there shou'd be a Regent no longer, and that for the future no more Orders should be dispatch'd under any other Name but the King's. By that means this young Prince fell into the hands of the Queen his Mother, and the Earl of *Arran*, who managed him just as they pleased. But the Earls of *Argyle* and *Lenox*, disgusted at this Alteration, sent for the Earl of *Angus* from *France*, who was at variance with the Queen his Spouse, and as soon as he arriv'd, they made a League with him to replace the King under a Guardian. They concerted measures so well, that the Queen and the Earl of *Arran* were forc'd to put the King into their hands. Then having declared themselves Regents, they agreed to exercise the Regency, each Man four Months a Year in his turn. The Earl of *Angus* began first, and being a Creature of the King of *England*, he sent Ambassadors to him to treat of the King of *Scotland*'s Marriage with *Mary*. *Henry* being desirous to amuse the *Scots* with the Hopes of this Match, consented to a short Truce which was afterwards prolong'd several times.

And is set aside from the Regency.

The Earl of Angus arrives in Scotland, and makes a League with the Malecontents to replace the King under Guardians.

Truce with Scotland.

I have already taken notice that after the Battle of *Pavia*, *Henry* turn'd intirely in favour of *France*, and that by Consequence he had nothing more to do than to be upon his Guard against *Scotland*. Yet he continued his old Grudge against the Duke of *Albany*; for in one of the Treaties of *Moore*, he demanded that the Queen Regent of *Scotland* shou'd not consent directly or indirectly to the Duke's Return into *Scotland*, during the Minority of King *James*.

MEAN time, the Earl of *Angus* having not thought fit to quit the Regency, when his Term of four Months was expir'd, the Earl of *Argyle* left the Court in great disgust, but the Earl of *Lenox* stay'd.

DURING the Year 1525, there were several Negotiations relating to the Marriage propos'd between *James* V. and the Princess *Mary*. But as *Henry* had no intention to conclude it, he started several Difficulties which gave occasion to frequent Prolongations of the Truce.

AT length in 1526, a Truce for three Years was concluded betwixt the two Crowns. And for the rest, nothing considerable pass'd in *Scotland*, during this and the following Years; except an Attempt made by the Queen Mother, and the Earl of *Arran*, assisted by the Earl of *Lenox*, to take the King out of the hands of the Earl of *Angus*; but it did not succeed.

Another.

Acts

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Acts relating to Scotland.

HENRY VIII.

King James's Commission to treat with England. P. 20.

1. A Commission from *James* V. to treat with *England*; dated *August* 30, 1524[a].

Truce with Scotland. P. 21.

2. A Treaty of Truce betwixt *England* and *Scotland*, to the first of *December*; dated at *Berwick*, *September* 4, 1524.

Embassy promis'd from King James to Henry. P. 23.

3. AN Engagement by the Ambassadors of *Scotland*, that during the Truce, King *James* shall send an honourable Embassy to *Henry*; dated *September* 5, 1524[b].

Negotiation thereupon. P. 27.

4. A Commission from the King of *Scotland*, to treat of his Marriage with *Mary* the Daughter of *Henry*, and concerning the Peace or Truce; dated *November* 18, 1524[c].

Truce. P. 28.

5. A Truce betwixt *England* and *Scotland*, to the 26th of *January* 1525, dated *November* 30, 1524.

P. 30.

6. THE Prolongation of the Truce for two Months; dated *January* 4, 1525[d].

P. 35.

7. ANOTHER Prolongation of it to the 15th of *May* following; dated *March* 23, 1525[e].

Treaty of Moore. P. 48.

8. TREATY betwixt *France* and *England*, with respect to *Scotland*; dated *August* 30, 1525.

THIS was one of the Treaties sign'd at *Moore*, by which it was agreed, that if, after the 25th of *December*, the *Scots* make Incursions into *England* with consent of King *James*, they shall be no longer deem'd as included in the Treaty. And the same, if without Consent of the said King, unless he repair the Damages thereby occasion'd in 40 Days.

9. ANOTHER Treaty of the same Date sign'd at *Moore*, by which the Regent engag'd to hinder the Return of the Duke of *Albany* into *Scotland* till *James* V. came of Age.

10. A Commission from *James* V. to treat with *England* for a three Years Truce; dated *January* 6, 1526[f].

A Truce. P. 115.

11. A Treaty of Truce for three Years betwixt *England* and *Scotland*; dated *Jan.* 15, 1526[g].

IT appears from the Earl of *Angus*'s full Power in p. 113. that this Truce was agreed on, upon the 10th of *October* before.

Here follows Mr. RAPIN's *farther Account of the State-Records in* TOM. XIV. *of Mr.* RYMER's FOEDERA, viz. *from the beginning of the Year* 1528 *to the end of* 1533.

THE Divorce of *Henry* VIII. is the principal Subject of these six Years; but this Affair, tho' of a domestick nature, is so interwoven with foreign Transactions, that there's no possibility of forming a true Idea of this, without understanding those. Therefore before I enter upon the Divorce, I will, with the utmost Brevity, shew how Affairs stood with *Clement* VII. *Charles* V. and *Francis* I. from the beginning of the Year 1528, to the Rupture betwixt *Henry* VIII. and the Court of *Rome*; which I propose for the Boundary of the Period into which I am now entring.

WHEN the Pope was escap'd out of his Confinement[h], and found himself safe at *Orvieto*, he made serious Reflections upon his past Conduct, and upon the Slips he had been guilty of, which had so much tarnish'd his Infallibility. He had conceiv'd a Notion that if he enter'd into the War against the Emperor, in conjunction with the *Venetians*, the Kings of *France* and *England* wou'd second him with Vigour, and cut out so much Work for the Emperor, that he wou'd at length be forc'd to let go the Duchy of *Milan*. But Experience had convinc'd him of his Mistake. All that *Francis* and *Henry* aim'd at, was to intimidate the Emperor. The first wanted to bring home his Children, who were Hostages in *Spain*. And the second hoped to deter the Emperor by the apprehension of a cruel War, from opposing the Divorce he was fully resolv'd to obtain from his Queen, who was that Emperor's Aunt. For this Reason, both these Monarchs acted but faintly in reality, tho' they pretended what great Efforts they wou'd make. Consequently the Pope was amus'd by these two Kings, till he lost *Rome*, *Florence*, *Ravenna*, and *Cervia*, and was taken Prisoner, and forc'd to pay the very Army that had distress'd him. These Disgraces made him see his Error. He found that considering the then State of his own Affairs, and those of the other Princes, it was his Interest to temporize with the Emperor, in order to open a way for a Reconciliation with him, if it happen'd that this Monarch shou'd preserve himself in that degree of Power, to which he was then attain'd. But on the other hand, it was not advisable for him to unite with the Emperor, while there was a *French* Army in *Italy*, under the Command of *Lautrec*, just ready to invade the Kingdom of *Naples*. He judg'd therefore that as Affairs then stood, he had no better Course to take, than to conform his Conduct to the Times, and to keep fair with the Emperor, as well as the two Kings his Allies, till he saw the Success of the *Naples* Expedition: (and this was the Motive of his refusing to go again into the League against the Emperor, on pretence that he was too weak to be of any Service to his Allies) and besides, he thought it necessary for the wel-

The Pope is convinc'd of the Error of his past Conduct.

His Reason for not re-entring into the League against the Emperor.

[a] At *Edinburgh*. [b] At *Berwick*. [c] At *Edinburgh*. [d] At *London*.
[e] At *London*. [f] At *Edinburgh*. [g] At *Berwick*.
[h] The Lord *Herbert* says, that during his Imprisonment, Cardinal *Wolsey* in *England*, as well as the Emperor in *Spain*, caus'd this Petition to be sung with the Litany; *Sancta Maria*, *Sancte Petre*, &c. *orate pro Clemente Papa*.

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Welfare of *Chriſtendom*, that he ſhou'd continue Neuter, to the end he might be in a capacity of ſerving as Mediator.

I HAVE already taken notice that the aim of *Francis* I. was only to intimidate the Emperor, in order to oblige him to reſtore his Children to him, and to moderate the Conditions of the Treaty of *Madrid*. This is very plain, becauſe *Lautrec*, tho' he arriv'd in *Piedmont* in *July* 1527, was ſtill at *Bologna* in *January* 1528, an evident Token that he had no Orders to haſten his Expedition, and that before he was to enter upon it, *Francis* had a mind to wait for the Emperor's final Reſolution upon the Offers he had made to him. At length *Lautrec* march'd the 9th of *January* 1528, and arriv'd at the beginning of *February* on the Frontiers of the Kingdom of *Naples*. Then the Prince of *Orange*, General of the Imperial Troops which plunder'd *Rome* 10 Months ago, having got them to rendezvous with great Difficulties, march'd out of the City, and went to ſhut himſelf up in *Naples*.

Lautrec marches to Naples.

Prince of Orange marches thither from Rome.

AT the ſame time the Kings of *France* and *England* ſeverally declar'd War againſt the Emperor by a Herald. The Emperor receiv'd the Declaration with very great Solemnity in preſence of the whole Court, but return'd very different Anſwers to the two Heralds. He preſerv'd a great Decorum toward *Henry*, but did not think himſelf oblig'd to the ſame regard for *Francis*, whom he publickly reproach'd for having broke his Oath, and for not returning an Anſwer to the Offer he had made to him by his Ambaſſador the Archbiſhop of *Bourdeaux*, to decide their Quarrel by ſingle Combat. Theſe Reproaches occaſion'd reciprocal Defiances from both Monarchs, which came to nothing, and are needleſs to ſpeak of here.

Kings of France and England declare War againſt the Emperor.

Challenges betwixt the Emperor and the King of France.

MEAN time, *Lautrec* advanced and laid Siege to *Naples*. It wou'd not be of moment to mention all the Rubs and Difficulties he met with during the Siege, from the want of Proviſions, from the Remiſſneſs of the King his Maſter to ſend him the Troops and Money he had given him reaſon to expect, and from the Revolt of *Andrew Doria*, who took that opportunity to free *Genoa* from its ſubjection to *France*, and to ſet the City at liberty. It will ſuffice juſt to take notice that a great part of the Beſieger's Army was carried off by a Plague; that *Lautrec* himſelf died of it on the 16th of *Auguſt*; and that the Marquiſs *de Saluces*, who ſucceeded him in the Command of the Army, raiſing the Siege, and retiring to *Averſa*, was there beſieg'd, and oblig'd to ſurrender at Diſcretion; and that thereby the whole Army of *France* was abſolutely ruin'd.

Siege of Naples.

Revolt of Genoa.

Lautrec and great part of his Army die of a Plague.

Siege of Naples rais'd.

AFTER ſuch unexpected ſucceſs, the Pope was overjoy'd that he had ſo happily concerted his Meaſures, and that he had avoided to re-engage in the League. From that time, he was firmly reſolv'd to make his Peace with the Emperor; the Succours he might expect from *France* and *England* being too uncertain, and too remote for him to depend on. But in order to his making a good Peace, it was abſolutely neceſſary to poſſeſs the Emperor with a ſtrong apprehenſion of a very ſtrict Union like to be betwixt the Holy See, and *France* and *England*, to the end that ſuch Terror might force him to grant the Pope the better Terms. The Affair of *Henry*'s Divorce now on foot ſerv'd as a very good Handle for his purpoſe, becauſe while he feign'd an Inclination to favour this Prince, the Emperor did not know but he had farther Views, and that he might intend a ſtrict League with him. The Knowledge of the Views and Intereſts of *Clement* VII. is abſolutely neceſſary for a true inſight into the Affair of the Divorce, as the Sequel of it will plainly ſhew.

HENRY VIII.

Pope's Negotiation with the Emperor.

Francis I. finding himſelf unable to carry on the War any longer, and having ſome Intelligence that the Pope was ſecretly treating with the Emperor, deſpair'd more and more of recovering his Children from *Spain* by force of Arms. Therefore it was with great Reluctance, that he was oblig'd to carry on a ſecret Negotiation with the Emperor, at the very time that he made large Promiſes to the *Venetians*, the *Florentines*, and the Duke of *Ferrara*, in order to keep them in the League, that he might obtain the better Terms.

The King of France alſo treats privately with the Emperor.

AT length the Pope receiv'd the agreeable News that his Treaty with the Emperor was concluded and ſign'd at *Barcelona*, on the 29th of *June* 1529. By this Treaty the Emperor engag'd to put him again in the poſſeſſion of *Florence*, to procure him the Reſtitution of *Ravenna*, *Cervia*, *Modena*, and *Reggio*, and to aſſiſt in the Conqueſt of *Ferrara*. Moreover he oblig'd himſelf to re-eſtabliſh *Francis Sforza* in the Duchy of *Milan*, if he was found Innocent; and if Guilty, not to diſpoſe of that Duchy, but with the Pope's Conſent. Finally, he promis'd to give his natural Daughter *Margaret* in Marriage to *Alexander de Medicis*, Son to the late Duke *Lawrence*, and to grant him the Sovereignty of *Florence*.

Concluſion of the Pope's Treaty.

TWO Months after the Treaty of *Barcelona*, a Peace was ſign'd at *Cambray*, betwixt the Emperor and *Francis* I. By this new Treaty *Francis* entirely abandon'd the *Venetians*, the *Florentines*, and the Duke of *Ferrara* his Allies, and he undertook to pay the King of *England* 290,000 Crowns,

And of the King of France's.

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Crowns, on the Emperor's account, and to redeem the rich *Flower de Lys*, which *Maximilian* I. had pawn'd to *Henry* VII. for 50,000 Crowns*. There were ſeveral other Articles, which, tho' more favourable than were thoſe of the Treaty of *Madrid*, nevertheleſs made him very uneaſy; but he ſaw no way to help himſelf. *Henry* gave him upon this occaſion a very ſenſible Proof of his Friendſhip, by excuſing him from the Payment which he was to make to him for the Emperor, and by making him a Preſent of the Jewel he had in his cuſtody, that he might reſtore it with his own hands to the Emperor.

The two Treaties of *Barcelona* and *Cambray*, entirely chang'd the Face of Affairs almoſt all over *Europe*. The Pope being now become the Friend and Ally of *Charles* V. recover'd *Ravenna* and *Cervia*, and had the extraordinary Satisfaction to ſee *Florence* beſieged by the Imperial Army, and at length obliged to receive *Alexander de Medicis* for its Sovereign; he had alſo the pleaſure of ſeeing *Sforza* re-eſtabliſh'd at *Milan*. He wanted nothing more to compleat his Joy, than to ſee himſelf Maſter of *Ferrara*, *Modena*, and *Reggio*; but in this reſpect the Emperor found means to elude his Promiſes, and the Pope was obliged to ſubmit, tho' not a little mortified to find himſelf thus impos'd on. On the other hand, *Francis* I. recover'd his Children from *Spain*, after having obliged himſelf by the Treaty of *Cambray*, to make War no more againſt the Emperor; tho' this Prince became more and more formidable to him every day. For he ſaw too plainly that *Charles* V. after having in a manner ſubdued *Italy*, was in a fair way of making himſelf abſolute in *Germany*, under pretence of reducing the Proteſtants who were united together by the League of *Smalcald*, for Defence of their Religion and Liberty. All this made *Francis* to the laſt degree jealous, becauſe the growth of the Emperor's Power could not but be fatal in the end to *France*. Therefore he ſet up a Reſolution to find out ſuch a Diverſion for that Prince, as ſhould put it out of his power to execute his Projects.

Florence reduc'd.

And Sforza re-eſtabliſh'd at Milan.

Francis recovers his Children that were Hoſtages to the Emperor.

Francis's Jealouſy of the Emperor's Growing Power.

With this view, finding that the Pope was diſguſted becauſe of the Protection which the Emperor granted to the Duke of *Ferrara*, he courted his Intereſt by making a Propoſal to him of a Marriage betwixt his ſecond Son, the Duke of *Orleans*, and *Catherine de Medicis*, Daughter of the late Duke *Lawrence*. At the ſame time he promis'd Succours to the Proteſtants of *Germany*, and endeavour'd to cultivate his Union with *Henry* VIII. more and more, by making him believe that he would ſecond him with all his Power, in the obtaining his Divorce at the Court of *Rome*.

He courts the Pope.

Henry VIII. *And King* Henry.

Henry deſir'd nothing better than ſuch a Support as the Power of *France*; but he was not thoroughly Maſter of his Friend's Views. The aim of *Francis* I. was to breed a variance betwixt the Emperor and *Henry*, for fear that if they ſhould be good Friends, he ſhould have no proſpect of recovering *Genoa* and *Milan*, which he could not attain to, but by embroiling the Affairs of *Europe* once more. With this view he adviſ'd King *Henry* to puſh on the Affair of the *Divorce* in ſpite of all Obſtructions, becauſe he knew that would prevent his Reconciliation with the Emperor; and for this end he made him believe that he would even break with the Pope rather than abandon his Intereſts: But at the ſame time he promoted the Negotiation for the Marriage of *Catherine de Medicis* with the Duke of *Orleans*. Mean while, as he pretended to be *Henry*'s dear Friend, he gave him to underſtand, that nothing was more likely to bring the Affair of the Divorce to a happy Iſſue, than to frighten the Emperor and the Pope with the apprehenſion of a powerful League betwixt *France* and *England* in order to hinder the Emperor from oppoſing the Divorce, and the Pope from reverting to the Emperor. Accordingly *Francis* and *Henry* concluded ſeveral Treaties, to make the Publick believe that they had great Deſigns upon the Anvil. But the bare reading of thoſe Treaties ſhews they had no other end than to create a Jealouſy in the Emperor and the Pope. They alſo conferr'd together in *Picardy*, and ſign'd a Convention, by which they engag'd to raiſe an Army of 80,000 Men, for Defence of *Chriſtendom* againſt the *Turks*, whether in *Germany* or *Italy*, as ſhould be judg'd neceſſary. But this was pure Artifice to intimidate the Emperor. *Francis* I. acted his part ſo well at this Interview, that he fully determin'd *Henry* to marry *Anne* of *Bullen*, and by that means laid an inſuperable Obſtacle in the way of his Accommodation with the Emperor.

Whom he preſſes to puſh on his Divorce.

And makes ſeveral Treaties with him.

And perſuades him to marry Anne *of* Bullen.

The publick and private Proceedings of the Kings of *France* and *England* made *Charles* V. very uneaſy. It was apparent that theſe two Kings were in Treaty, and Couriers were continually flying betwixt *London* and *Paris*; but nothing more of their Treaties was known than what the Contracting Powers thought fit to publiſh; and they affected to have it believ'd that they had great Deſigns in hand. The Emperor,

* This was a Jewel in form of a *Flower de Lys*, wherein, as M. *Bellay* ſays, was a piece of Wood, pretended to be that of our Saviour's Croſs.

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peror, who was on the point of being attack'd by the *Turks*, was very much embarrass'd. He was afraid that *Francis* and *Henry* as well as the Protestants of *Germany* wou'd lay hold of this opportunity to act against him; and he was not sure whether he cou'd depend on the Pope or the other Princes of *Italy*, because he had us'd none of them well. Mean time, as he was not in a Condition to guard against Opposition from all sides, he betook himself without delay to that where there was most Danger, and dissembled his apprehension from any other Quarter. A Diet which he caus'd to be held in *Germany* having given such Satisfaction to the Protestants, as hinder'd them from rising, he march'd against the *Turks*, who had already penetrated into *Austria*; and tho' he always avoided to run the risque of a Battle with them, he found means to oblige them to retire. After the happy Issue of this Campaign he went into *Italy*, to execute a Project which he had concerted before-hand. He endeavour'd to persuade all the Powers of *Italy* to make a League together, and always to keep an Army on foot, of which himself was to name the General, for Defence of the Duchy of *Milan*, and the rest of *Italy*, against the Attacks which they had reason to fear from *France*. But the Pope and the other *Italian* Princes, knowing that the Emperor wanted to enslave them by means of an Army which they themselves were to maintain, wou'd not engage to sign the League, except only on condition that the Army shou'd not be rais'd but in case of necessity.

Emperor marches against the Turks, *whom he drives out of* Austria, *and then goes to* Italy.

And makes a League with the Italian *Princes.*

At length the Marriage betwixt the Duke of *Orleans* and *Catherine de Medicis* being concluded, the Pope and *Francis* went with both Parties to *Marseilles*, where the Marriage was consummated. In this Interview, which gave Umbrage to the Emperor, *Francis* I. put the Differences betwixt the Pope and *Henry* on the foot of an Accommodation, from which he hoped to reap great Advantage. But *Clement* VII. being won over by the Emperor, broke the Measures of the King of *France*, as we shall find in the next Article.

Marriage of the Duke of Orleans *and* Catherine de Medicis.

THE most considerable Pieces in the XIVth Tome of the *Fœdera* which relate to the above mention'd Affairs, are as follow.

1. A Full Power from *Francis Sforza* for a certain Person to be present on his part at the Negotiations of the Peace, dated *February* 14. 1528[a].

Sforza was at that time turn'd out of his Dominions by the Emperor.

Sforza's *Credentials to his Ambassador.* P. 234.

2. A Commission from *Francis* I. to treat of a Free Trade between his Subjects and those of the Emperor; dated *March* 10, 1528[b].

Treaty of Commerce betwixt France *and* Germany. P. 235.

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3. ANOTHER of the same nature to *John de Bellay* Bishop of *Bayonne*, to treat with *Henry* after what manner and form to carry on the War against the Emperor, dated as above.

Francis's *Commission to* Henry *about the War with the Emperor.* P. 236.

4. ANOTHER relating to the Privileges to be granted to the *English* Merchants; of the same date.

Merchants Privileges. P. 237.

5. A Treaty of Truce for 8 Months between the Emperor and the Kings of *France* and *England*; dated *June* 24, 1528[c].

Truce with the Emperor. P. 258.

This Truce did not relate to Italy.

6. A Treaty betwixt *Francis* I. and *Henry* VIII. for carrying the War from *Flanders* into *Italy*; and *Francis*'s Acquittance to *Henry* for 196,800 Crowns, which has no Date of the Day of the Month.

Treaty for carrying the War into Italy. P. 283.

According to all appearance this Treaty was made after the Ruin of the French *Army before* Naples.

7. RATIFICATION of the foregoing Treaty by *Francis* I. dated *December* 22, 1528[d].

8. TREATY of *Madrid*, dated *Jan.* 14, 1526.

Treaty of Madrid. P. 308.

I can't imagine for what reason Mr. *Rymer* inserted this Treaty among the Acts of the Year 1529, unless it was that the Reader might more easily compare it with the following; *viz.*

9. THE Treaty of *Cambray*, between *Charles* V. and *Francis* I. dated *August* 5, 1529.

Treaty of Cambray. P. 326.

10. A Commission from *Francis* I. to treat concerning certain Sums which he is to pay to the King of *England* on the Emperor's Account, according to the Treaty of *Cambray*, and particularly about the rich *Flower de Lys*, dated *August* 16, 1529[e].

Treaty betwixt Francis *and* Henry *about the Money which the former was to pay him for the Emperor.* P. 306.

11. THE Pope's Absolution to *Francis* I. from the Oath he took at his Coronation not to alienate any part of his Dominions, to the end that he might be able to execute the Treaty of *Cambray*; dated[f] the 3d of the Calends of *Dec.* 1529.

"IF the Oath which *Francis* took at "his Coronation had been the true reason "that hinder'd him from restoring the Du-"chy of *Burgundy*, after the Treaty of "*Madrid*, he might have had the like Dis-"pensation from the Pope to have made "his troubled Conscience easy."

12. *Henry*'s Full Power to treat in his Name with the Emperor, *&c.* relating to the War against the *Turks*; dated[g] *Jan.* 21, 1530.

Treaty for the War against the Turks, P. 354.

THIS was to wipe off the Reproach both he and the King of *France* met with from

[a] At *Cremona*. [b] At *St. Germain en laye*. [c] At *Paris*.
[d] At *St. Germain en laye*. [e] At *St. Quintin*, in the County of *Vermandois*.
[f] At *Bologna*. [g] At *London*.

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from the Emperor, that they were not concern'd at the Danger with which *Chriſtendom* was threaten'd by the Infidels.

13. A Commiſſion from *Francis* I. to treat with *Henry* concerning the annual Penſion of 50,000 Crowns, which by his conſent was to be appropriated for the preſent to recover the Children of *France*; dated *Jan.* 29, 1530[a].

Henry's Penſion on Salt. P. 359.

14. ANOTHER for ſecuring *Henry's* Penſion out of the Salt of *Brouage*[b].

Gifts to the French King, and the latter's Bond. P. 360.

15. A Bond of *Francis* I. whereby he owns that he has receiv'd by way of Gift from *Henry* 512,222 Crowns of Gold in ready Money, and in Receipts for the Penſion he ow'd, beſides the rich *Flower de Lys*; on this condition, that if *Francis* does not obſerve the Treaty of perpetual Peace, he ſhall be accountable for all thoſe Sums; and to this *Francis* binds himſelf[c].

Commiſſion about the Flower de Lys pawn'd to King Henry. P. 362, 376.

16. *Francis's* Commiſſion to receive of *Henry* the rich *Flower de Lys*, and to engage in his Name to return that Jewel to him in ſix Months, if the Emperor refuſes to deliver up the Hoſtages[d].

17. A Treaty, by which *Francis* I. engaged to pay two Years Arrears of the Penſion on the Salt, with the current Year; dated *Feb.* 18, 1530[e].

Henry gives up one Year's Penſion from France. P. 378.

18. *Henry's* Grant to the King of *France* of one Year's Payment of the 50,000 Crowns Penſion, to be employ'd for the Deliverance of the Hoſtages; of the ſame date.

19. THE *French* Ambaſſador's Receipt for the rich *Flower de Lys*; dated as above.

Treaty with Francis. P. 435.

20. TREATY of Defenſive Alliance betwixt *Francis* I. and *Henry* VIII. in caſe the Emperor ſhou'd attack either; dated *June* 23, 1532[f].

THIS is one of thoſe Treaties which the two Kings made a great noiſe about. Every body knew they had ſign'd a Treaty, but the Contents of it no body cou'd tell[g].

THE Years 1531 and 1533, contain nothing of importance upon this Subject.

II. *Domeſtick Affairs.*

THAT the matters contain'd in the Acts of theſe ſix Years may not be confounded, I ſhall ſplit this Article into two. In the firſt I will treat of the Affair of the Divorce; and in the ſecond of Cardinal *Wolſey's* Affairs, to which a great many Pieces in this XIVth Tome of the *Fœdera* relate.

The DIVORCE of Henry VIII.

Henry had liv'd 18 Years with *Catherine* of *Arragon* when he firſt reſolv'd to be divorc'd from her. This Deſign of his was founded chiefly upon two Reaſons, the one drawn from Religion, the other from Politicks. The religious Reaſon was, That as *Catherine* was Wife to Prince *Arthur*, *Henry's* Brother, ſhe could not be the Wife of her firſt Husband's Brother, without Breach of God's Law. The political Reaſon was a dependent on the former; for ſuppoſing, I will not ſay the Invalidity of *Catherine's* ſecond Marriage, but only the Doubts to which it was liable, it follow'd that the Birth of the Princeſs *Mary* by that Marriage might be ſubject to Objections. By conſequence, the Succeſſion to the Crown after the King's Death wou'd remain in a ſtate of uncertainty, and moreover there was danger that the Kingdom would be expos'd to a Civil War. For the King having no Male-Iſſue, and indeed no reaſon to expect any, becauſe the Queen had not had any more Children for a long time, it was eaſy to foreſee that after the King's Death there would be three Competitors for the Crown, *viz.* 1. *Mary* his Daughter; 2. *James* V. King of *Scotland*, who was his Nephew by his eldeſt Siſter; and, 3. His Niece, the eldeſt Daughter of the Ducheſs of *Suffolk*, *Henry's* youngeſt Siſter. *Mary* might take advantage of the Diſpenſation of *Julius* II. which authoriz'd *Henry's* Marriage with *Catherine*. The King of *Scotland* might pretend that this Marriage was null, according to the divine Law, and that by conſequence *Mary* was a Baſtard; and the Ducheſs of *Suffolk's* eldeſt Daughter might alledge, that *Mary* being a Baſtard, and the King of *Scotland* a Foreigner, it was her Right to ſucceed to the Crown.

Henry's Motives of ſuing for a Divorce.

THESE were the two Reaſons upon which *Henry* reſolv'd with himſelf to make his Marriage void. But ſeveral have aſſerted that theſe were only Pretences; and that he had a third Reaſon, which they wou'd have us believe was the principal, or rather the only Inducement of *Henry's* ſolliciting the Divorce, *viz.* his being ſo deeply in love with *Anne* of *Bolleyn*, that he was reſolv'd to ſacrifice *Catherine* to that Paſſion. But without enlarging upon ſuch Proofs as might be produc'd to deſtroy this opinion, I ſhall only ſay in two Words, that 'tis in a manner impoſſible to tell the exact time when *Henry* began to have ſcruples about his Marriage, or when he firſt reſolv'd to have it made void, or at what time *Anne* of *Bolleyn*, who was in *France*, return'd to *England*, or at what time the King fell in love with her. All that can be ſaid is, that 'tis very certain, that the Divorce was reſolv'd upon before the

[a] At *Divione*. [b] Of the ſame Date as the former.
[c] 'Tis dated as before. [d] Dated as before.
[e] At *London*. [f] Ibid.
[g] And if the Pope and the Emperor had but known it conſiſted of only two trifling Articles, they wou'd not have been near ſo much alarm'd.

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the middle of the Year 1527; that 'tis very probable that *Anne* did not return from *France* to *England* with Sir *Thomas Bolleyn* her Father, who had been Ambaſſador there, 'till *September* or *October* in that Year, and that there's no Trace of the King's Paſſion for that Lady to be diſcover'd before the Year 1528. After this, can one be certain that the King's Amour was the true Motive of his demanding a Divorce? If it were only ſaid that the Paſſion which the King was ſmitten with for that Lady, very much contributed to make him perſiſt in the Sollicitation of the Divorce, in ſpite of all the Difficulties he met with, I ſhou'd frankly acquieſce; becauſe I am far from thinking all the Proceedings or Actions of this Prince juſtifiable.

Tho' we have not all the Pieces relating to this Affair in the *Fœdera*, which no doubt wou'd have found a Place there, if they had not been ſuppreſs'd in the Reign of Queen *Mary*; and tho' by that means we are depriv'd of ſeveral Hints which might have given Light into the Affair of the Divorce, yet 'tis neceſſary to give a brief account of what paſs'd upon this head. But without entring into the whole detail of it, which has been ſo well perform'd by the celebrated Author of the *Hiſtory of the Reformation of* England, I ſhall ſuppreſs every thing that relates to Religion and Conſcience, and confine my ſelf only to the Hiſtorical Part of the Affair, and eſpecially to the Conduct of *Clement* VII. throughout the whole Courſe of it *.

The Pope's Conduct in the Affair.

In *July* 1527, *Henry* diſpatch'd his Secretary *William Knight* to *Rome*, to deſire the Pope, who was at that time a Priſoner in the Caſtle of *St. Angelo*, to ſign four Acts, which he ſent to him ready drawn up. The firſt was a Commiſſion to Cardinal *Wolſey* to judge of the Validity of the Diſpenſation of *Julius* II. and of the King's Marriage with *Catherine*, concluded in conſequence thereof. The ſecond was a decretal Bull to make the King's Marriage void. The third was an authentic Licence to the King to marry another Woman. And the fourth an Engagement never to revoke any of the three preceding Acts. The Court of *England* could not but be very confident of the Pope's Complaiſance, to imagine that he would blindly ſign thoſe four Acts without any other notice of the Affair in queſtion, and without being certain whether ſuch an Inſtance of his Complaiſance would procure him his Freedom, and Reeſtabliſhment in St. *Peter's* Chair. Mean time *Henry* flatter'd himſelf that the Extremity to which the Pope was then reduced, and his Impatience for a Deliverance, which naturally he could not expect but from *France* and *England*, would incline him to diſpenſe with all Formalities. But tho' *Clement* VII. could not be ſure of Aſſiſtance from any Quarter but from theſe two Confederate Kings, yet he could not be abſolutely certain that thoſe Monarchs would do every thing for him that was in their power, nor indeed that their Efforts would be effectual; becauſe this depended on the Succeſs of the War. Indeed *Lautrec* was arriv'd in *Italy* with a *French* Army, and had Orders to attack the Kingdom of *Naples*, but the Succeſs of his Expedition was ſtill uncertain. If therefore the Pope had blindly done what *Henry* would have had him, and it ſhould have happen'd afterwards that the War of *Naples* had not the expected Succeſs, his Condition would have been worſe than it was, and no hopes of ever retrieving it. But on the other hand, as there was a Probability that *Francis* I. the King of *England*'s Friend and Ally, would get the upper hand in *Italy*, it was the Pope's Intereſt to cultivate the Friendſhip of theſe two Monarchs, in caſe he ſhould have need of them. *Henry*'s ſtrong Perſuaſion that the Pope could refuſe him nothing, was the very thing that ſerv'd to keep him in ſuſpence. *Clement* VII. being ſtrictly guarded by the *Spaniards* at the time that *Knight* arrived at *Rome*, all that this Envoy could do, was to get a Memorial deliver'd to him relating to his Commiſſion. The Pope return'd a favourable Anſwer by word of mouth, but it was not poſſible to puſh the Negotiation any further while he was a Priſoner; ſo that it was not till after his Eſcape that *Caſſali* the *Engliſh* Ambaſſador in ordinary, and *Knight* went to him, in order to preſs him to ſign the four Acts above mentioned. *Clement* VII. who engaged himſelf only in general Terms, ſhew'd a Diſpoſition to pleaſe the King; but ſaid that for this end he had a deſign to conſult the Cardinal *de Sanctorum quatuor*. *Caſſali* and *Knight* immediately went to that Cardinal to gain him over to their Intereſt,

Henry VIII.

* Mr. *Rapin* in his other Hiſtory gives this general Account of the three *Engliſh* Hiſtorians who have treated more largely of this Matter than any others, *viz. Sanders*, the Lord *Herbert*, and Dr. *Burnet* the late Biſhop of *Salisbury*. *Sanders* in his *Hiſtory of the Schiſm of* England, takes pains to run down *Henry* VIII. and to ſhew that the Reformation of *England*, to which he gives the Name of *Schiſm*, was only owing to *Henry*'s Amour with *Anne* of *Bolleyn*; by which Suggeſtion that Writer thought he had given a mortal Stab to the Reformation; becauſe Mankind would judge that a Building rais'd upon ſuch a Foundation cou'd not be the Work of God. Lord *Herbert* in his Hiſtory of *Henry* VIII. gave a large Account indeed of this Event, but only related naked Facts, and left his Reader to form his own Conſequences. Dr. *Burnet*'s chief View, in his *Hiſtory of the Reformation*, was to ſhew, that tho' the Divorce made way for the Reformation, yet it was purely accidental. And he has ſo fully confuted the palpable Falſhoods with which *Sanders*'s Hiſtory abounds upon this Subject, that after what the Biſhop has ſaid, no Man of Candour will eſteem *Sanders* for an Author of Credit.

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tereſt, in which they found no great difficulty, or at leaſt he pretended to be entirely in the King's Intereſt. Yet after having examin'd the four Acts, he found ſo many material Flaws in them, eſpecially in the Commiſſion, that there was a neceſſity for drawing up others. But all this not ſufficing to gain that time which the Pope wanted, and the Ambaſſadors continually preſſing him to Subſcribe the Acts, he reſolv'd at laſt to ſign three of them, *viz.* the Commiſſion, the Decretal, and the Diſpenſation for the King to marry another Woman. *The Pope amuſes the King by ſending him inſignificant Bulls.* Theſe Acts when ſent to *England*, were found to be of no Service. For the Commiſſion was dated in the Caſtle of *St. Angelo*, while the Pope was Priſoner there; the Decretal contain'd no Clauſe which cou'd hinder the Pope from revoking it; and the Diſpenſation was only conditional, in caſe that *Henry*'s former Marriage ſhould be declar'd void. Beſides, there was a certain Clauſe in it, which left the Pope at liberty to revoke it whenever he thought fit, *viz.* That he *granted the Diſpenſation, as far as he might without offending God, notwithſtanding any Prohibitions of the Divine Law, or other whatſoever declaring the contrary, as far as the Apoſtolical Power extended.*

Henry demands other Bulls. ALL this being liable to numerous Exceptions, *Henry* caus'd other Bulls to be demanded, but the Pope who was inclin'd to ſee the Iſſue of the *Naples* Expedition, before he came to any Determination, found a way to ſhuffle it off; and in order to gain time, only told *Caſſali* in ſecret, that the King wou'd do better to marry another Woman, and that it wou'd be more natural to pardon a Fault when committed, than to permit it. *Pope's ſly advice to him.* *Henry* not caring to follow this advice, which he look'd upon as a Snare to deliver him up to the Pope's Diſcretion, ſent *Fox* and *Gardiner* * to him to ſollicit the Diſpatch of the new Bulls. *Gardiner and Fox ſent to Rome.* When theſe two Envoys came to the Pope, *Lautrec* was in full March towards the Kingdom of *Naples*; but on the other hand, the Imperial Army was march'd out of *Rome* to ſtop his Progreſs, ſo that it was not doubted but a Battle wou'd quickly enſue between the two Armies. As it was not for the Pope's Intereſt to determine himſelf before the Iſſue of it, he made uſe of all the ſervile Stratagems in nature to gain time. And at laſt being extremely preſs'd by the King's Envoys, he ſign'd a Bull, which empower'd Cardinal *Wolſey* to give Judgment on the Affair of the Divorce, after taking the Archbiſhop of *Canterbury*, or ſuch other Biſhop as he pleas'd for his Aſſociate. *Pope grants a new Commiſſion to* Wolſey.

YET this Bull, as favourable as it was, was not thought ſufficient for two Reaſons. In the firſt place, there was no Clauſe in it to hinder the Pope from revoking it. In the ſecond place, it was believ'd, that a Sentence paſs'd by a Judge who was manifeſtly devoted to the King, might be look'd upon as null. Conſequently the King thinking that the Pope had really a Deſign to gratify him, thought it convenient to take all the Precautions poſſible to hinder the Sentence when paſs'd from being conſtrued as a Sentence extorted. Therefore he deſir'd the Pope that he wou'd pleaſe to join another Cardinal in Commiſſion with Cardinal *Wolſey*, in quality of Legate. *King deſires the Pope to join another Legate to* Wolſey. But by this means he quite ſpoil'd his Affair, becauſe he furniſh'd the Pope with a plauſible Pretence to prolong the time; whereas if he had let *Wolſey* have been the ſole Judge of his Cauſe, it wou'd have very much embaraſs'd both the Emperor and the Pope. Juſt at the time of making this demand, *Lautrec* was actually beſieging *Naples*, and in a fair way to make himſelf Maſter of that City, and all the reſt of the Kingdom. This made the Pope much more pliable, but as the King himſelf had given him opportunity to temporiſe, he did not neglect it. At the ſame time that he pretended a Reſolution to grant the King his Deſire, he found means to render that Favour of no ſervice to him, if it happen'd that the War ſhou'd take a different turn from what was expected, being nevertheleſs ready to confirm it if *France* had the Advantage. *Another Commiſſion to* Wolſey *and* Campeggio. Therefore he ſign'd a Bull, which appointed the Cardinals, *Thomas Wolſey* and *Lawrence Campeggio* †, his Legates in *England*, to judge of the Affair of the Divorce; and he put the Decretal Bull, which diſſolv'd the King's Marriage with *Catherine*, into the hands of *Campeggio*. Moreover, he engag'd himſelf in writing not to revoke the Legates Power. But before we go farther, 'tis proper to ſtop and juſt take an Obſervation of the Artifices

* *Stephen Gardiner* was at that time Cardinal *Wolſey*'s Secretary, and *Fox* was the King's Almoner; The former a Canoniſt, the latter a Divine.

† *Campeggio* was Biſhop of *Salisbury*.

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tifices he made use of to gain time. The Commission for *Wolsey* alone was sign'd on the 13th of *April*. About a Month after, Cardinal *Campeggio* was declar'd Legate jointly with *Wolsey* in a Consistory; but his Commission was not dispatch'd 'till the 6th of *June*. The Engagement not to recall the Legates was dated the 23d of *July*; the Decretal was not seal'd 'till the Month of *August*, and *Campeggio* did not set out with it 'till *September*, nor arrive in *England* 'till *October*: So that when he came away, it was at a Juncture wherein the Pope was in no more Danger from *France*, but had every thing to fear from the Emperor; for the Siege of *Naples* was rais'd, and the *French* Army ruin'd. Therefore when *Campeggio* left *Italy*, *Clement* VII. had resolv'd before-hand to give no Satisfaction to the King, and to make an Accommodation with the Emperor. But since it was necessary, in order to get the better Terms, to make *Charles* V. believe that he was in a strict League with *France* and *England*, he made no scruple to give *Henry* all the Hopes possible that the Affair of the Divorce wou'd terminate to his Satisfaction. For this reason he sent *Campeggio* to *England* with that very Decretal in his Pocket, which *Henry* so passionately desir'd; but he gave him express Instructions to spin out the matter as far as possible; to give no Sentence without positive Orders from him; and above all things, not to suffer the Decretal to go out of his hands, and not so much as to shew it to any but to the King, and Cardinal *Wolsey*.

Pope's Instructions to Campeggio.

WHILE *Campeggio* was on his Journey, the Emperor's Ministers produc'd an authentick Copy of a certain pretended Brief from *Julius* II. whereby that Pope confirm'd the Dispensation for *Henry*'s Marriage with *Catherine*, *notwithstanding* Catherine's *former Marriage with* Arthur *had been consummated*; whereas in the Bull of Dispensation, 'tis said, *notwithstanding the Marriage*, &c. had *been celebrated*, and perhaps *consummated*. They pretended to demonstrate from this Brief that *Julius* II. was not surpriz'd into it, because he suppos'd that the former Marriage had been consummated. But many reasons manifestly shew'd the Forgery of this Brief. In the first place there was no notice taken of it in the Archives, or Offices of the Records. Secondly, as the Dispensation had been granted upon *Catherine*'s Petition, that Princess cou'd not alledge that her Marriage with *Arthur* had been consummated, because at the beginning of the Process relating to the Divorce she had affirm'd the contrary upon Oath. In the third place, this Brief was dated the 26th of *December*, 1503. Now as in all the Pope's Briefs the Year begins upon *Christmas-day*, the 25th of *December*, it happen'd that according to this way of dating Briefs, the 26th of *December* 1503, answers to the 26th of *December* 1502, according to the common Date; that is to say, ten Months before *Julius* IId's Exaltation to the Papal Chair.

The Emperor's Ministers produce a sham Brief, to delay the Affair.

Proofs of it.

HENRY VIII.

AFTER the Army of *France* which besieg'd *Naples* was dispers'd, and when the Pope had resolv'd upon an Accommodation with the Emperor, the Affair of the Divorce met with more and more Remoras every day. *Campeggio* did his Master very good Service by the several Artifices which he invented to retard the Proceedings, tho' he always pretended to the King that he was intirely in his Interest; 'till at last he receiv'd an express Order to burn the Decretal, which he punctually obey'd. In short, to avoid prolixity, the King suspecting there was some Mystery in these affected Delays sent *Vannes* and *Bryan* to *Rome*, to find out the meaning of it. These two Envoys, after having often sisted, sollicited, and even threaten'd the Pope, wrote at length to the King that it was in vain for him to expect any good from the Court of *Rome*; which was the Reason that the King resolv'd at last to have Judgment given on the Affair in *England* by the two Legates, who met on the 31st of *May* by virtue of the King's Licence. *Wolsey*, tho' the oldest Cardinal, gave the Precedency to *Campeggio*; who, according to the Orders he had receiv'd from the Pope, made it his whole study to spin out the Affair to a great length. In the first Session the King and Queen were summon'd to appear before the Legates on the 18th of *June*. So that here was already a Delay of 18 Days, tho' the Parties were both at *London*, or in some of the Royal Palaces in the Neighbourhood.

The Pope orders the Decretal to be burnt.

The King sends more Envoys to Rome.

Queen Catherine protests against the Legates.

IN the mean time the Queen having excepted against the two Legates, her Protest was rejected, and that occasion'd a Delay of four Days more. On the 21st the King and Queen appear'd, and the Queen was again summon'd for the 25th; but instead of appearing, she sent an Appeal to the Legates against their Proceedings; which Appeal not being admitted, she was pronounc'd *Contumax*, but had farther time allow'd her to the 28th, upon which Day the Legates began the Process, and heard Witnesses. But

Is pronounc'd Contumax.

FOEDERA Tom. XIV.

by reaſon of certain Holidays obſerv'd at *Rome*, the Court adjourn'd to the 12th of *July*, and 'till then the Legates did not renew the Proceſs, which they continued to the 14th, 17th, and 21ſt. And finally, on the 23d, when it was expected that they wou'd have pronounc'd Sentence, *Campeggio* adjourn'd the Court to the 21ſt of *October*, upon account of the great Holidays which would not be over at *Rome* 'till that Day. From hence 'tis plain, that this Cardinal improv'd all Opportunities to do his Maſter good Service; but no body knows what to think of Cardinal *Wolſey*, who ſo far yielded to the Artifices of his Colleague, as to abuſe a Maſter who had heap'd ſo many Favours on him. While the Suit was carrying on in *England*, the Pope receiv'd the News that his Treaty with the Emperor had been concluded at *Barcelona*. And immediately before the ſame was publiſh'd, he granted an Avocation of the Proceſs to *Rome*, and ſent away an Expreſs to inform the Legates of it. In the Bull of Avocation *Henry* was cited to appear at *Rome* in 40 Days, with a Denunciation of divers Cenſures if he did not obey. But afterwards the Pope diſown'd thoſe Cenſures, and made the King Satisfaction. Thus was *Henry* amus'd for two whole Years; and after having entertain'd hopes which he thought well-grounded, of ſuecceding in his Deſign, he ſaw himſelf farther as it were from his Journey's end than when he firſt ſet out. The Artifices which the Pope made uſe of were ſo manifeſt, that it wou'd only be Loſs of Time to inſiſt upon the particular Inſtances. He wanted to recover *Ravenna* and *Cervia*, to put himſelf in poſſeſſion of *Modena* and *Reggio*, to reunite *Ferrara* to the Church, to reeſtabliſh the Family of *Medicis* in the Government of *Florence*, and Duke *Sforza* at *Milan*. But all this cou'd not be done without the Emperor's Aſſiſtance: Even tho' *France* had been victorious, ſhe cou'd not have ſerv'd the Pope in any thing like it; ſo that 'twas very happy for him that the Emperor got the upper hand in *Italy*, and thereby found himſelf in a fair way to obtain what he wiſh'd, to which the Affair of *Henry* VIIIth's Divorce was not unſerviceable. No wonder therefore that he turn'd to that ſide which was moſt favourable to him. As to the main Point of the Divorce, I mean the Right of the Parties in Religion and Conſcience, that was not what troubled his Head, becauſe he only had a View to his own private Intereſts; ſo that the Reaſons alledg'd on both ſides were all to no purpoſe, and only ſerv'd to gain the Pope time, which it was his Intereſt to prolong.

The Pope removes the Cauſe to Rome.

Cites Henry *thither under certain Menaces, which he afterwards revokes.*

Henry did not think proper to obey the Summons, nor was the Pope in great haſte to puſh on the Affair, being pleaſed to find that he had brought it to ſuch a paſs, that nothing cou'd be done in it without him, and that he had ſatisfied the Emperor.

SOMETIME after, *Henry* hearing of *Thomas Cranmer*, a Clergyman of profound Knowledge and Judgment, receiv'd advice from him; which was ſo agreeable, that he reſolved to purſue it: His Propoſal was to conſult the Univerſities, and the moſt celebrated Divines of *Europe*, upon the Affair of the Divorce; which, ſaid *Cranmer*, wou'd be attended with a great Advantage: for if the Learned and the Univerſities determin'd that the Diſpenſation of *Julius* II. was ſufficient, the King's Conſcience would be thereby quieted; but if on the contrary, the Opinions of the Univerſities were againſt the Diſpenſation, the Pope wou'd never venture to give any Deciſion contrary to Opinions ſo generally receiv'd and approv'd.

Henry *takes advice of* Cranmer.

THE Adjournment of the Cauſe of the Divorce to *Rome* was immediately follow'd by Cardinal *Wolſey*'s Diſgrace, of which I intend to treat in an Article by itſelf. At the ſame time *Campeggio* return'd to *Rome*, very glad that he got off with a whole Skin, after he had received ſome Mortification *.

Campeggio *returns to* Rome.

THE Treaty of *Cambray* betwixt the Emperor and *France* being concluded on the 5th of *Auguſt* 1529, the Children of *France* were ſet at liberty in the Year following. The Emperor repairing afterwards to *Bologna*, there ſettled the Affairs of *Italy*. *Francis Sforza* was re-eſtabliſhed at *Milan*, and the Family of *Medicis* acquir'd the Sovereignty of *Florence*. Conſequently *Henry* found himſelf all at once depriv'd of the Aſſiſtance of *France*, and of the hopes of any Opportunity in his power to give the Emperor a Diverſion in *Italy*. He did

Sforza *eſtabliſh'd at* Milan, *and the Houſe of* Medicis *at* Florence.

* What this was, we learn from Lord *Herbert*, who tells us, that when he went aboard his Ship, the Cuſtom-Houſe Officers ranſack'd all his Coffers, Bags and Papers, on pretence of ſearching for Money and Letters which he carried from *England* to *Rome*, but with real Hopes of recovering that Decretal Bull which the King ſo much long'd for, and of finding ſome Love-Letters which had paſs'd betwixt King *Henry* and *Anne* of *Bolleyn*; and that *Campeggio* complain'd of it to the King, threatning he wou'd not proceed in his Voyage 'till he had a Reparation; but none was made him.

did not doubt but the Pope wou'd at laſt give Sentence againſt him, and commit the Execution of it to the Emperor; and in the mean time he had neither Friends nor Allies. By good Luck for him, the Troubles in *Germany* upon the ſcore of Religion, and the Preparations of the *Turks* againſt *Hungary*, hinder'd the Emperor from thinking of *England*. For this reaſon alſo the Pope was afraid to precipitate his Sentence, leſt he ſhould time it ill; and therefore he ſtill endeavour'd to amuſe *Henry*, with hopes that the Affair of the Divorce would terminate in his favour. 'Twas this that induced *Henry* to make one Effort more, by ſending Ambaſſadors to the Pope and the Emperor, who were then together at *Bologna*. The Pope indeed ſhew'd a Diſpoſition to ſatisfy him; but the Emperor ſtrenuouſly oppos'd it, and ſaid, that he would never abandon the Queen his Aunt.

Henry ſends Ambaſſadors to the Pope and Emperor.

Univerſities of Europe *decide in his Favour.*

DURING this, the moſt celebrated Univerſities of *Europe*, as well as thoſe of *Oxford* and *Cambridge*, were conſulted by the King's order; and almoſt every one decided in his favour. But the Pope and the Emperor did not intend to conform to their Deciſions. Mean while *Henry*, who had reſolv'd to get that Satisfaction in his own Dominions which he could not obtain at *Rome*, propos'd to make great uſe of the Deciſions of the Learned, in order to convince his Subjects of the Juſtice of his Divorce. The Reaſons that had engaged him to make application for it firſt of all to the Pope, were two: 1. His Prepoſſeſſion in favour of the Head of the Church. 2. His Fear leſt his being embroil'd with the Pope ſhould involve him in Troubles, by reaſon of the Prejudices of the common People, and particularly of the Clergy and Monks, as happen'd to *Henry* II. and *John*. But the artful Conduct of *Clement* VII. obliging him to take other meaſures, he was glad to find that the People of *England* in his time had not near ſo much Eſteem and Veneration for the Pope as their Anceſtors had. *Wickliff*'s Doctrine was not yet entirely ſuppreſſed in *England*, while on the other hand the Books of *Luther* and other Reformers had open'd the Eyes of abundance of People. As ſoon as they found the King ready to fall out with the Pope, it made many the bolder to propagate novel Opinions, eſpecially with regard to the Papal Power. Conſequently the King was not a little pleas'd to find ſo general a Diſpoſition among his Subjects, to ſupport him in that entire Rupture which he foreſaw wou'd enſue with *Rome*. For this reaſon therefore, when he cou'd depend no longer on the Pope, he reſolv'd to apply to his Parliament and the Clergy of *England* for that Remedy which he had in vain expected from abroad. But that the Pope might have no reaſon to complain that they did not let him know what they intended to do in *England*, the King caus'd the Great Men of the Realm to write a very ſharp Letter to him, wherein they told him that the King's Cauſe was their own, and that if he refus'd the King Satisfaction any longer, they themſelves knew where to find that Remedy which they had in vain expected from *Rome*. The Pope return'd them a very moderate Anſwer, and actually inſinuated to *Caſſali* that there was a poſſibility of accommodating this Affair by a Licence which he wou'd grant to the King to have two Wives. But *Henry* was ſo much upon his Guard againſt the Pope's Complaiſance, that he wou'd not hearken to the Expedient. And fearing leſt the Pope, who was entirely manag'd by the Emperor, wou'd fulminate an Excommunication againſt him, or elſe lay his Kingdom under an Interdict, he iſſued a Proclamation, forbidding the receiving any Bull from the Pope which was prejudicial to the Rights of the Crown. And when that was done, he publiſh'd his Reaſons for demanding the Divorce, that he might meet with the leſs Oppoſition to his Deſign in Parliament. The Pope and the Emperor being diſguſted with each other, and the Marriage propos'd betwixt the Duke of *Orleans* and *Catherine de Medicis*, being too honourable and advantageous an Offer for him to refuſe, there was a very great probability that it wou'd not be long e'er *Clement* VII. wou'd ſtrictly unite with *France*. *Henry* thinking this a very lucky Juncture, aſſembled the Parliament, and acquainted them of his Deſign to cauſe his Marriage to be diſſolv'd, and the Reaſons why. Afterwards he caus'd the ſame Reſolution to be communicated to the Clergy in Convocation, who decided that the King's Marriage was contrary to the Law of God. And for the preſent this was all the King deſir'd.

The Engliſh *Nobility's Letter to the Pope, and his Anſwer, which* Henry *rejects.*

And puts forth a Proclamation againſt the Pope's Bulls, &c. with his Reaſons for the Divorce.

Miſunderſtanding betwixt the Pope and the Emperor.

Henry's Reaſons for applying to the Pope for his Divorce.

The Engliſh *not ſuch Bigots to Popery as their Anceſtors.*

Henry imparts his Intentions about the Divorce to the Parliament and Convocation.

NOT many Days after this, the whole Body of the Clergy was charg'd with having violated the Statutes of the *Proviſors* and *Præmunire*, by owning the Legantine Authority which Cardinal *Wolſey* had aſſum'd to himſelf, without any authentick Permiſſion from the King. As *Wolſey* had been condemn'd upon the ſame ſcore, the Clergy receiv'd the like Sentence, by which all their Livings were forfeited to the King. At another time,

Clergy fined in a Præmunire.

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time, they wou'd not have been ſo treated with Impunity, and Excommunications wou'd not have been ſpar'd. But at this Juncture, the Clergy had no Power upon Earth to ſtand by them: For on the one hand, the King was embroil'd with the Pope, and had forbid the Importation of his Bulls into the Kingdom: and on the other hand, the Laity were in no manner of Diſpoſition to ſupport the Intereſts of the Clergy, with whom they were diſguſted, nor to receive any Orders from the Pope, in caſe he had pleas'd to have interpos'd in the Affair. So that

Give the King 100,000 l.

the Province of *Canterbury* aſſembled in Synod or Convocation, reſolv'd to offer the King a Preſent of 100,000 *l. Sterling*, to ſave their Revenues. In purſuance of this Reſolution, ſome of that Body were order'd to draw up an Act in form of Letters Patent, whereby the [a] Clergy gave the King the ſaid Sum of 100,000 *l.* In the firſt place, becauſe of his great Merit. Secondly, as a Teſtimony of the grateful Senſe they had of the Advantages which he had procur'd for the Church, by his Arms and Pen. Thirdly, becauſe of his Zeal againſt the *Lutherans*, who aim'd at the Ruin of the Church of *England*, of which the Clergy own'd him to be Protector and Supreme Head. Fourthly and laſtly, in hopes that the King wou'd pleaſe to grant the Clergy a Pardon for all the Faults they had committed, contrary to the Statutes of Proviſors and Premunire. When this Act was read in the Aſſembly, it was very much oppos'd with reſpect to the Clauſe which eſtabliſh'd the King's Title of *Supreme Head of the Church of* England. But the King having ſignify'd to the Convocation, that he wou'd reject the ſaid Act if that Clauſe was taken out of it, they were forc'd to comply. The

And 19,000l. more, and own the King's Supremacy.

Convocation of the Province of *York* imitated that of *Canterbury*, in making the like Act, whereby they gave the King about 19,000 *l. Sterling*, and were fain to add the ſame Clauſe to it with reſpect to the King's Supremacy. Thus *Henry* VIII. obtain'd or rather extorted from the Church of *England* the Acknowledgment of his Supremacy, of which he afterwards made great Uſe. The King

King grants a General Pardon.

being ſatisfy'd, granted an Amneſty firſt to the Clergy, and afterwards one of the ſame Nature to the Laity; for there was ſcarce a Man in the Kingdom but had been guilty of the pretended Crime of acknowledging the Legate's Authority. As to the Monaſteries, they were forc'd to compound with the King, in order to obtain the Pardon which they as much wanted as others. The Populace, far from making any Diſturbance in favour of the Clergy and the Monks, as they did formerly, expreſs'd a Joy on the contrary to ſee them humbled; and the Pope being afraid to reſent it at ſuch a Juncture, reſolv'd to diſſemble his Indignation.

Joy of the People at the Diſgrace of the Clergy.

MEAN time *Henry*, who wiſh'd to ſee an End put to the Affair of his Divorce, if poſſible, without any Noiſe, made his laſt Efforts to oblige the Queen to conſent to it, but all was to no purpoſe. She ſtill inſiſted that ſhe was his lawful Wife, and ſo would abide till ſhe was ſeparated from him by a Decree from the Pope. Being ſo fix'd in her Reſolution, the King took his Leave of her on the 14th of *July* 1531. after having order'd one of his Royal Palaces for her Reſidence [b]; and it does not appear that he ever ſaw her more.

Henry *trys in vain to get the Queen's Conſent to the Divorce.*

Baniſhes her into the Country.

THEY who had embrac'd the Reformation, looking upon the Quarrel betwixt the King and Pope as a Door for introducing the new Religion into the Kingdom, took occaſion from thence to publiſh their Sentiments with the more liberty. But the King ſoon check'd their audaciouſneſs, by putting two or three of the boldeſt of them to death [c]. For he had not chang'd his former Sentiments in the point of Doctrine; and tho' he began to think that Religion might very well ſubſiſt without a Papal Power, yet he was cautious of ſhewing ſo much regard for the Proteſtants as ſhou'd give cauſe to charge him with a Deſign to deſtroy the antient Religion in his Kingdom.

Perſecutes the Proteſtants of whom three are burnt.

THE Parliament being reaſſembled in the beginning of the Year 1532, preſented an Addreſs to the King, praying he wou'd give them Leave to ſet about the Reformation of certain Abuſes which were crept into the Eccleſiaſtical Immunities. 'Twas the King himſelf who by his Friends in the Horſe influenc'd the Parliament to preſent ſuch Addreſs to him. He was afraid of meeting with great oppoſition from the Clergy, as well upon account of his Divorce as his Supremacy, for he knew that the Majority of them were ſtrongly

Parliament addreſs the King about the Clergy's Immunities.

[a] The Lord *Herbert* and Dr. *Burnet* ſay, that the Convocation reſolv'd to addreſs the King by way of Petition, that he wou'd pleaſe to accept this Sum. But ſince the publication of this Piece, which we find printed p. 413. of the XIVth Vol. of the *Fœdera*, one may venture to call it not a Petition, but a publick Grant of the Clergy in form of Letters Patent.

[b] She went firſt to *Moor*, then to *Eaſt Hampſtead*, and laſtly to *Ampthil*.

[c] Tho' the King had ſhook off the Pope's Yoke, he order'd the Laws againſt Hereticks to be ſeverely put in Execution; purſuant to which, three Proteſtants were burnt at the Stake, *viz. Bilney* and *Bayfield* who ſuffer'd this Year, and *Baynam* in *April* following. *Bilney* was executed at *Norwich*, and *Bayfield* and *Baynam* in *Smithfield*, *London*.

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HENRY VIII.

strongly attach'd to the Pope. Therefore he had a mind to let them see how much they wou'd need his Protection if they shou'd offer to oppose his Design: And that was the only View he had in this proceeding. But that the Clergy might not be frighten'd, he contented himself with the Regulation of some small Abuses; and at the same time, to make them Amends, got the Parliament to pass an Act to abolish the Annates *, which were a great Burden to the Church of *England*, and to fix the Price of the Bulls for Bishopricks. By this Act it was enacted, that if the Pope refus'd to grant Bulls, the Bishops shou'd be establish'd in their Sees by other methods. But as the King did not yet despair of an Accommodation with the Pope, he contriv'd it so that the Parliament put it into his power to abolish the Act if he thought fit. The Pope complain'd of this Statute, but the King's Ministers told him he need not be so uneasy, because there was a Remedy still left.

Act for abolishing the Annates.

Thomas Audley *made Lord-Keeper.*

AFTER the passing of this Act, *Thomas More* the High Chancellor resign'd his Office, and the Great Seal was given to *Thomas Audley*. *Clement* VII. perceiving what a turn things had taken in *England*, was very much embaras'd. *Henry*, by suppressing the Annates, had made him sensible that this was but a Flea-bite to what he might be capable of doing afterwards, and that he was in a condition to push things still farther. On the other hand, the Emperor severely threaten'd him if he satisfy'd the King of *England* in the Affair of the Divorce, and was actually prepar'd to have taken *Florence* from the House of *Medicis*, with the same ease as he had put them in possession. Therefore the Pope, as he said himself, was in a manner aground betwixt two, there being great danger that *England* wou'd fall off from the Church, and the State of *Florence* from the Pope's Family. In this Confusion he stuck for a while, not knowing which way to determine himself. But at length his private Interest prevailing, he declar'd to the Ministers of *England*, that he cou'd no longer delay summoning the King, to the end that he might be able to judge of the Queen's Appeal. Upon this *Karne* was sent to *Rome* with the new Title of *Excusator*, to give the King's Reasons why he cou'd not attend. Mean time he was summon'd to appear by his Proxy after the Holidays, which were to end on the 1st of *October*. *Henry* having consulted several Universities, pro-

Infallibility at a great Nonplus.

But he resolves to cite King Henry *to* Rome, *who sends an* Excusator.

* These Annates were so call'd, because they were the entire Revenues of one Year, in the nature of First-Fruits, which every Bishop and Clergyman paid to the Pope, at his first Entrance into his Living: *Godwin de Præsulibus Angliæ* has given the Rate of every Bishoprick in the King's Books, and the Sum they were tax'd at for First-Fruits to the Pope, which may not improperly be asserted here.

Bishopricks and their Rate.	In the King's Book. l.	s.	d.	In the Pope's Book. l.	s.	d.
Canterbury	2816	17	9	2250	0	0
and us'd to pay for				the Pall 1125	0	0
London	1119	8	4	675	0	0
Winchester	2491	9	8½	4800	0	0
Ely	2134	18	5¾	2800	0	0
Lincoln	894	18	1½	2000	0	0
Coventry and *Litchfield*	559	17	7¾	680	0	0
Salisbury	1385	5	0	1125	0	0
Bath and *Wells*	533	1	3	172	0	0
Exeter	500	0	0	2400	0	0
Norwich	899	8	7½	2000	0	0
Worcester	1049	17	3¾	450	0	0
Hereford	768	10	10¾	405	0	0
Chichester	677	1	3	133	4	0
Rochester	385	3	6	342	10	0
St. David's	426	1	10½	337	10	0
Landaff	154	14	1	157	10	0
Bangor	132	16	4½	28	7	0
St. Asaph	131	16	4½	28	7	0
York	1609	19	7	4000	0	0
paid for				the Pall 2000	0	0
Durham	1821	1	5	2025	0	0
Carlisle	531	4	11½	225	0	0
Total	21023	12	6½	30289	8	0

And as every inferior Clergyman did also pay a full Year's Revenue of his Benefice when he first enter'd upon it, one may venture to conclude, that there was three times more Grist brought to the Pope's Mill from all the Livings in *England* than from the Bishopricks. Dr. *Burnet* observes, that since the beginning of the Reign of *Henry* VII. to this time 800,000 Ducats had been carry'd out of *England* to *Rome* on this very account, and the Ducats were then computed at about 8*s*.

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protested against this Citation, according as they had determin'd it, and yet for all this, he was again cited upon the 4th of *October*. But as the Pope was about going to confer with the Emperor at *Bologna*, he promis'd that nothing shou'd be done in the Affair of the Divorce 'till his Return.

Conferences betwixt the Pope and the Emperor.

And betwixt the Kings of England and France.

IN *October* that same Year, *Francis* I. and *Henry* had a Conference in *Picardy*; and some say that as soon as *Henry* return'd from this Interview, he privately married *Anne* of *Bolleyn* at *Calais*, but 'tis more probable that the Marriage was not solemniz'd 'till *January* following.

Henry marries Anne of Bolleyn.

THE Parliament meeting again in *February* 1533, pass'd an Act to prohibit the carrying of Appeals to *Rome*. And not long after *Thomas Cranmer* was made Archbishop of *Canterbury*, in the room of *Warham* who died the Year before.

Cranmer made Archbishop of Canterbury.

ABOUT the same time *Henry* publish'd his Marriage with *Anne* of *Bolleyn*, tho' his former Marriage was not yet dissolv'd; but there was a Necessity for his making it known, because the new Queen was big with Child.

Henry reveals his Marriage.

Cranmer had no sooner taken possession of his new Dignity, but he summon'd Queen *Catherine* to appear before him on the 20th of *May* *, and because she refus'd Obedience, he issued a Sentence on the 23d of that Month, declaring the King's former Marriage null and void: and some days after this, he issued another, confirming his second Marriage with *Anne* of *Bolleyn*, who was afterwards crown'd on the first of *June*. It cannot be deny'd but there was some Irregularity in the King's Conduct; for since he had a mind to have his Marriage made void in Law, one wou'd have thought he shou'd have staid 'till this had been done, before he married a second time. As soon as the former Marriage was made void, the King sent notice of it to *Catherine*, and endeavour'd to persuade her to submit to the Archbishop's Sentence; but his Efforts were in vain. From that time it was order'd that her only Title shou'd be Princess Dowager of *Wales* †. When the Pope was inform'd of what had pass'd in *England*, he repeal'd the two Sentences of the Archbishop of *Canterbury*, and threaten'd the King with Excommunication if by such a time he did not restore all things *in integrum*, as they were before the two Sentences of the Archbishop; but the King and the Archbishop appeal'd from thence to the next General Council.

Cranmer summons Queen Catherine, declares her Marriage void, and confirms Anne of Bolleyn's.

Remark on it.

Catherine's Inflexibility.

Her Title.

Pope annuls Cranmer's Sentences, and threatens the King with Excommunication, who thereupon appeals to a General Council.

THE Marriage of the Duke of *Orleans* with *Catherine de Medicis* being at last agreed on, the Pope and the King of *France* met at *Marseilles*, where the Nuptials were consummated, but that was not all they went thither for. The Pope wanted to break off *Francis* from the Interests of the King of *England*, while it was the View of *Francis* to induce the Pope to give satisfaction to *Henry*, and then he propos'd to join with both against the Emperor, in order to recover *Genoa* and *Milan*. 'Twas with this view that he mightily press'd *Henry* to send some Person in whom he cou'd confide, to *Marseilles*, and upon his earnest Instances *Henry* made choice of the Duke of *Norfolk*; but being inform'd during this, of the Sentence issued at *Rome* against him, he recall'd his Ambassador, who was already set out, and sent *Gardiner*, *Bryan* and *Bonner* to *Marseilles*.

Interview betwixt the Pope and French *King at* Marseilles.

Henry *orders the Duke of* Norfolk *thither, and countermands him, sending others in his room.*

IN the Interview which *Francis* had with the Pope, he got him to promise that he would give *Henry* satisfaction; but *Bonner* had like to have spoil'd all, by informing the Pope in person of the Appeal made by the King and the Archbishop from his Sentence to the next general Council. As soon as *Francis* was return'd to *Paris*, he sent *John de Bellay*, Bishop of that City, into *England*, to acquaint the King of the Expedients that had been contriv'd to accommodate the Affair of the Divorce to his Satisfaction. *Henry* approving of the Proposal, the Bishop of *Paris* set out Post, tho' it was in the Month of *December*, to go and acquaint the Pope of it. The only Difficulty which stuck with *Clement* VII. was, that he cou'd not entirely depend upon the King of *England*'s bare Word, therefore he desir'd an Engagement from him in Writing; whereupon a Courier was quickly dispatch'd to *England*, and a certain time fix'd for his Return; the Pope protesting that if the Courier did not come back within that Term, he wou'd pronounce Sentence against *Henry*: For he had trifled with *Henry* so many Years, that he expected to be paid in his own Coin.

The Pope promises to give Henry *Satisfaction.*

Henry *accepts of the Expedients.*

But the Pope is loth to trust him without an Engagement under his Hand.

AS soon as the Emperor's Ministers were inform'd of the Pope's Engagement, they press'd him Day and Night to revoke it, and spar'd no Menaces to oblige him to it, but he did not dare to do it; and all that they cou'd get him to consent to, was, that if the King of *England*'s Answer did not arrive by the time fix'd, he wou'd pronounce Sentence against him. The Courier not arriving on the Day expected, the Emperor's Ministers were so importunate with the timorous Pontiff, and threaten'd him so hard, that tho' the Bishop of *Paris* only begg'd for a Delay of six Days longer, he cou'd not

Marriage of the Duke of Orleans, and Catherine de Medicis.

* She was summon'd to appear at *Dunstable*, which was near *Ampthil*, her Residence, where she lived about three Years after, but died at *Kimbolton* in the County of *Huntington*.

† But Dr. *Burnet* says, she would suffer none to serve about her that did not treat her as Queen.

not obtain it: And consequently the Pope publish'd his Sentence confirming the Lawfulness of *Henry*'s Marriage with *Catherine*, and enjoining *Henry* to take his first Wife again, under grievous Penalties. Two days after this, the Courier came with the King's Engagements; but he was too late, and the Pope cou'd never be prevail'd on to revoke his Sentence; whereas if the Courier had arriv'd but two Days sooner, the Pope, as he had promis'd the King of *France*, wou'd have given a Sentence the very contrary; so that the Validity or Invalidity of *Henry* VIIIth's first Marriage depended only upon the Diligence of a Courier.

And because the Courier did not bring it by such a time was prevail'd on by the Emperor's Ministers to pass Sentence against Henry, *and refuses to revoke it.*

THE most material Acts of these six Years relating to the Affair of the Divorce are as follow.

Bull appointing Wolsey *Judge of* Henry's *Divorce.*

1. A BULL which empowers Cardinal *Wolsey* to judge definitively of the Affair of *Henry* VIIIth's Divorce; dated at *Viterbo* in the Ides of *April*, and the 5th Year of the Pontificate of Pope *Clement* VII. *A. D.* 1528.

THIS is the Bull which I said was granted in 1528, while *Lautrec* was marching to *Naples*. These are some Extracts of it.

Clemens Episcopus, &c.

Sanè ad aures nostras, ex plurimorum fide dignorum relatione, frequenter perlatum est de validitate illius matrimonii, quod charissimus in Christo filius Henricus, Angliæ *Rex illustris, cum* Catharina *Regina, Sedis Apostolicæ dispensatione pretensâ, contraxisse & consummasse dignoscitur, subortam in partibus illis quæstionem, quæ licet in publicum Ecclesiæ judicium deducta hactenus non fuerit*, &c.

i. e. THE Relation of very many Persons of undoubted Credit hath reach'd our Ears, concerning the Validity of that Marriage, which our most dear Son in Christ *Henry*, the illustrious King of *England* (a Dispensation from the Apostolic See being first had) was known to have contracted and consummated with Queen *Catherine*, from whence in those Parts a Controversy hath arisen, which hath not yet been try'd in any publick Court of Ecclesiastical Judicature, *&c.*

'TIS observable, that in this Bull there is no mention either of *Motu Proprio*, or of any Petition presented to the Pope; but that it was only granted upon publick Fame.

Circumspectioni tuæ, adjuncto tibi venerabili fratre nostro Archiepiscopo Canterburiensi, totius Angliæ Primate, & Sedis Apostolicæ legato nato, seu alio quocunque illius Regni Episcopo, dictumque matrimonium, si ab alterutrà parte petatur, prout animo conscientiæque tuæ juris ratio persuaserit, validum, justum, & legitimum, ac firmum esse: Aut è contra, invalidum, injustum, illegitimum, nullumque fuisse & esse; pro valido, justo, legitimo ac firmo, aut è contra, invalido, injusto, & illegitimo, nulloque haberi & deberi, definiendum, sententiandum & decernendum.

Denique tam Henrico Regi, quam Catharinæ Reginæ, ad alia vota commigrandi licentiam in Domino, facultatem tribuendum.

— Tibi quoque tam prolem ex primo matrimonio susceptam, si id ita expedire visum fuerit, quam ex secundo matrimonio suscipiendam, legitimam decernendi.

Non obstantibus Conciliis Generalibus, Apostolicis Constitutionibus & Ordinationibus editis, cæterisque Contrariis quibuscunque.

i. e. "WE give plenary Authority to "your Eminency, jointly with our most "Reverend Brother the Archbishop of "*Canterbury*, Primate of all *England*, "and Legate of the Apostolick See, or "any other Bishop of that Kingdom "whatsoever; — That you shall, if "by either Party required, decide, de"termine, and finally sentence the said "Marriage to be valid, just, lawful and "firm; or on the other side, invalid, "unjust, unlawful and null; and so to "be held and accounted, according as "as you shall think most just, conso"nant to the Laws of Reason, and the "Dictates of your own Consciences.

"LASTLY, That you grant a Fa"culty and Licence in the Lord to the "aforesaid King *Henry* and Queen *Ca*"*therine* to marry again:

"AND that if it shall to you seem "convenient, you do pronounce the "Children by the first Marriage, as well "as by the second, Legitimate:

"ANY General Councils, Apostolical "Constitutions, and Ordinances whatso"ever, to the contrary notwithstanding."

Attestation of the different Date of the Pope's Letters and Briefs. P. 294.

2. AN Attestation by a Writer of the Briefs, and one of the Pope's Secretaries, that in the Apostolical Letters in form of Briefs, the Year begins at *Christmas*; but that in the Bulls, or Letters seal'd with the Leaden Seal, it begins at the Feast of the Annunciation of the *Virgin Mary*, (commonly call'd *Lady-Day*.) This Attestation is dated * *May* 31, 1529.

Henry's Licence to the two Legates. P. 295.

3. THE King's Letters Patent, permitting the two Legates to execute their Commission; dated † *May* 30, 1529.

4. AN

* At *Rome*. † At *Windsor-Castle*.

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Briefs of Pope Julius, relating to Henry's Marriage. 296.

4. AN Atteſtation of Cardinal *Auguſtin*, with the Title of S. *Cyriacus*, that among all the ſecret Collections of *Julius* IId's Briefs, there are but two relating to *Henry* VIIIth's Marriage, *viz.* one of *July* 6, 1504, and another of *February* 22, 1505. This Atteſtation is ſign'd *May* 31, 1529[a].

Citation of Queen Catherine. 299

5. THE Citation of Queen *Catherine* to appear before the Legates, the 18th and the 26th of *June*.

AND an Atteſtation from the Biſhop of *Bath* and *Wells*, that he has ſummoned the Queen according to the Order of the Legates.

Eight Biſhops Advice to the King. 301.

6. THE Act of Eight Biſhops, certifying that the King having communicated a Paper to them containing the Reaſons of his Scruples about his Marriage, they gave their Opinion for the abſolute Neceſſity of conſulting the Pope, dated *July* 1, 1529.

Pope's Brief to Henry about the Avocation of the Affair of the Divorce. 346.

7. *CLEMENT* VIIth's Brief to the King, in which he declares that he intended no Cenſures againſt the King's Perſon in the Avocation of the Cauſe of the Divorce; and that if there are any, they muſt be imputed to the Judge or Commiſſary, dated *Auguſt* 29, 1529 [b].

Computation of Time. 353, 355.

8. Certificate that in the Briefs granted under the Seal of the Fiſher, the Year begins at *Chriſtmas*. It is dated *December* 5, 1529.

9. ANOTHER from the Official of *Liege*, about the Date of the Briefs, dated *January* 21, 1530.

Old Manuſcript. 390.

10. EXTRACT of an old Manuſcript on *Vellum*, taken by *James de Lauſanne*, *May* 21, 1530 [c]. It has theſe Clauſes:

Jacobus de Lauſanna ſuper quartum ſententiarum, continens 161 *Quæſtiones.*

Secunda concluſio principalis in corpore 816 *Quæſtionis, de Diſpenſatione Papæ prohibita circa hoc. Papa in primo gradu affinitatis ſicut conſanguinitatis, non poteſt diſpenſare, cum ſit contra jus Naturale & Divinum, quod uxoribus parentum exhiberemus reverentiam ſicut parentibus etiam noſtris. Item in linea tranſumali in primo gradu, prohibetur, conſanguinitas & affinitas, jure Divino & Naturali, nec Papa poteſt diſpenſare.*

Unde etiam, tempore Legis Moſ. non licebat contrahere cum uxore fratris, niſi ad ſuſcitandum ſemen Fratris mortui. Nec modo licet Papæ ſuper hoc diſpenſare, quod illa Diſpenſatio facta fuit à Deo, ſicut pluralitas uxorum. In aliis gradibus proteſt diſpenſare, ut ſcriptum comperi & inveni.

i. e. "*James de Lauſanne*, upon the "fourth Chapter of Opinions, containing "161 Queſtions.

"The ſecond principal Concluſion in "the Body of the 116th Queſtion concerns "the Illegality of the Pope's Diſpenſation "in this matter. The Pope cannot grant "a Diſpenſation in the firſt Degree of "Affinity and Conſanguinity, becauſe it "is againſt the Law of Nature and the "Divine Law that we ſhould pay the "ſame Reſpect to the Wives of our Kin-"dred, as to our Kindred themſelves; "alſo in the collateral Line in the firſt "Degree, Conſanguinity and Affinity are "prohibited by the divine Law, and the "Law natural, nor can the Pope grant a "Diſpenſation.

"FROM whence alſo in the time of the "Moſaic Diſpenſation, it was not lawful "to marry a Brother's Wife, except for "the ſake of raiſing Seed to ſuch Brother "dying without Iſſue. Nor is it now lawful "for the Pope to diſpenſe with it, becauſe "that Diſpenſation was granted from God, "as was a plurality of Wives. But in "other degrees he may diſpenſe as I have "found it written.

Deciſions of the Univerſities on the King's Marriage. 391 *to* 400.

11. THE Deciſions of ſeveral Univerſities concerning the Marriage of *Henry* VIII, from *May* to *September*, 1530.

THEY are all of the ſame ſtrain with the firſt from the Univerſity of *Angiers*, which has this Clauſe.

DEFINIMUS,

Neque Divino neque Naturali Juri permitti Homini Chriſtiano, etiam cum ſedis Apoſtolicæ Auctoritate ſeu Diſpenſatione, ſuper hoc adhibitâ, Relictam Fratris, *qui etiam ſine Liberis poſt conſummatum matrimonium deceſſerit, uxorem accipere vel habere.*

i. e. WE decide,

"THAT it is not lawful for any Chri-"ſtian, either by the Divine Law or that "of Nature, even tho authoris'd by a "Diſpenſation from the Apoſtolical See, "to marry or take unto his Bed the Wi-"dow of his Brother dying without Iſſue, "after the Conſummation of Matrimo-"ny.

THE other Deciſions are of the Faculty of Decrees at *Paris*, of the Univerſities of *Bourges* and *Bologna*, the Divines of the Univerſity of *Paris*, the Divines of *Bologna*, and thoſe of the Univerſities of *Tholouſe*, *Ferrara*, and *Padua*.

Nobility's Letter to the Pope upon his Divorce. 405.

12. A Letter from the great Men of *England* to the Pope, upon the Affair of the Divorce. It was [d] ſign'd by Cardinal *Wolſey*, the Archbiſhop *Warham*, two

[a] At *Rome*. [b] At *Rome*. [c] At King *Henry*'s Palace, near *Charing-Croſs*. [d] Dated in *July* 1530.

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Dukes, two Marquiſſes, 13 Earls, 4 Biſhops, 28 Barons, 22 Abbots, 11 Knights and Doctors. Theſe were ſome of the Clauſes in it.

Nam quæ tandem infelicitas! ut quod duæ Academiæ noſtræ, quod Academia Pariſienſis, quod multæ aliæ Academiæ in Galliâ, quod paſſim Doctiſſimi, Eruditiſſimi, & Integerrimi Viri, domi foriſque Verum affirment, & pro Vero defendere tam Verbo quam Calamo ſe paratos oſtendunt, id pro Vero non obtineat à ſede Apoſtolicâ ille Princeps, cujus Ore atque Præſidio, ſua ſtat ſedi Apoſtolicæ auctoritas, à tam multis ac populis etiam potentiſſimis tam validè impetita; quibus partim ferro, partim calamo, partim voce atque auctoritate, ſæpius in ea cauſa reſtitit; & tamen ſolus illius auctoritatis Beneficio non fruitur, qui curavit ut eſſet quâ alii fruerentur——

Hoc autem ſi non vult, & qui Pater eſſe debeat, nos tanquam Orphanos relinquere decrevit, & pro Abjectis habere, ita certe interpretabitur Noſtri Nobis curam eſſe relictam, & aliunde nobis remedia conquiremus.

Sunt quidem Remedia extrema ſemper duriora, ſed morbum omnino levare curat ægrotus, & in malorum commutatione non nihil eſſe ſpei, ut ſi minus ſequatur quod bonum eſt, ſaltem quod eſt minus malum.

i. e. "FOR how great a Misfortune is "it, that what our own two Univerſities, "the Univerſity of *Paris*, as well as many "others in *France*, what ſo many Men of "the greateſt Learning, Knowledge and "Integrity, both at Home and Abroad "have affirm'd to be true, and the Truth "of which they ſeem ready to de"fend both in their Diſcourſes and Wri"tings, yet cannot a Confirmation of this "be obtain'd from the Apoſtolical See by "that Prince, with whoſe Support and "Aſſiſtance that See ſtill preſerves its "Authority, after having been ſhaken "and undermin'd by ſo many and ſo "powerful Adverſaries, whom he often "oppos'd, partly by his Sword, partly by "Pen, at other times by his Commands "and Authority; from whence others are "enabled to obtain thoſe mighty Ad"vantages from which he now finds him"ſelf only excluded.——

"BUT if your Holineſs, whom we juſt"ly call our Father, ſhall, by refuſing to "comply herein, eſteem us as Caſt-aways, "and reſolve to leave us Orphans, we "can make no other Conſtruction of it, "but that the Care of our ſelves is com"mitted to our own Hands, and that "we are left to ſeek our Remedy elſe"where.——

HENRY VIII.

"DESPERATE Remedies indeed are on"ly to be apply'd to deſperate Caſes; "but he that is ſick, will by any means get "rid of his Diſtemper: and in the change "of our Miſeries there is ſome Comfort, "when if we can't obtain perfect Relief, "yet we may alter our Condition to that "which is leſs afflicting and more tole"rable."

13. DECISIONS of the Univerſity of *Orleans* [e]. *More Deciſions of the Univerſities, &c.* 416, 417, 420.

14. OF the Doctors and Advocates of *Paris* [f].

15. OF the Doctors of *Paris*, and the Faculty of Decrees [g].

16. THE authentick Copy of the Treaty made for the Marriage of *Henry* VIII with *Catherine* of *Arragon*. *Copy of Henry's Marriage Treaty with Catherine.* 448, 454.

17. DECISIONS of the Convocation of the Clergy of the Province of *Canterbury*, upon the King's firſt Marriage, dated *April* 5, 1533 [h].

18. RESTITUTION of the Temporalities of the Archbiſhoprick of *Canterbury* to *Thomas Cranmer*; dated *April* 29, 1533 [i]. *Temporalities of Canterbury given Cranmer.* 456.

19. THE Archbiſhop of *Canterbury*'s Sentence, annulling the King's firſt Marriage. It is dated *May* 23, 1533. [k] *His Sentence annulling the King's Marriage.* 462.

20. A Deciſion of the Prelates and Clergy of *York*, in Convocation aſſembled, upon the Diſpenſation of *Julius* II, dated *May* 13, 1533 [l], *Deciſion of the Clergy of the Province of York.* 472.

21. The King's Appeal from the Pope's Sentence to the next General Council; dated *June* 29, 1533 [m] *. *Henry's Appeal to a General Council.* 476.

IN this Appeal the King made uſe of the following Precaution.

Præmiſſâ per nos ſolemni & expreſſâ Proteſtatione quod non eſt noſtræ intentionis per infra ſcripta aliquod contra ſanctam Catholicam & Apoſtolicam Eccleſiam, ſacro ſanctæque ſedis Apoſtolicæ auctoritatem Divinitus conceſſam, aliàs quam Officii boni & Catholici Principis fuerit, dicere, aſſerere, ſeu moliri: Et ſi ſecus a nobis agitari contigerit, id revocare & emendare, atque Catholicè corrigere, prompti erimus, quam cito Nobis de hoc apertè conſtiterit, & legitimè fuerit perſuaſum.

[e] Dated *June* 22, 1531. [f] Dated *June* 14. [g] Dated *Auguſt* 19, 1531. [h] At the Chapter-houſe of St. *Paul*'s. [i] At *Weſtminſter*. [k] At the Church of St. *Peter de Dunſtable*, in the Dioceſs of *Lincoln*. [l] At the Chapter-houſe at *York*. [m] At *Greenwich*.

* DR. *Burnet* ſays, that *Bonner* who carry'd over this Appeal to *Marſeilles*, where the Pope was then met by *Francis* I, made it with ſuch Boldneſs, and threaten'd the Pope upon it with ſo much Vehemence, that the Pope talk'd of throwing him into a Caldron of Melted Lead, or burning him alive; ſo that he was fain to ſteal away.

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i. e. WITH a ſolemn and expreſs Proteſtation, that it is not our Intention by the underwritten to declare, aſſert, or attempt any thing contrary to the Holy Catholick and Apoſtolick Church, and the divine Authority committed to the Holy Apoſtolick See, or unbecoming a good and Catholick Prince. And if any ſuch thing ſhould happen on our part, we ſhall be ready to retract, amend, and publickly correct it, as ſoon as the ſame ſhall be made fully to appear to our Conviction.

His Licence to the Pope's Collector. 479.

22. THE King's Permiſſion to the Pope's Collector to exerciſe his Office *durante beneplacito*; dated *July* 17, 1533.[a]

III. *Affairs relating to Cardinal* Wolſey.

Wolſey's aſcendant over the King.

NEVER had any Miniſter or Favourite a greater Aſcendant over his Maſter, than Cardinal *Wolſey* had over *Henry* VIII. Pope *Leo* X was ſo ſenſible of it, that he made no ſcruple to tell *Wolſey* himſelf, that he knew with what eaſe he could perſwade or diſſwade the King juſt as he pleas'd. It is highly probable, as *Polydore Virgil* affirms, that *Wolſey* was the firſt Man that put it into the King's Head to be divorc'd from Queen *Catherine*. He was reſolv'd to be reveng'd of the Emperor who had trifled with him on account of the Papacy; and at the ſame time to be even with the Queen who could not help reproaching him for the Irregularities of his Life, unworthy of a Clergyman, a Biſhop, a Cardinal, and a Legate of the Holy See. When the Affair of the Divorce came firſt on the Carpet, the Cardinal ſpar'd no Pains nor Care to bring it about to the King's Satisfaction; but afterwards, whether he was diſcourag'd by the Difficulties that occurr'd in it, or whether he was brib'd by the Emperor or the Pope, he wiſh'd the King to drop it, and it is not unlikely that he himſelf made it his Endeavour to perſwade him to it. This however is certain, that after *Campeggio*'s arrival in *England*, *Wolſey*, who was before a flaming Stickler for the Divorce, became very cold in the Affair, and readily gave in to all the Artifices which his Collegue made uſe of to ſpin it out: nay one may gather from his dying Words that he had endeavour'd to diſſwade the King from purſuing it; but the King's Love for *Anne Bolleyn* was an Obſtacle in the way which his Favourite could never get over. He thought, no doubt, to carry his Point by another Method, in raiſing ſuch Difficulties to diſcourage the King by the means of his Collegue *Compeggio*, as might ſeem inſuperable; and this was the very thing that ruin'd him. As he diſcover'd what he was driving at a little too ſoon, he drew upon him the Enmity of *Anne* of *Bolleyn*, who was reſolv'd to be reveng'd, and knew her Intereſt to be the ſtrongeſt: for no doubt ſhe was ſupported by the generality of the Courtiers, who had much ado to bear with a Prelate of his imperious Temper.

His Motives and Conduct in the Affair of Henry's Divorce.

His Miſtake, and the beginning of his Ruin.

BEFORE *Campeggio* ſet out on his Return for *Rome*, the King's Attorney-General had preferr'd an Indictment againſt *Wolſey* in the Star-chamber, for having preſum'd to exerciſe the Authority of the Pope's Legate, without firſt obtaining the King's Letters Patent; in which he had tranſgreſs'd the Statutes of Proviſors and Præmunire. It is aſtoniſhing that ſo wiſe a Man as the Cardinal ſhould neglect a Formality which the Laws of *England* had made ſo eſſential. But as the King himſelf, the whole Court, all the Clergy, and in ſhort the entire Kingdom, own'd him for Legate without any ſcruple, he either forgot, or wilfully neglected, to furniſh himſelf with an Inſtrument ſo neceſſary. Tho this was not the real Cauſe, yet it was made a Handle of for his Ruin. Some days after, the King took away the Great Seal from him, tho he had granted it to him for his Life; and the very next Day, which was the 18th of *October* 1529, the Attorney-General charg'd him with a freſh Information, upon which he was condemn'd, his Eſtate confiſcated to the King, and his Perſon outlaw'd. This done, the King order'd him to quit the Palace call'd *York-houſe*, where *Whitehall* now ſtands, and to retire to a Country-houſe in his Dioceſe of *Wincheſter*. Immediately upon this, an Inventory was taken of his Goods, and he was found poſſeſs'd of immenſe Wealth, which was all forfeited to the King. The Cardinal now finding himſelf at the Mercy of his Enemies, caus'd a Petition to be preſented to the King, praying his Protection to ſecure him againſt thoſe Affronts which private Men were now at Liberty to put upon him with Impunity. The King ſeem'd at that time to be inclinable to Clemency; for he not only granted him the Protection he deſir'd, but alſo the Liberty of making his Defence in any of the Courts of Juſtice. Moreover, he left him the Archbiſhoprick of *York*, and the Biſhoprick of *Wincheſter*, and ſent him a certain Ring, as a Token that his Friendſhip for him ſtill continued. Then the Cardinal's Enemies were ſadly afraid that he would come again into Favour; and in order to avert ſuch a Blow as that would have been to the

His Indictment for violating the Statutes of Proviſors and Præmunire.

King takes the Great Seal from him.

His Condemnation, together with the Forfeiture of his Eſtate and Outlawry.

He petitions the King for Protection, and obtains it.

The King ſends him a Ring.

[a] At *Weſtminſter*.

whole

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His Impeachment in Parliament.

whole Party, they got the King's Conſent that *Wolſey*'s Affair ſhould be brought before the Parliament. Conſequently 44 Articles of Impeachment were exhibited againſt him in the Houſe of Lords, very different from thoſe that had been produc'd by the Attorney-General, who adher'd ſtrictly to the expreſs Form of the Statute of Præmunire, which enacted that no Perſon ſhould be diſpens'd with from obſerving it, without the King's Letters Patent. But when all is done, tho, ſtrictly ſpeaking, it might have been ſaid that the Cardinal had tranſgreſs'd the ſaid Statute, yet this was a mere Quirk; becauſe tho the King did not expreſly approve of the Cardinal's Legantine Power by Letters Patent, he had own'd his Authority upon a thouſand Occaſions. Therefore in theſe new Articles, wherein there was no notice taken of ſuch a defect of Formality, the Cardinal was accus'd of having made a tyrannical Uſe of that Power and Intereſt he had with the King, and of Misbehaviour in his Poſt of Chancellor. And among the reſt there was one Article, importing that the Cardinal, tho he knew himſelf ſoundly pox'd, had the aſſurance to whiſper the King frequently in his Ear, and to blow his infectious Breath in his Face. The upper Houſe voted him guilty of High-Treaſon; yet in the lower Houſe he was ſo wittily defended by *Cromwell* *, who did not excuſe his Faults, but only ſhew'd he was not guilty of High-Treaſon as his Enemies had given out, that the Commons refus'd to carry their Reſentment ſo far as the Lords had done.

Houſe of Lords vote him guilty of High Treaſon.

Commons more moderate.

MEAN time the Cardinal was ſtill baniſh'd the Court †, fluttering betwixt Hope and Fear, and uncertain what the King intended to do with him. At length he thought all would be well again; for the King granted him a Pardon in Form, which was the moſt ample and circumſtantial that had ever been ſeen before. Some Days after, the King made certain Indentures with him, by which he left him the Archbiſhoprick of *York*, and the Titles of Biſhop of *Wincheſter*, and Abbot of *St. Albans*, reſerving the Revenues of the two latter to himſelf; only he gave him a Penſion of 1000 *l. Sterling* upon the Biſhoprick of *Wincheſter*, and made him a Preſent of 6374 Pounds in Furniture, being part of his own Goods which had been forfeited. The reſt of his immenſe Wealth remain'd with the King, as well as the two Colleges of his Foundation at *Ipſwich* and *Oxford*. And all the Revenues thereof were ſeiz'd for the King, who founded thoſe Colleges again with the Title of *Henry* VIIIth's *Colleges*.

The King's Pardon and Preſents to him.

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BY all this it appear'd that the King did not intend to Ruin him abſolutely, but only to reduce him to a ſtate of Mediocrity. Accordingly he gave him leave to go and reſide in his Archbiſhoprick of *York*, where he had never been yet, and where it was neceſſary he ſhould be ſolemnly inſtall'd to qualify him for performing the Eccleſiaſtical Functions; for 'till then he had contented himſelf with the Title and Revenues. This was the Reaſon that he halted a few Days at *Cawood* (a Caſtle within ſeven Miles of *York*) 'till every thing was ready for his Inſtallation. But at the ſame time, his Enemies finding the King's Heart incline more and more to Clemency, and dreading the return of ſo dangerous a Miniſter, play'd ſo many Engines, and filled the King's Head with ſo many Suſpicions, that when the Cardinal leaſt of all expected it, he ſaw the Earl of *Northumberland* come in, who arreſted him in the King's Name for High Treaſon. Probably his Death was then reſolv'd upon, but he had the good Fortune to die * upon the Road as they were bringing him to *London*. Before he expir'd, he adviſ'd the Officer of the Guard, that if ever he had the Honour of being a Member of the Privy Council, he ſhould take great heed what he put in the King's Head, for he would never be able to drive it out again. In all appearance he alluded to the Affair of the Divorce. He ſaid alſo, that if he had but ſerv'd God with as much Zeal as he had ſerv'd the King, he ſhould not have been abandon'd in his Grey Hairs. But to ſpeak the Truth, he had no Cauſe to boaſt ſo much of his Fidelity to the King; for in all his Counſels he ſeldom had a View to any thing but his own private Intereſt.

His Journey to the North, and Arreſt for High-Treaſon.

His Death.

OF the Acts which relate to Cardinal *Wolſey*, there are a pretty many relating to his Foundation of the two Colleges at *Ipſwich* and *Oxford*, which he actually ſet about before the Affair of the Divorce, and which he finiſh'd while it was depending, by making a cunning Uſe of the then Diſpoſition of *Clement* VII, to refuſe nothing to the King, that he might the leſs reſent the Pope's artful Delays in the grand Affair. This is ſufficient to diſcover what was the motive of theſe Acts that relate to thoſe two Colleges, and

* THIS was he whoſe Abilities lifted him from one Poſt and Dignity to another, 'till he was created Earl of *Eſſex*, Lord Great-Chamberlain, *&c.*

† HE reſided then at *Aſhur*, a Houſe near *Hampton-Court*, belonging to the Biſhoprick of *Wincheſter*, and the next place he went to was *Richmond*.

* HE died at *Leiceſter* Abbey, *November* 29, 1530, and was bury'd next Day.

which

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which I shall range in their due place according to the Order of Time.

THE chief Acts then that we find in these six Years relating to the Affairs of Cardinal *Wolsey* and his two Colleges, are as follows.

Pope's Bull for degrading of Criminal Priests. 239.

1. A Bull of *Clement* VII, licensing Cardinal *Wolsey* to give a Power to any one Bishop, assisted by some Abbats, to degrade Priests that have committed any Crime, in order for their Trial in a Temporal Court; dated at *Orvieto* the 4th of the Ides of *May* 1528. This Bull was granted at the Request of Cardinal *Wolsey*.

For suppressing Monasteries, &c. 240.

2. A Bull permitting *Wolsey* to suppress five Monasteries, and apply the Revenues thereof to his College at *Ipswich*, *Motu proprio*; dated the Day before the Ides of the same Month [a].

241.

3. ANOTHER for suppressing St. *Peter's* Monastery at *Ipswich*, in order to make a College of it. Of the same Date.

243, 244, *to* 247.

4. ANOTHER of the same Nature for suppressing a Parish Church for the same purpose, dated the Day before the Calends of *June* 1528 [b].

5. THREE other Bulls upon the same occasion [c].

Henry's Grant to Wolsey's College at Oxford. 265. *Of the Bishoprick of Winchester to Wolsey.* 268.

6. THE King's Grant to the College at *Oxford*, founded by Cardinal *Wolsey*; dated *July* 6, 1528 [d].

7. THE Grant of the Temporalities of the Bishoprick of *Winchester*, vacant by the Death of *Fox* to Cardinal *Wolsey*; dated the 20th of *October*, 1528 [e].

Another Bull for suppressing Monasteries. 272.

8. A Bull empowering the two Legates *Wolsey* and *Campeggio*, to suppress Monasteries, where there are less than 12 Friers or Nuns, and to remove them to other Convents; dated the Day before the Ides of *November*, 1528 [f].

Pope's Order about turning the great Monasteries into Cathedrals. 273.

9. THE Pope's Order to the two Legates, to inform themselves whether the King's Request to suppress some of the greatest Monasteries, and convert them into Cathedral Churches, be for the Advantage of the Kingdom [g].

His Grant of the See of Winchester to Wolsey. 287.

10 HIS Bull for conferring the Bishoprick of *Winchester* upon Cardinal *Wolsey*, without prejudice of the other Benefices in his Possession; dated the 6th of the Ides of *February*, 1529 [h].

His Power to the Legates to turn Monasteries into Cathedrals. 291.

11. HIS Bull empowering the Legates to suppress what Monasteries they thought fit, in order to be converted into Cathedral Churches; dated the 4th of the Calends of *June* 9, 1529 [i].

Commissioners of the Chancery. 299.

12. COMMISSIONERS appointed to hear Causes in Chancery for the Ease of Cardinal *Wolsey*; dated *June* 11, 1529 [k].

"THIS was during the time that the Legates were employ'd in judging of the Affair of the Divorce.

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13. A Permission to Cardinal *Wolsey* to appoint Attorneys to appear for him in the Chancery Court; dated *Oct.* 9, 1529 [l].

Wolsey's Permission to have Attorneys there, 348.

14. A Memorandum, shewing, that on the 17th of *October*, *Wolsey* delivered the Great Seal to the Dukes of *Norfolk* and *Suffolk*, the King's Commissioners; and that on the 25th of the same Month, the King gave it to *Thomas More*, with the Title of High Chancellor.

The Great Seal given to Tho. Moore. 349.

Wolsey's Attorneys in Chancery. 350.

15. THE Attorneys nam'd by *Wolsey* to appear for him in the Court of Chancery, by virtue of an Instrument dated *Oct.* 9, as above.

King's Protection to Wolsey. 351.

16. THE King's Protection granted to Cardinal *Wolsey*, *durante beneplacito*; and the Licence given to him to defend himself in any of the Courts; dated *Nov.* 18, 1529 [m].

"IT appears by this Act that *Wolsey* was "outlaw'd the 9th of *October*, and that "he had another Sentence pass'd on him "upon the 20th.

His Pardon. 366.

17. A Pardon for Cardinal *Wolsey*; dated *Feb.* 12, 1530 [n].

"THIS Pardon included all Offences that "the Cardinal had committed against the "Laws to that very Day.

His Indenture with Wolsey. 371.

18. AN Indenture between the King and the Cardinal; dated *Feb.* 17, 1530.

His Gift of his forfeited Goods 374.

19. THE Gift which the King made to the Cardinal of his confiscated Goods and Chattels, valued at the Sum of 6374 *l. Sterling*.

Inquiry into his Estate. 402.

20. A Commission from the King to make Inquiry into the Estate belonging to Cardinal *Wolsey*; dated *July* 14, 1530 [o].

Surrender of his College at Oxford. 409.

21. THE Surrender made to the King of the Cardinal's College at *Oxford*, by the Dean, *&c.* dated *Jan.* 15, 1531 [p].

Of Trinity *House at* London. 411.

22. ANOTHER of the same Nature, by the Priory of the Holy Trinity at *London*; dated *Feb.* 24, 1531.

IV. *Affairs with* Scotland.

THIS Article will not take up much room; but something must be said of it, for the sake of Connection.

JAMES V was still in the Hands of the Earl of *Angus*, *George Douglas* his Brother, and *Archibald Douglas* their Uncle, who were Regents of the Kingdom. But in the Year 1528, *Margaret* the King's Mother, who had obtained a Divorce from the Earl of *Angus*, and was marry'd again to *Henry Stewart*, concerted her Measures so wisely, that she persuaded the young King to get out of the Hands of his Guardians. Accordingly, this Prince made his Escape, and shut himself up in *Sterling*, where he issued a Proclamati-

[a] At *Orvieto*. [b] At *Orvieto*. [c] And of the same Date. [d] At *Hampton-Court*. [e] At *Westminster*. [f] At *Rome*. [g] Dated as before. [h] At *Rome*. [i] At *Rome*. [k] At *Westminster*. [l] At *Westminster*. [m] At *Westminster*. [n] At *Westminster*. [o] At *Westminster*. [p] At *Oxford*.

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on for diſſolving the Regency. Theſe three Noblemen made ſeveral Attempts, and even took Arms to recover their Authority. But they could not hinder the King from taking the Reins of Government into his own Hands, in a Parliament which was held in *September* after which the *Douglaſſes* were condemn'd as Rebels, and their Eſtates forfeited to the King; nevertheleſs they ſtill continued in Arms. But ſoon after, *Henry* VIII fearing that *James* would be prevailed on to break with him, and knowing that a War with *Scotland* would have been very inconvenient at the Juncture, found means to make a Peace, or rather a Truce with him for five Years; and obtain'd, by a ſeparate Article, that the *Douglaſſes* might retire into *England* and ſtay there, on Condition that if they made any Incurſion into *Scotland*, *Henry* ſhould repair the Damage as punctually as if it had been done by his own Subjects.

James V, the young King of Scotland, takes the Government out of the Hands of the Regency. Who are declared Rebels.

Henry makes a Truce with him.

IN 1532 there happen'd to be a Broil between the two Kings, which was very near occaſioning a Rupture; but was accommodated by the Mediation of the King of *France*.

The Acts relating to Scotland *are,*

The Treaty. 278. 1. A Treaty of Peace or Truce for five Years, between *England*, *Scotland*, and *Berwick upon Tweed*; dated *Dec.* 14, 1528[p].

286. 2. THE Ratification of it by the King of *Scotland*; dated *January* 28, 1529[q].

Another Truce. 480. 3. A Treaty of Truce betwixt *England* and *Scotland* for one Year, ending at *Michaelmas* 1534; dated *Oct.* 1, 1533[r].

THE reſt of the 14th Tome of the *Fœdera*, contains thoſe Acts which relate to Hiſtorical Tranſactions, from the beginning of the Year 1534, 'till towards the middle of the Year 1543. Mr. *Rymer* had more regard to the Proportion of his Tomes than to the Periods of Time by which the Events might be diſtinguiſh'd. But for my own part, as I have no other View than to ſhew the Relation which the ſeveral Acts bear to the Events we meet with in the Hiſtory, I think myſelf oblig'd to purſue another Method, and ſhall proſecute the farther Account of the *Fœdera* to the end of the Reign of *Henry* VIII; tho it carries me unavoidably into the xvth Tome, which contains the three laſt Years of this Reign. I think it not improper to divide the Tranſactions of theſe 13 Years of *Henry* VIII into four principal Articles. I. Of Affairs relating to Religion. II. Of foreign Affairs. III. Of the Affairs betwixt *England* and *Scotland*. IV. Of Affairs Domeſtic. It would be endleſs Labour to undertake a particular Explanation of the Occaſion and Motive of every ſingle Act in this Tome; but by reducing them under diſtinct Articles, we ſhall be able to diſtinguiſh in general thoſe that are the moſt uſeful; and that's enough for our Purpoſe.

HENRY VIII.

ARTICLE I. *Affairs which relate to Religion.*

TWO Reaſons hinder me from dwelling long upon this Article: The firſt is, becauſe every thing which relates to the Alterations made in *England*, with reſpect to Religion, has been written with ſo much Care and Exactneſs, by the celebrated Author of the *Hiſtory of the Reformation*, that it would be almoſt impoſſible to abridge his Work without ſpoiling it. The ſecond Reaſon is, the little Service that an Abridgment of that nature would be to this Account of the *Fœdera*; becauſe, for the Reaſon that I have already given, there are few Acts relating to that Subject in the thirteen laſt Years; therefore, I think it may be ſufficient to give the Subſtance of what paſs'd every Year upon this Head, and then direct to the Acts in the *Fœdera* which relate to thoſe Events.

Anno 1534. THE Subſtance of the Accommodation on foot betwixt *Clement* VII and *Henry* VIII, which was broke off by the Pope's Precipitancy, was, That the Cauſe of the Divorce ſhould be try'd by the ſacred College, excepting only the Cardinals of the Imperial Faction. Dr. *Burnet* obſerves here very judiciouſly, that whoever is Maſter of *Henry* VIIIth's Character, will never ſuppoſe that this Prince would have engaged to ſend a Proxy to *Rome*, and to conſent that the Cauſe ſhou'd be try'd there, if he had not been aſſur'd of the Succeſs: But I have another Remark, which I ſubmit to the Judgment of the Reader. *Henry* had laid claim to the Supremacy of the Church of *England*, a Prerogative of which he was always extremely jealous. Now, in order to his Accommodation with the Pope, there would be an abſolute Neceſſity for his quitting that Prerogative; but, I confeſs, I don't ſee any Appearance that he ever had any ſuch Intention; and my Reaſon is this: The Biſhop of *Paris* ſet out from *London* for *Rome* in *December* 1533, but on what Day I know not, nor the Day of his Arrival at *Rome*. Afterwards a Courier was ſent from *Rome* to *London*, and back from *London* to *Rome*. Now, ſuppoſing all the Diſpatch was made that could be in theſe three Voyages, it were in a manner impoſſible that *Henry* could receive the News of the Pope's Sentence given againſt him be-

[p] At *Berwick*. [q] At *Edinburgh*. [r] At *Newcaſtle upon Tine*.

fore

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fore the Month of *February* 1534. Mean time, the Parliament which met on the 15th of *January* had already taken ſuch Steps as ſhew that an Accommodation with the Court of *Rome* was what they did not dream of in *England*; which makes me imagine that the King made uſe of Artifice upon this Occaſion, and that he pretended to deſire an Accommodation on purpoſe to engage the Pope to paſs Sentence in his favour, and to get ſomething out of him afterwards, without any Intention to ſtand by ſuch pretended Agreement. Dr. *Burnet* paſſes very ſlightly over this Difficulty, either for want of duly conſidering it, or becauſe he did not think it was proper to preſs it. After having told us that Sir *Edward Karne*, whom the King ſent to *Rome* to officiate there as his Proctor, met the Biſhop of *Paris* upon the Road, who inform'd him of the ill Succeſs of the Affair: He proceeds thus; *Henry being provok'd to ſee himſelf made the mere Jeſt of the Court of* Rome, *and deſpairing of any good Succeſs from the laſt Step he took, reſented it beyond meaſure, and reſolv'd therefore to break off from the Pope of* Rome. This ſeems to intimate that *Henry* did not enter upon this Reſolution 'till he had been inform'd of what had paſs'd at *Rome*, but it was quite otherwiſe; for the Hiſtorian immediately adds what follows, *And he had already prepar'd himſelf for it, becauſe in the Parliament which ſate from the 15th of* January 1534 *to the laſt Day of* March, *he had chang'd the whole Conſtitution of the ſpiritual Government of his Dominions.* Now what could he mean by altering the whole ſpiritual Government of his Dominions, if he really deſign'd to ſtand to the Accommodation on foot with the Court of *Rome*, of which he had reaſon to expect the News every Moment? But ſuppoſing that he made uſe of this Artifice, on purpoſe only to get his Divorce juſtified by a Juridical Sentence from the Pope, and then to put a Joke upon him, I don't ſee any thing in this that bears the Face of a Contradiction.

THE Parliament above-mentioned, which ſate from the 15th of *January* to the end of *March*, paſs'd ſeveral Acts, which did not ſhew that they were very deſirous to be reconcil'd with *Rome*. In the firſt place, they diſqualify'd Biſhops from taking Cognizance of the Crime of Hereſy, tho without altering the Pains to which Hereticks were ſubject by the old Laws. It muſt be obſerved that the King's main View was to bring the Clergy under, to the end that he might peaceably enjoy his Supremacy; he being very ſenſible that the only People from whom he was to expect the greateſt Oppoſition, were the Clergy and Monks.

Biſhops diſqualified from trying Hereticks.

BY a ſecond Act, it was order'd, that the Eccleſiaſtical Conſtitutions ſhould be examin'd, in order to preſerve ſuch as ſhould be judg'd neceſſary, and to aboliſh the others; and that for this Purpoſe, the King ſhould appoint 32 Commiſſioners, *viz.* 16 Members of Parliament, and 16 of the Clergy.

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Eccleſiaſtical Conſtitutions examined.

A THIRD Act confirm'd the Sentence paſs'd againſt *Elizabeth Barton*, commonly called the *Nun*, or *Holy Maid, of* Kent; who, pretending to be inſpir'd, had propheſy'd that if the King marry'd *Anne* of *Bolleyn*, he would die in a Month's time: She had alſo utter'd bitter Invectives and Menaces againſt the King and his Miniſters. Several Prieſts, Friers, and others were her Abettors, whoſe Aim was to rob the King of the Affections of his Subjects. Even *Warham*, *Fiſher*, and *More*, were made to believe that the Maid was really inſpir'd. But the King having order'd that ſhe ſhould be carefully examin'd, the whole Intrigue was found out, and the Nun with her Accomplices condemn'd to die. Tho they confeſs'd their Crime, yet *Sanders* puts them into the Roll of Martyrs. 'Tis obſervable, that the Parliament confirm'd the Condemnation of *Elizabeth Barton*, before they had receiv'd the News of *Clement* the VIIth's Sentence againſt the King. This confirms the Remark I made above, that according to all Appearrance, *Henry* only intended to amuſe the Pope in the Accommodation propos'd, becauſe if he had acted *bonâ fide*, nothing would have been more abſurd than to revive the Affair of the Nun of *Kent*, at a Juncture when the News of the Accommodation with *Rome* was expected every Hour.

Story of the Nun of Kent.

THIS very Parliament, after having received Intelligence of what paſs'd at *Rome*, made four other Acts.

THE firſt confirm'd the Abolition of the Annates.

The Annates ſuppreſs'd.

THE ſecond entirely aboliſh'd the Pope's Authority in *England*, and ſettled the Manner of Electing and Conſecrating Biſhops for the futnre, without having recourſe to the Pope.

The Pope's Authority aboliſh'd together with Peter's Pence, and all Bulls from Rome.

THE third aboliſh'd St. *Peter*'s Pence, and all manner of Bulls and Mandates iſſued by the Court of *Rome*.

THE fourth annull'd the Marriage of the King with *Catherine* of *Arragon*, and confirm'd his ſecond Marriage with *Anne* of *Bolleyn*. And it is enacted, moreover, that all Subjects, without exception, ſhould ſwear to the Obſervation of the ſaid Act, on pain of being declar'd guilty of High Treaſon.

The Act for annulling the King's firſt Marriage and confirming his ſecond.

AS ſoon as the Parliament was broke up, the King ſent Commiſſioners into the Counties to adminiſter the above-mention'd Oath to his Subjects; in which Oath, they did not

Fiſher *and* More *committed to Priſon for not taking the Oath thereby enjoy*

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not forget to inſert a Clauſe, acknowledging the King to be *ſupreme Head of the Church of* England. *Fiſher* Biſhop of *Rocheſter*, and Sir *Thomas More*, for refuſing to take the ſaid Oath, were committed to Priſon.

A new Pope choſen.

CLEMENT VII dying in *September*, Cardinal *Farneze* ſucceeded him by the Name of *Paul* III; but the Change of a Pope had no effect in *England*. The Parliament met again upon the 23d of *November*, and paſs'd ſeveral other Acts which had a manifeſt Tendency to break all the Links of the Chain by which the *Engliſh* had been bound to the Pope.

More Acts paſs'd againſt the Authority and Intereſt of the Pope and Clergy.

THE firſt confirm'd the King's Title of *ſupreme Head of the Church of* England: The ſecond was againſt thoſe who had the Inſolence to ſpeak Evil of the King: The third depriv'd Perſons charg'd with High Treaſon, of the Benefit of Sanctuaries. The fourth eſtabliſhed the Form of an Oath with reſpect to the Act for ſettling the Succeſſion to the Crown. The fifth was a very unfortunate Act for the Clergy, becauſe it gave the King the Annates which had been taken away from the Pope: Moreover, it granted to the King the Tenth of the Revenues of Benefices. The ſixth order'd the Eſtabliſhment of twenty-ſix Suffragan Biſhops, with a Power to each *Dioceſan* Biſhop to nominate two Perſons, of whom the King ſhould chuſe one. Theſe Suffragan Biſhops were properly what the Ancients call'd *Chorepiſcopi* *.

Annates and Tenths of Benefices granted to the King.

Fiſher and More excepted out of the Amneſty.

THE ſame Parliament condemn'd *Fiſher* and *More* to perpetual Impriſonment; and the King expreſly excepted them out of the general Pardon, which he granted not long after †.

The Pope's Name oblitterated, and his Authority renounced by the Biſhops.

THE Parliament being broke up, the King order'd, by a Proclamation, that the Name of a Pope ſhould be expung'd out of all the Books where it could be found, in order, if poſſible, to bury it in Oblivion; and afterwards, all the Biſhops expreſly renounc'd their Obedience to the Biſhop of *Rome*. Some, no doubt, did this againſt the Grain, of which Number was *Gardiner* Biſhop of *Wincheſter*; but a blind Obedience in this point was the only thing a Man cou'd do to preſerve himſelf in the King's Favour.

ANNO 1535. *Henry* having thus broke off all manner of Communication with *Rome*, reſolv'd to leave no Stone unturn'd to ſupport what he had done; tho he could not but ſee that the Submiſſion of his Subjects to the new Laws was owing to the Fear of a very great Number of them, rather than to any Change of their Opinions. But he thought that a few Examples of Severity would be ſufficient to keep the People in Awe, and it was for that very Reaſon he excepted *Fiſher* and *More* out of the general Pardon. On the other hand, it was a Pleaſure to him to find Religion in ſuch a State after the Breach with *Rome*, as render'd him more abſolute: ſome wiſh'd the *Reformation* to be puſh'd farther, and others dreaded nothing ſo much. Conſequently, each of the Parties ſtriving by a blind Complaiſance to obtain his Favour, it liſted him to a Degree of Authority to which none of his Predeceſſors ever attain'd; and the rather, becauſe the Supremacy with which he was veſted, put him into a Condition to humble the Clergy, who were not ſupported by the Pope now, as they were formerly.

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Henry's Power at home more abſolute.

BUT of all the King's Subjects, the Monks were the moſt untractable; for they continually rav'd againſt his Conduct, and charg'd him with being the ſole Author of every thing that was done againſt the Pope: Nay, a Cordelier, nam'd *Peyto*, had the Inſolence, when he preach'd before him, to tell him, *That the Dogs would lick his Blood, as they did formerly that of* Ahab. Theſe ſcandalous Invectives, which tended manifeſtly to rob him of the Hearts of his Subjects, gave him ſo much Uneaſineſs, that he cauſed ſeveral Priors and Monks who had transgreſs'd in that Kind to be hang'd: *Fiſher* and *More* were alſo executed. *Paul* III hearing the News, cauſed a Bull to be drawn up which excommunicated *Henry*, and abſolv'd his Subjects from their Oath of Allegiance; but he deferr'd the Publication of it to a moreconvenient Opportunity.

Story of Friar Peyto, who curſed the King to his Face from the Pulpit.

Priors and Monks hang'd, Fiſher and More exempted.

Bull for excommunicating Henry.

HENRY did not only put the Laws in ſevere Execution againſt ſome inſolent Monks, but he took it into his Head to ſuppreſs all the Monaſteries, and actually propoſed it to his Council; mean time he was made ſenſible that there would be Danger in attempting it all at once, and therefore he reſolv'd to do it by degrees. He cauſed a general Viſitation to be made of the Monaſteries by certain Viſitors appointed by his Vicegerent *Thomas Cromwell*, to whom he gave the Commiſſion of Viſitor-General. Theſe Viſitors having diſcover'd

Henry propoſes the Suppreſſion of Monaſteries all at once; but is adviſed to do it by degrees.

Viſitation of Monaſteries.

* Biſhop *Burnet* ſays, that at firſt they were the Biſhops of ſome Villages; but were afterwards put under the Juriſdiction of the Biſhop of the next City: They were ſet up before the Council of *Nice*, and continued to be in the Church for many Ages; but the Biſhops devolving their whole ſpiritual Power to them, they were put down, and a Decretal Epiſtle was forg'd in the Name of *P. Damaſcus*, condemning them. The great Extent of the Dioceſes in *England* made it hard for one Biſhop to govern them with that Exactneſs which was neceſſary; theſe were therefore appointed to aſſiſt them in the Diſcharge of the Paſtoral Care.

† The Biſhop ſays they were both committed to the *Tower*, and were not allowed Pen, Ink and Paper, and that the old Biſhop was ill uſed both in his Clothes and Diet; for he had only Rags to cover him, and Fire was often deny'd to him.

a great

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great many Diſorders in ſeveral of thoſe religious Houſes, took occaſion from thence to perſuade the Priors or Superiors to ſubmit to the King's Clemency, and to reſign their Monaſteries to him with the Revenues thereof, which ſome accordingly did. Afterwards the King cauſed the Report made to him of this Viſitation to be publiſh'd, in order to leſſen the Veneration of the People for the Monks, when they ſhould reflect on the Diſorders which had been diſcover'd in the Monaſteries, and which probably were very much aggravated *. This alſo furniſh'd the King with a Pretext for publiſhing an Order, whereby in quality of Supreme Head of the Church of *England*, he permitted the Monks to quit their Houſes, and loos'd them from their Vows; but this had no great Effect.

Italians turn'd out of the Biſhopricks of Sarum and Worceſter.

THIS ſame Year the Cardinal *Campeggio*, and another *Italian*, whoſe Name was *Ghinucci*, were depriv'd of their Biſhopricks of *Salisbury* and *Worceſter*, which were given to *Shaxton* and *Latimer*.

Why Henry deferr'd the Change of the Conſtitutions.

ANNO 1536. The King ſtill kept the Clergy in a Dependance on him, and made no haſte to appoint Commiſſioners for chooſing the Eccleſiaſtical Conſtitutions which it was neceſſary to keep. The Pope's Authority was aboliſh'd by Act of Parliament, and yet it ſtill ſubſiſted in the Conſtitutions. This put the Clergy into a terrible Confuſion, becauſe in very many Caſes they could not avoid violating either the Conſtitutions or the new Laws; by which means they found themſelves abſolutely dependent on the King, who might fall upon them for tranſgreſſing either, as he thought fit.

Small Monaſteries ſuppreſs'd.

THIS Year the Parliament, at the King's Requeſt, ſuppreſs'd all the Monaſteries which were under 200 *l. Sterling* Revenue, and gave all their Eſtates to the King. Of this ſort there were 376, by which Reduction the King acquir'd a Revenue of 32,000 *l.* and a Capital of a above 100,000 *l.* in Plate, and other Goods and Chattels.

Pope's Propoſal of an Accommodation.

PAUL III perceiving that the Affairs of Religion in *England* went every Day worſe and worſe for him, caus'd certain Propoſals of a Reconciliation to be made to the King; but they were rejected, and the Parliament by new Statutes confirm'd all that had been done againſt the Pope.

King's Proteſt againſt the Council at Mantua.

SOME time after this, the King was cited to appear before the Council which was to be held at *Mantua*; but after having taken the Advice of his Clergy upon this Head, he publiſh'd a formal Proteſt againſt the ſaid Council.

I don't ſtop here to mention the ſeveral Attempts which were made in *England*, either for advancing or checking the Progreſs of the Reformation, becauſe the Curious who wou'd know all the Particulars thereof, may have recourſe to the *Hiſtory of the Reformation* which I have already ſpoke of.

ANNO 1537. A Rebellion which had been rais'd in the North, and of which I deſign to treat in another Article, having given the King a ſtrong Jealouſy that the Monks were the Authors and Abettors of it, he reſolv'd to ſuppreſs all the reſt of the Monaſteries.

King reſolves to ſuppreſs all the Monaſteries.

BUT being afraid that it wou'd meet with ſome Oppoſition in Parliament, he thought the ſhorteſt and eaſieſt Method wou'd be to follow the Meaſures he had already taken with ſome Succeſs, *viz.* to get thoſe Monaſteries reſign'd. For this end he cauſed a very ſtrict and ſevere Viſitation to be made of ſuch Monaſteries as were ſtill kept up, and order'd the Report of all the Diſorders therein detected to be publiſh'd. This done, he caus'd all the Images to be burnt, by which the People had been impos'd upon, and under this Pretext he ſeized the Shrines of Saints, and particularly that of St. *Thomas* of *Canterbury*, which was very rich, and caus'd his Bones to be burnt in a publick Place. This enrag'd the Bigots to the laſt Degree, and produced ſeveral virulent Libels againſt the King, by which he was only the more exaſperated, and ſpur'd on to make a ſpeedy Concluſion of what he had already begun, I mean the Project of ſecuring himſelf entirely againſt the Enterprizes of the Monks.

Orders a ſtrict Viſitation of them, and their Irregularities to be publiſh'd.

Images and Shrines deſtroyed.

Libels againſt the King.

His Perſecution of the Reform'd.

MEAN time as one of the heavieſt Charges publiſh'd againſt the King, was his deſign to make a total Change of Religion in *England*, and to introduce the Reformation, he endeavour'd to clear himſelf of it by putting the Laws in Execution againſt Hereticks with the utmoſt Severity. The Term of Hereticks was given at that time to all that believ'd a Tittle more or leſs than the King believ'd, and who did not ſtrictly adhere to the Laws that were made concerning Religion.

Lambert burnt alive.

ANNO 1538. This Year the King cauſed one *Lambert* to be burnt alive, after having had a publick Diſputation with him, without being able to convince him. And not long after, he was every whit as ſevere againſt ſome Catholicks charg'd with another ſort of Hereſy, *viz.* the holding a Correſpondence with Cardinal *Pool*.

* The Biſhop ſays, that among other abominable and monſtrous Diſorders, the Sin of *Sodom* was found in many Houſes, great Factions and barbarous Cruelties in others; and in ſome, Tools for coining of Money: That the Abbot of *Langden* in *Kent*, the firſt Houſe that was ſurrender'd to the King, was found in Bed with a Whore, who went in the Habit of a Lay-Brother.

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All the Monasteries resign'd to the King.

ANNO 1539. At length all the Monasteries were resign'd this Year to the King by the Superiors or Priors thereof, who were oblig'd to sign Resignations which were voluntary in appearance, but were for the generality manifestly extorted. The

Their Revenues.

Revenue of the Monasteries suppress'd amounted to 161,000 *l. Sterling*, as they were then let, the Priors of most of them having sunk a great part thereof in their own Pockets, when they found what a Storm was coming. Moreover, the King was a great Gainer by the Gold, Silver, precious Stones, Furniture and Materials; insomuch that there was found in the single Abbey of *St. Edmondsbury*, as much Gold and Silver in Bullion as amounted to 5000 Marks.

The Law establishing the six Articles of Faith, and to whom owing.

THE Reform'd triumph'd at the misfortune of the Monks, but their Joy was not long liv'd. The suppression of the Monasteries was soon follow'd by the famous Law of the six Articles settling the Credenda of Religion *, the Violation of which was fatal to a great many People. 'Twas *Gardiner* Bishop of *Winchester* who advis'd the King to this Law, in order to shew the World that tho' he had suppress'd the Monasteries he had no Intention to favour the Reformed, or to change the Religion. This Bishop was mighty zealous for the Pope in secret, but he had the Art of dissembling his Sentiments, and affected a fond Compliance with the King's Will and Pleasure, that he might be in a Condition to do his Party Service.

Cromwell *made Earl of* Essex, *and attainted.*

ANNO 1540. *Cromwell*, the King's Vicegerent in Ecclesiastical Affairs, was created Earl of *Essex*, but was not long after accus'd of High-Treason, and condemn'd to die by an Act of Attainder, without being admitted to make his Defence.

Parliament's slavish Attachment to the King.

THE Parliament gave a very convincing Proof of their slavish Attachment to the King by one Act, wherein they not only approved of every Regulation that the Commissioners appointed by the King had made concerning Religion, but likewise of whatever Regulation they should make for the time to come with the King's Approbation. As *Henry* cou'd not bear that his Subjects shou'd believe one Article more or less than he did, several of both Parties were executed for presuming to depart from this Rule.

Six new Bishopricks founded.

ANNO 1541. At the Close of 1540, and the beginning of the Year following, the King founded six new Bishopricks, *viz.* *Westminster*, *Chester*, *Glocester*, *Peterborough*, *Oxford*, and *Bristol*.

Old Laws of Colleges, &c. repeal'd.

ANNO 1542. This Year the Parliament made an Act for repealing the Laws and particular Constitutions of Colleges and Hospitals. This was to give the King an opportunity to suppress those Houses, which according to such ancient Constitutions, cou'd not be resign'd without the unanimous consent of the Proprietors.

A Plot against Cranmer.

ANNO 1543. There was a deep Plot laid this Year to ruin *Cranmer* Archbishop of *Canterbury*. The King pretended to give into it, but inform'd him of it at the same time, and assisted in bringing him out of Danger †.

All the Colleges and Hospitals resign'd to the King.

ANNO 1544. This Year all the Colleges and Hospitals were resign'd to the King by Acts, which tho they seem'd to be voluntary, were most of them forc'd. However, the King spar'd the two Universities of *Oxford* and *Cambridge*, after having made them wait a long time for the Favour.

And the Estates thereof granted to the King.

ANNO 1545. This Year the Parliament granted to the King all the Estates which had belong'd to Colleges and Hospitals.

All the rich Furniture of Churches carry'd in Procession and then deposited in the Treasury.

ANNO 1546. A Peace having been concluded this Year betwixt *France* and *England*, the King caus'd a Procession to be made with all the richest and most precious Ornaments and Moveables in the Churches; and when the Procession was over, he caus'd the whole to be lock'd up in his Treasury.

Shaxton abjures to save his Life.

THIS same Year *Shaxton*, who had resign'd his Bishoprick of *Sarum*, that he might not be oblig'd to sign the six Articles, being again press'd upon that Head, and at last condemn'd to be burnt, made an Abjuration to save his Life. But his Example was not follow'd by Mrs. *Anne* *Ayscough* or *Askew*, who chose rather to be be burnt.

Mrs. Ayscough burnt.

Cranmer protected again by the King.

CRANMER had another desperate Push against him; but the King, who lov'd and valu'd him, took care himself to bring him off with Safety.

THE Acts in the *FOEDERA* which relate to those Ecclesiastical Affairs, are as follow.

King's Assent to the Bishop of Coventry's *Election.*

1. THE King's Assent to the Election of *Rowland Lee*, for Bishop of *Litchfield* and *Coventry*, in a Writ directed to the Archbishop of *Canterbury*; dated *March* 19, 1534 [s]. 485.

* THIS Law was justly call'd by the name of the Bloody Statute, for it sentenc'd all those to be burnt or hang'd, 1. Who deny'd Transubstantiation. 2. Who pleaded for the necessity of administring the Communion in both kinds. Or 3. That it was lawful for Priests to marry. 4. Or to break the Vow of Chastity. 5. Or that private Masses were of no Service. 6. Or in fine, that Auricular Confession was not necessary for Salvation.

† Dr. *Burnet*, in his *History of the Reformation*, says, that *Gardiner* employ'd many to infuse it into the King, that *Cranmer* was the greatest Encourager of Heresy in all *England*, because he had oppos'd the six Articles. But *Cranmer* wish'd the King to consider well what Heresy was, that he might not condemn such for Hereticks as stood for the Word of God against human Inventions. And he express'd so great a Sincerity, and put so great a Confidence in the King, that instead of being ruin'd, he was now better establish'd than formerly.

[s] At *Westminster*.

THIS

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THIS is the first we meet with since the passing of the Act of Parliament, appointing the Method of electing and consecrating Bishops. Before that Time the King's Assent began with these Words; *Cum Dominus summus Pontifex, &c.* i. e. *Whereas our Lord the Pope.* But neither in this, nor in the following, was any mention made of the Pope.

Oath of the Monks to the King. 489.

2. THE Oath taken to the King by several Monks, and entire Monasteries; dated *May* 5, 1534.

Quod Henricus Rex noster est Caput Ecclesiæ.

Quod Episcopus Romanus, qui Papæ nomen usurpat, & Summi Pontificis nomen sibi arrogat, nihilo majoris, neque auctoritatis, neque jurisdictionis habendus sit, quam cæteri quivis Episcopi in Anglia, vel alibi, in sua quisque Diœcesi — Episcopi Romani Legibus, Decretis & Canonibus si qui contra Legem Divinam & Sacram Scripturam esse inveniantur, in perpetuum renunciamus.

Quod quisque in suis Orationibus primum omnium Regem tanquam Supremum Caput Ecclesiæ Anglicanæ, deinde Reginam cum sua sobole, tum demum Archiepiscopum Cantuariensem, &c.

" *i. e.* THAT *Henry* our King is the " Head of the Church.

" THAT the Bishop of *Rome*, who " usurps the Name of Pope, and assumes " to himself the Title of Chief Priest, is " to have no greater Authority, nor Juris- " diction, than any other Bishop in *Eng-* " *land*, or elsewhere, in his respective " Dioceses.

" WE for ever renounce all the Laws, " Decrees and Canons of the Bishop of " *Rome*, which are found to be contrary " to the Divine Law, and the Sacred Scrip- " tures.

" THAT in the Prayers, the King be " pray'd for first of all, by every one, as " Supreme Head of the Church of *Eng-* " *land*, and then the Queen, with her Issue; " and lastly, the Archbishop of *Canter-* " *bury*, &c."

THERE are many other Declarations of the like nature, by several other religious Houses, to p. 526.

WE find also in p. 527, that the Bishops Elect were confirm'd by the Archbishop of *Canterbury*, after he had seen the King's Consent.

Bishop's Renunciation of the Pope. 549.

3. THE Act by which *Rowland Lee*, Bishop of *Lichfield* and *Coventry*, renounc'd the Pope; dated *Feb.* 27, 1535.

THIS was a Model for all the rest.

As the *Fœdera* abounds with the King's Assent to the Election of Bishops, and with Orders for restoring their Temporalities to them, 'tis sufficient to premise here once for all, that here are the like Acts for almost all the Bishopricks of *England*, which may be useful on some Occasions, when Recourse may therefore be had to the Index.

4. THE following Act shews the manner of electing Suffragan Bishops.

The Writ for electing Suffragan Bishops. 559.

Rex Reverendus in Christo Patri & Prædilecto Consiliario nostro, Thomæ Archiepiscopo Cantuariensi salutem.

Reverendus Pater & Consiliarius noster, Richardus Norwicensis Episcopus, nobis significavit, quod Diœcesis sua Episcopi Suffraganei solatio, qui suæ solicitudinis partem sustinere consuevit, destituta est & existit, & ideo Reverendos Patres Georgium Abbatem Monasterii Sanctæ Mariæ de Leyston, & Thomam Mannygne Priorem Monasterii Beatæ Mariæ de Buslei Norwicensis Diœcesis, Ordine Sacerdotali ritè insignitos, de legitimo matrimonio natos, & in ætate legitimâ constitutos, viroſque in Spiritualibus & Temporalibus multum circumspectos, quibus de Canonicis nihil obviat institutis quominus, ut asseruit, ad Episcopalem Suffraganei Dignitatem admitti possint & deberent, Nobis per suas literas, suo magno sigillo munitas, præsentavit humiliter & devotè, supplicans quatenus Nos alterum ipsorum sic præsentatorum ad aliquam Sedem Episcopi Suffraganei, intra Provinciam Cantuariensem existentem, nominare, ipsique sic nominato, stylum titulum & dignitatem hujusmodi sedis donare dignaremur.

Unde Nos ex gratiâ nostra speciali, & mero motu nostro, dictum Reverendum Patrem Thomam Mannygne, &c. alterum ex dictis præsentatis, Episcopum Suffraganeum Sedis Gipwici Norwicensis Diœcesi antedictæ nominamus, &c.

Requirentes vos, quatenus eundem Patrem sic per nos nominatum in Episcopum Suffragnaeum ejusdem Sedis Gipwici consecratis, eique Benedictionem ac omnia Episcopalia insignia conferatis, cæteraque omnia & singula quæ vestro in hac parte incumbunt Officio Pastorali, juxta modum & formam statuti, in 26 *Anno Regni nostri apud Westmonasterium nuper editi, peragatis.*

Teste Rege, septimo die Martii, 1536.

i e. THE King, to the most Reverend Father in Christ, and our well-beloved Counsellor, *Thomas* Archbishop of *Canterbury* greeting.

OUR Reverend Father and Counsellor, *Richard* Bishop of *Norwich*, hath signify'd to us, that his Diocese is destitute of the Comfort of the Suffragan Bishop, who

us'd

HENRY VIII.

us'd to bear a part of his Burden; and therefore by his Letters, under his Great Seal, he hath humbly and devoutly recommended to us the Reverend Fathers, *George*, Abbot of the Monaſtery of *St. Mary de Leyſton*, and *Thomas Mannynge* Prior of the Monaſtery of *St. Mary de Buſley*, in the Dioceſe of *Norwich*, duly inveſted with the Order of Prieſts, born in lawful Wedlock, attain'd to a proper Age, and Men of great Sagacity both in Spirituals and Temporals, ſo that, as he aſſerts, there is nothing in all the Canons that hinders their being admitted to the Epiſcopal Dignity of a Suffragan; and therefore he prays that we wou'd vouchſafe to nominate one of theſe Perſons thus recommended, to ſome See of a ſuffragan Biſhop within the Province of *Canterbury*, and to confer on him the Stile, Title, and Dignity of the ſaid See.

WE therefore of our ſpecial Grace and mere Motion, do nominate the ſaid Reverend Father *Thomas Mannynge*, &c. one of the ſaid Perſons recommended as above, to be Suffragan Biſhop of the See of *Ipſwich* in the Dioceſe of *Norwich*, &c.

REQUIRING you that you conſecrate the ſaid Father ſo by us nominated, to be Suffragan Biſhop of the ſaid See of *Ipſwich*, that ye confer the Benediction, and all the Epiſcopal *Inſignia* upon him; and that ye perform all and every other Duty, in this reſpect, which is incumbent on your Paſtoral Office, according to the manner and form of the Act of Parliament made at *Weſtminſter* in the 26th Year of our Reign.

Sign'd by the King at Weſtminſter, March 7, 1536.

Sees of Suffragan Biſhops. 560.

The Places recorded for Sees of the Suffragan Biſhops are,

Thetford,	*Shrewsbury*,
Ipſwich,	*Briſtol*,
Colcheſter,	*Penreth*,
Dover,	*Bridgewater*,
Guilford,	*Nottingham*,
Southampton,	*Grantham*,
Taunton,	*Hull*,
Shaftesbury,	*Huntingdon*,
Malton,	*Cambridge*,
Marlborough,	*Pereth*,
Bedford,	*Berwick*,
Leiceſter,	*St. Germains* in *Cornwall*,
Gloucester,	The *Iſle of Wight*.

Confirmation of the Abbey of Winchester. 574.

5. A Confirmation of the Abbey of *Wincheſter*, in purſuance of the Act, which at the ſame time that it gave the King the Monaſteries, whoſe Revenues were under 200 *l.* a Year, put it in the King's Power to declare what Monaſteries he had a mind to preſerve on foot; dated *Aug.* 17, 1536 [t].

6. A Renunciatio n of the Pope by a Convent of *Carthuſians*; as alſo the Names of ten *Carthuſians* who refus'd to take the Oath; dated *May* 18, 1538.

Carthuſians Renunciation of the Pope. 588, 599.

7. THE Reſignation of ſeveral Monaſteries to the King, in this and the next Years.

Reſignation of Monaſteries. 590-----591, 603-----639.

" IN theſe Reſignations, a certain Form " was obſerv'd, whereby the Monks con- " feſs'd that the Perfection of a Chriſtian " did not conſiſt in unneceſſary Ceremonies, " in wearing a grey Habit, in being girt " with a knotted Cord, *&c.* and that being " diſpos'd to lead a better Life, they ſub- " mitted to the King, *as ſupreme Head of* " *the Church*, and abandon'd their Mo- " naſtery to him, *&c.*

8. A Prohibition to print the Bible in *Engliſh*, without the Licence of *Thomas Cromwell*; dated *Nov.* 14, 1539 [v].

Licence for printing the Bible. 649.

9. A Commiſſion to *Thomas Cromwell*, and others, to ſell the Lands of Monaſteries, at the rate of 20 Years purchaſe at leaſt; dated *March* 12, 1540 [w].

To ſell the Lands of Monaſteries 653, 658, 701.

10. SEVERAL other Reſignations of Monaſteries this Year.

11. THE Promotions of *Richard Cox* to the Archdeaconry of *Ely*, vacant by the advancement of *Thomas Thyrleby* to the Biſhoprick of *Weſtminſter*; dated *November* 24, 1540 [x].

Archdeaconry of Ely fill'd up. 705.

12. ERECTION of the Biſhopricks of *Cheſter*, *Glouceſter* and *Peterborough*, in [y].

Erection of the Sees of Cheſter, Glouceſter, *and* Peterborough. 717 *to* 735.

13. A Patent for *Anthony Marlar* to print the Bible in *Engliſh*; dated *March* 12, 1542 [z].

14. FOUNDATION of the Biſhopricks of *Briſtol* and *Oxford* [a].

Sees of Oxford *and* Briſtol *founded.* 748, 754.

15. A Patent for *Richard Grafton*, and *Edward Whitchurch* to print the Book of Divine Service; dated *Jan.* 28, 1543 [b].

Patent for printing the Book of Divine Service. 766.

IN the remainder of this Year, and in the Year following, there's nothing particular, except ſome Changes made in the Biſhopricks.

16. A Surrender of 66 Colleges to the King in 1545.

Surrender of more Colleges and Monaſteries 65 *and* 91 *of* Tome XV.

17. A Reſignation of diverſe Monaſteries in 1546.

18. FOUNDATION of *Trinity College* at *Cambridge*; dated *Dec.* 19, 1546 [c].

ARTICLE II. *Of Foreign Affairs.*

To have a right Notion of *Henry* VIIIths Tranſactions with the Foreign Powers, from the Year 1534 to his Death, 'tis proper to know what were the Intereſts and Views, not only of *Henry*, but of the Court of *Rome*, *Charles* V, and *Francis* I.

[t] At *Weſtminſter*. [u] At *Weſtminſter*. [w] At *Walden*. [x] At *Weſtminſter*. [y] *Auguſt* and *Sept.* 1541.
[z] At *Weſtminſter*. [a] Dated the 4th and 16th of *June*, 1542. [b] At *Weſtminſter*. [c] At *Weſtminſter*.

AFTER

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The Interests and Aims of the Pope.

AFTER the great Provocation given by *Clement* VII, and the Resentment express'd by *Henry* and his Parliament, there was no room to renew the Treaty for an Accommodation betwixt the two Courts. But tho' the Pope had made a Sacrifice of *Henry* to the Emperor; yet he did not think it his Interest to push that Affair any farther. He expected therefore, according to the ordinary Method of the Court of *Rome*, that Time might furnish him with an Opportunity, either to reduce *Henry* by Force, or to reconcile him by Favours and Caresses.

Of the Emperor.

CHARLES V had acted very generously in the Affair of the Divorce, by preferring the Interests of his Aunt, Queen *Catherine*, to his own. If he had chose to have abandon'd that Princess, 'tis very apparent that he wou'd have drawn off *Henry* from the Interest of *France*, and wou'd by that means have been screen'd from any Danger which he had to fear from *Francis* I; whereas by directly opposing *Henry*'s Design in the matter of the Divorce, he made the Union between *France* and *England* the stronger, and thereby laid very great Obstructions in the Execution of the Designs which he had form'd with respect to *Germany*. Therefore 'tis certain, that in this he did not act like a Politician; tho' it can only be imputed to the Obligation he thought himself under in point of Honour, to support the Queen his Aunt.

Of the King of France.

ALTHO' by the Treaty of *Cambray*, *Francis* receded from his Pretensions to the Dutchy of *Milan*, we may be sure it was against his Will, and that he hop'd one Day or other to find out a Pretext for evading that Article of the Treaty. 'Twas with this View that he marry'd the Duke of *Orleans* his second Son with *Catherine de Medicis*; that he kept up an Understanding and secret Treaties with the Protestants of *Germany*, and with the *Turks*; and that he labour'd to preserve the Friendship of the King of *England*, that he might have recourse to it in case of need.

Of Henry VIII.

HENRY VIII, who imagin'd that at last the Court of *Rome* wou'd grant him a Sentence of Divorce, finding himself depriv'd of all Hopes of it, thought of nothing so much as how to be reveng'd of the Pope, and at the same time to secure himself in the Enjoyment of the Supremacy, which he had extorted from the Clergy. He propos'd also to make himself every Day more absolute in his Kingdom, by putting his Domestick Affairs into such a state of Confusion, as wou'd render him Lord and Master of the Lives and Fortunes of the majority of his Subjects. Yet he had two things to fear, to which he was very attentive: The first was the Rebellion of his People; and the second the Efforts which the Emperor might probably make, in order for the Execution of the Pope's Sentence: And it made him extreamly uneasy when he consider'd that it was not impossible but the Pope, the Emperor, and *France* might unite against him, and draw the King of *Scotland* into their Alliance. This it was that made him temporise with the Emperor, and cautious of giving him any new Cause of Complaint. He behav'd in the like manner to the King of *Scotland* his Nephew, endeavour'd at the same time to keep up a good Union with *France*, and fed the *German* Protestants with Hopes of powerful Succours, in order to put them upon Action, in Case he shou'd be forc'd to it by any attacks from the Emperor. Such was the situation of the Affairs of these four Powers, immediately after *Clement* VII had pronounc'd his Sentence against *Henry*.

His Negotiation with Francis.

IN the Year 1534, *Henry* desir'd to make an Alliance with *Francis* I, even stricter than the last. But *Francis* wou'd not venture to make an open League, for fear of offending the Pope: Therefore he endeavour'd to persuade *Henry*, that the best way for him to secure himself against the Emperor's Attacks, wou'd be secretly to assist the Protestants of *Germany* with a good Sum of Money. *Henry* did not disapprove of this Expedient, and he desir'd moreover, that *Francis* wou'd attack *Navarre*, while he himself made a powerful Diversion in *Flanders*. But *Francis* had other Views which did not permit him to engage to carry his Arms into *Navarre*. He aim'd at the Recovery of the Dutchy of *Milan*, under pretence of being reveng'd on *Francis Sforza*, who, to do the Emperor a Pleasure, had put to Death a *Milanese* Gentleman nam'd *Merveille*, who was a secret Agent or Envoy of *France*. *Francis* I demanded Satisfaction for this Affront, and was not sorry that the Duke refus'd it, because it gave him a pretence to fall upon the Dutchy of *Milan*. Accordingly he rais'd a considerable Army, and demanded Passage of the Duke of *Savoy*, who deny'd him, for fear of offending the Emperor; upon which refusal *Francis* declar'd War against him; but the Death of *Clement* VII, and the Exaltation of *Paul* III, caus'd some Alteration in the King of *France*'s Measures.

French Envoy put to Death at Milan.

Francis I declares War against Milan and Savoy.

HENRY cou'd not have wish'd for a more lucky Incident than the Rupture betwixt the King of *France* and the Duke of *Savoy*, because it was very apparent that the Emperor wou'd not suffer the Duke to be oppress'd, and that consequently *England* wou'd be quiet while the Emperor and *France* were at War. But on the

Emperor's Proposal to him of Marriages.

the other hand, *Charles* V did what he cou'd to break his Measures, by seeking to embroil him with *Francis*. For this end he authoriz'd a Proposal to be made to *Francis*, Anno 1535, for a Marriage betwixt his third Daughter and Prince *Philip*, Infante of *Spain*, and another betwixt the Duke of *Orleans* and *Mary*, the Daughter of *Henry*, by *Catherine* of *Arragon*, with an Offer of the Dutchy of *Milan* for the Duke of *Orleans*, after the Death of *Sforza*, who had no Children, and of a Pension of 100,000 Crowns 'till he was put in possession of the Dutchy. *Francis* I easily discover'd the Emperor's Artifice, who having a design to carry his Arms into *Africa*, wanted to amuse him by this Negotiation, and to stop his Efforts against the Duke of *Savoy*. But thinking to make an Advantage of this Proposal, he caus'd it to be imparted in Confidence to *Henry*, by Admiral *Chabot*, Lord of *Brion*. It appear'd in the sequel, that the View of *Francis* was to possess *Henry* with the Fear of an Union betwixt *France* and the Emperor, and that he hop'd this wou'd prevail with *Henry* to excuse him from his yearly Pension of 100,000 Crowns.

Henry's demands of the Arrears of the Pension due from Francis.

But *Henry* was too cunning to be caught in the Snare, and on the contrary told the Admiral in plain Terms, that he expected *Francis* shou'd pay him the Arrears of the Pension, with all the other Sums that he ow'd him.

Francis falls upon Savoy.

FRANCIS I miscarrying in his Project, attack'd the Duke of *Savoy*, and in the first Campaign of 1535, robb'd him of *Savoy* and *la Bresse*: During this, *Charles* V was engag'd in an Expedition in *Africa*,

Emperor's Expedition to Africa.

where he took the Fort of *Goulette* and *Tunis*, and re-establish'd *Muley Hassem*, who had been expell'd by *Haradin Barberossa*.

MEAN time, as *Henry* well knew that as soon as the Expedition to *Africa* was over, the Emperor wou'd be at Leisure for other Designs, he endeavour'd to frighten him by pretending to enter into a strict Union with the League of *Smalcald*.

Henry's Embassy to the Protestants of Germany.

For this purpose he sent *Edward Fox* to *Germany*, while *Francis* I kept the Lord *de Langeais* there with the same View. But it was no easy matter to form a sincere Union between those two Monarchs, and the Princes of the League. The latter had no other View but to maintain the Liberty of their Religion, whereas all that the former meant, was to embarrass the Emperor by fomenting Troubles in *Germany*, without any regard to the Interests of the Protestant Religion, which they openly persecuted in their own Dominions.

Death of Q. Catherine and the D. of Milan.

THE Death of Queen *Catherine*, which happen'd in the beginning of the Year 1536, together with that of *Francis Sforza* the Duke of *Milan*, who dy'd the *October* before, produc'd some Alteration in the Affairs of the three Monarchs. *Charles* V improv'd these two Events to his Advantage for breaking the Measures of the Kings of *France* and *England*, and hindring them from uniting heartily against him. On the one Hand he made a Proposal to *Henry* for generously forgetting every thing that pass'd betwixt them relating to the Affair of the Divorce, and for renewing their ancient Alliance. But as he was afraid of being taken at his Word, he clogg'd it with such Conditions as left him at Liberty to protract it as *far as he shou'd think it proper*. On the other hand, he made a secret Promise to *Francis* I, to give the Dutchy of *Milan* to one of his Sons. *Francis* was taken with the Bait, and as he scarce doubted of the Success of the Negotiation, his Regards and Zeal for *Henry* abated in Proportion. But *Henry* plainly perceiv'd that the Emperor's View was only to make a Division betwixt him and *France*; and as he had an Apprehension that he wou'd gain his Point at last, he made an Overture to the League of *Smalcald*, tho' with very little Success, for the Reasons I hinted above. Besides, some Domestick Affairs, of which I shall treat in another Place, interrupted his Negotiations.

Charles V proposes an Alliance to Henry, and at the same time promises the Dutchy of Milan to the French King's son.

Henry offers to join with the League of Smalcald.

DURING that time, the Emperor repairing to *Rome*, declaim'd very much in presence of the Pope and Cardinals against *Francis* I, and highly aggravated the Injuries which he pretended to have receiv'd from him. This broke off the Negotiation that was on foot for the Dutchy of *Milan*, and not long after, the Emperor put himself at the Head of an Army, and marching into *Provence*, laid Siege to *Marseilles*, but was oblig'd to raise the Siege with Precipitation and Dishonour, and then went to spend some time in *Spain*.

The Emperor takes the Field against Francis, and lays Siege to Marseilles, but is forc'd to raise it.

THE War betwixt the Emperor and *France* continued in 1537, but was interrupted in the Course of this Year, by a Truce of 10 Months, which in 1538 was, at the Pope's Mediation, follow'd with a Truce of 10 Years, concluded at *Nice*. Upon this, *Henry* seem'd inclinable to unite in good earnest with the League of *Smalcald*, that they might support him against the Emperor. He had the more reason to be afraid of this formidable Enemy, because since the Truce of *Nice*, *Francis* I entirely neglected him, and seem'd in no wise dispos'd to support his Interests in case of need. Besides, the Emperor still amus'd the King of *France* with the hopes of giving the Investiture of the Dutchy of *Milan* to one of his Sons. This made *Francis* exceeding cautious how he disoblig'd him, and very shy of *Henry*, for whom he had now no longer Occasion;

His Truce with France.

Henry demands the Arrears of his Pension due from France.

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Occasion; which Conduct of his so provok'd *Henry*, that he bluntly demanded the four Years Arrears of the Pension due to him from that Crown.

He courts the Smalcald League again in vain.

In 1539, *Henry* again courted the Princes of the *Smalcald* League, but without Success. Those Princes kept still upon their Guard, being sensible that his only Aim was to awe the Emperor by such a Negotiation, and not to unite heartily with them for the support of their Religion, of which he made very little Account.

After the Truce of *Nice*, the Union betwixt the Emperor and *Francis* I, seem'd to be very sincere on both sides, insomuch that *Charles* V, going to *Ghent* to suppress an Insurrection there, pass'd thro' *France* upon the King's bare Parole, and arriv'd the first of *January*, 1540, at *Paris*. While he stay'd there, he positively promis'd *Francis* to grant the Dutchy of *Milan* to the Duke of *Orleans*; but as soon as he came into the *Netherlands*, he found a shift to evade his Promise. This occasion'd a fresh Quarrel betwixt those two Monarchs, which was very agreeable to *Henry*, because it secur'd him from the Attacks of the Emperor.

Emperor goes to Paris, and makes the King a Promise, which he broke as soon as he arriv'd in the Netherlands.

Francis prepares War against him.

Mean time *Francis* I, being resolv'd to be reveng'd, made great Preparations for War against the Emperor in 1541; and in order to give him a powerful Diversion, he endeavour'd to bring the *Turks* upon him in *Hungary*. On the other hand, the Emperor, to frustrate his Measures, made him believe that he wou'd give the *Netherlands* to the Duke of *Orleans*, and erect them into a Kingdom.

Emperor promises to erect the Netherlands into a Kingdom for the Duke of Orleans.

At the same time he caus'd it to be insinuated at the *Ottoman* Porte, that this Treaty was just on the Point of being concluded, in order to hinder *Solyman* from giving Ear to the Proposals of *France*. But at length *Francis* I, perceiving his Artifice, sent away two Ambassadors, the one to *Venice*, the other to *Constantinople*, to inform the *Venetians* and the *Turks* of it; but as they were going down the *Po*, they were both murder'd by order of the Marquis *de Guast*, Governor of *Milan*; which occasion'd a new Quarrel.

Murder of two French Ambassadors.

Turks Success in Hungary.

Notwithstanding the Emperor's Artifice, the *Turks* enter'd *Hungary*, oblig'd *Ferdinand* King of the *Romans* to raise the Siege of *Buda*, and gain'd a Victory over the *Germans*.

Emperor's unsuccessful Expedition to Africa.

At the same time, *Charles* V made another Expedition into *Africa*, which was attended with very ill Success to him; for part of his Fleet being dispers'd by a violent Tempest, he was oblig'd to put to Sea again without doing any thing.

Francis attacks him in 5 places.

In 1542, *Francis* sent five Armies into the Field to attack the Emperor in several places at once. But the Advantage he gain'd did not answer his Expectation nor Expence.

The next Year, *Henry* being reconcil'd to the Emperor, concluded a League with him against *France*. He complain'd that *Francis* I neglected to pay him the yearly Pension, according to Engagement, and that he had not faithfully executed the Treaties which they had made together; from whence he inferr'd that he was still a Debtor to him for those Sums, from which he was acquitted only on this express Condition, that he wou'd religiously execute those Treaties. He added moreover, as a fresh Cause of Complaint, that *Francis* I had done his utmost to destroy the *English* Faction in *Scotland*, and to engage the two Nations in a Quarrel. The Conclusion of the League betwixt the Emperor and *Henry* was retarded a long time by this difficulty. The Emperor insisted that *Henry* shou'd by an authentick Act own the Legitimacy of his Daughter *Mary*, to which *Henry* wou'd by no means hearken. At length this Obstacle was remov'd by *Henry*'s verbal Promise to give *Mary* a Rank in the Succession to the Crown; but he wou'd not consent to the inserting of this Article in the Treaty.

HENRY VIII.

Henry's Reconciliation and Alliance with the Emperor against France.

During this Year, the War betwixt the Emperor and *France* went on with Vigour. *Francis* had some Advantage at first, but towards the close of the Campaign, the Emperor arriving in the *Netherlands* with a very considerable Force, stopp'd his Enemy's Progress.

Prosecution of the War between the Emperor and Francis.

CHARLES and *Henry* had form'd a Project to attack *France* during the Campaign of 1544, with an Army of 40,000 Men each, the one in *Champagne*, the other in *Picardy*, and then to join together in the Neighbourhood of *Paris*. This was the Reason that the King of *France* was oblig'd to recal the best part of his Troops from *Piedmont*, tho' they had gain'd the Victory of *Cerisoles* there, under the Command of the Duke of *Enghien*, who by that means was in a fair way to be Master of the Dutchy of *Milan*.

Francis recals his Troops from Italy.

The Project of the Emperor and *Henry* was not executed in the manner it had been concerted. *Henry* being very early in his Preparations, sent part of his Troops against *Scotland*, of which more hereafter, hoping that this Expedition wou'd come to an Issue before the Emperor wou'd be ready to join him. During this, the Emperor made himself Master of *Luxemburg*; and then besieg'd *St. Didier*, which took him up above 6 Weeks. Mean time the Duke of *Norfolk* having join'd the Count *de Bure* with a Body of *English* Troops, they laid Siege to *Monstreuil*. *Henry* arriving in *Picardy* at the same time with the rest of his Army, and hearing that the Emperor was besieging *Didier*, suspected his Sincerity, and that he design'd to let him march alone to *Paris*, on purpose that he might be

Emperor takes Luxemburg.

Sieges of St. Didier and Monstreuil.

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be mortify'd. For this Reaſon he undertook the Siege of *Boulogne*, from whence a miſunderſtanding aroſe betwixt thoſe two Monarchs, ſo that each was for making his ſeparate Peace with *France*. The Emperor was beforehand with *Henry*, and ſign'd his particular Treaty at *Creſſy* on the 19th of *September*. By good Luck for *Henry*, he made himſelf Maſter of *Boulogne* ſeveral Days before, and by that means he had time to retire to *Calais*, and to avoid the *Dauphin*, who made long Marches to come up with him, and narrowly miſs'd of retaking the City of *Boulogne*, before they had time to repair the Breaches.

Of Boulogne.

Henry's *Conqueſt of* Boulogne.

THE next Year, which was 1545, *Francis* I made a prodigious Effort, both by Sea and Land, for the Recovery of *Boulogne*, but cou'd not ſucceed; the Blame of which was laid upon the Marſhal *de Biez*, who commanded the Army of *France*. Nevertheleſs the *Engliſh* ſuffer'd very great Damage from the *French*, by the Deſcents which they made upon the *Iſle* of *Wight*, &c.

Deſcents of the French *Fleets upon the Iſle of* Wight, *&c.*

AT laſt the two Kings perceiving that this War only tended to weaken one another, and that they cou'd not hope to reap any great Advantage from it, reſolv'd upon a Peace, which was ſign'd the 7th of *June* 1546.

Peace with France.

THIS Peace reſtor'd the good Underſtanding betwixt *France* and *England*. *Francis* ſtood in need of *Henry*, becauſe he was on the point of renewing the War with the Emperor. It had been agreed by the Treaty of *Creſſy*, that the Duke of *Orleans* ſhou'd marry one of the Emperor's Daughters, and have the Dutchy of *Milan*, or the Earldom of *Flanders*, with her, as a Portion. But this Prince dying about a Year after the ſigning of the Treaty, the Emperor thought himſelf quit of his Engagement, and put *Francis* I to the Trouble of obtaining by a new War, what had been promis'd him by a Treaty of Peace.

MEAN time, the Emperor finding himſelf deliver'd from the War with *France*, made a League with the Pope, and attack'd the Proteſtants of *Germany*, over whom he gain'd great Advantages, while neither *Francis* I, nor *Henry* VIII, were much concern'd for their Intereſt.

Emperor falls upon the German *Proteſtants.*

IN the remaining part of the XIVth Tome of the *Fœdera*, there are few Acts that can be reduc'd under the Article of Foreign Affairs. The chief are theſe,

Leagues with the Emperor againſt France, 768, 777.

1. THE League betwixt *Henry* VIII and the Emperor, againſt the King of *France*, an Ally of the *Turks*; dated *Feb.* 11, 1542. HENRY VIII.

2. *CHARLES* Vth's Commiſſion to treat with *Henry* for a more ſtrict Alliance; dated *May* 2, 1542 [d].

3. ANOTHER for treating about Ways and Means to invade *France*; dated *Dec.* 7, 1542.

4. DECLARATION of the Peace concluded *December* 31, 1542.

5. TREATY betwixt the Emperor and *Henry*, dated *Feb.* 11, 1543. *Treaty with the Emperor.*

6. THE Emperor's Oath to obſerve it; dated the 8th of *April* following. *His Oath and Commiſſion confirming it.* 777.

7. HIS Commiſſion to confirm the Treaty [e];

THE Acts we meet with of this Claſs, and in this Period, in the XVth Tome of the *Fœdera*, are chiefly theſe: Fœdera, *Vol.* XV.

1. A Commiſſion to Sir *John Wallop*, to command the Troops deſign'd for the aſſiſtance of the Emperor; dated *July* 7, 1543 [f]. *Sir* John Wallop's *Commiſſion.* 1.

2. A Commiſſion to the Duke of *Norfolk* to command the Rear-Guard of the Army deſign'd againſt *France*; to the Lord *Ruſſel*, to command the Van-Guard; and to the Duke of *Suffolk*, to command the Main Body [g]. *D. of* Norfolk's, *Ld.* Ruſſel's, *and the D. of* Suffolk's. 40 *to* 42.

3. THE King's Letter to the Queen, giving her an account of the Siege of *Boulogne*; dated *Sept.* 8, 1544 [h]. *King's Letter to the Queen about the Siege of* Boulogne. 50.

4. JOURNAL of the King's Campaign, and particularly of the Siege of *Boulogne*. *Journal of his Campaign.* 52.

5. DIVERSE Orders and Commiſſioners relating to the War with *France*.

6. INSTRUCTIONS to *William Paget* for the Negotiation of the Truce with *France*, by the Mediation of the Envoys of the League of *Smalcald*; dated *Dec.* 26, 1545 [i]. *Inſtructions touching the Treaty of Truce with* France. 82.

THESE were the four principal Articles.

1. THAT he do his utmoſt to hinder the *Scots* from being included in the Truce.

2. THAT if poſſible, the Truce may not commence 'till the 1ſt of *March*.

3. THAT unleſs the King of *France* agree to more honourable Terms, 'tis not proper to ſend for the *Germans* to another Congreſs.

4. THAT a Penſion of 600 Crowns may be offer'd to *Bruno* one of the Mediators, provided that he ſign a Bond to ſerve the King diligently, and to inform him privately of the Affairs in *Germany*.

7. A Treaty of Peace betwixt *France* and *England*, and for the reſtoring of *Boulogne* to *France*; dated *June* 7, 1546 [k]. *Treaty of Peace with her.* 93.

[d] At *Valladolid*. [e] Dated the 12th of *April*. [f] At *Weſtminſter*. [g] They are all dated *July* 9, 1543, at *Weſtminſter*. [h] From the Camp before *Boulogne*. [i] At *Hampton-Court*. [k] At the Town of *Campen*, on the Confines of *Ardres* and *Guiſnes*.

SOME

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SOME of the chief Articles of it were as follow;

"THAT the Taxes impos'd by either of "the two Kings on the Subjects of the "other, be taken off.

"THAT the King of *France* ſhall pay the "King of *England* all that he owes him, as "well under the Title of the Penſion, pur-"ſuant to the Treaty of *Moore*, dated *Au-"guſt* 30, 1525, as by the Treaty of perpe-"tual Peace, dated *April* 30, 1527. for the "Salt of *Brouage*, valued at 10,000 Crowns "*per Annum.*"

PRAY mark, that the *French* pretended that the Salt Annuity was to expire at *Henry*'s Death, and that this Diſpute not being decided, it was agreed by this Treaty to refer it to Arbitrators.

"THAT *Francis* I ſhall pay the King "of *England* at the Feaſt of St. *Micha-"el*, 1554, two Millions of Crowns of "Gold of the Sun, as well for the Ar-"rears of the Penſions, as for the Charge "he has been at in the Fortifications of "*Boulogne*, on which condition he ſhall "be excuſed from the Payment of all the "Arrears due to the 1ſt of *May*, 1546, "with an expreſs Exception of the Sums "contained in the following Article.

"THE King of *England* inſiſting that "the King of *France* owes him 512,022 "Crowns according to his Bond of *Jan.* "29, 1529; and the King of *France* pre-"tending to be diſcharged from that Debt, "'tis agreed to take four Civilians for Ar-"bitrators, who are not Subjects of either "of the two Kings.

"THAT the King of *England* ſhall keep "*Boulogne* for eight Years, and reſtore it "in the Year 1554, after the Payment of "the two Millions, and the other Sums "abovementioned, if the Queſtion be de-"cided in his favour.

"THAT during thoſe eight Years, no "Fortification ſhall be erected at *Bou-"logne*, nor in its Territory.

"THAT the *Scots* ſhall be included in "the Peace; and that *Henry* ſhall not at-"tack them, unleſs they give him freſh "Cauſe."

Fr. King's Oath. 98.

8. THE Oath of *Francis* I to obſerve it; dated *Auguſt* 1, 1546.

Emperor's Ratification of the League with England. 118.

9. THE Emperor's Ratification touching the Explanation of certain Articles of the League with *England* of *Feb.* 11, 1542; dated *Jan.* 31, 1546[1].

"TWAS agreed, that the Articles which "relate to the War againſt *France*, ſhall "be deem'd as aboliſh'd.

ARTICLE III. *Affairs with* Scotland.

Peace with Scotland.

THE Truce which had been concluded for a Year betwixt *England* and *Scotland* in 1533, was converted on the 11th of *May* 1534, into a Peace, which was to laſt 'till the Death of one of the two Kings. By this Treaty, the *Donglaſſes* were allow'd to ſtay in *England*.

NOTWITHSTANDING this Peace *Henry* was ſtill diffident of his Nephew the King of *Scotland*, whom he had us'd ſo ill during his Minority. He knew alſo that the Emperor had been endeavouring to gain him; and that he would have done it effectually, if *Francis* had not prevented his Deſign, by procuring the Peace betwixt *England* and *Scotland*. This put *Henry* upon perſwading the King his Nephew to make the ſame Alterations in *Scotland*, with reſpect to Religion, as himſelf had made in *England*, and to renounce all Obedience to the Pope. For this purpoſe he deſir'd an Interview; to which *James* conſented at firſt, but in a little time after he receiv'd a Brief from the Pope, forbidding him to have any Interview with the King his Uncle. Upon this Pretence he deſir'd to be excus'd from his Engagement.

Pope forbids the K. of Scotland to hold an Interview with Henry.

IN 1538, *James* V marry'd *Mary* of *Lorrain*, Siſter to the Duke of *Guiſe*, and the Cardinal *de Lorrain*.

K. of Scotland's Marriage and Character.

HE was a Prince of a mean Genius, very much addicted to Pleaſure, needleſly expenſive, and therefore always under Difficulties. In 1541, there were two Parties in *Scotland*; one for the King of *England* and the Reformation, while the other did their utmoſt to hinder any Alteration in Religion, and to oppoſe the *Engliſh* Party. Each of theſe endeavour'd to ſecure the King in their Intereſt. The one ſhew'd him what an Augmentation it would be to his Revenues, if, like the King his Uncle, he would but renounce the Pope and ſuppreſs the Monaſteries. The other ſet before his Eyes the vaſt Gain that would accrue to him by the Forfeiture of the Eſtates of the Hereticks, who were already very numerous in the Kingdom, if he would but reſolve to proſecute 'em with Severity. The King follow'd the Advice of the latter; and from thence enſued a cruel Perſecution over all *Scotland*. *Henry* perceiving that the King his Nephew ſuffer'd himſelf to be led by the Clergy, was apprehenſive that he would at length make an Alliance with his Enemies, and ſupport the Malecontents of *England*, and particularly thoſe of the North, who had already taken Arms, as we ſhall find in the next Article. Therefore he wiſh'd once more to have a Conference with him, not without Hopes of gaining him, and that he would be govern'd by other Maxims. *James* no ſooner receiv'd the Propoſal but he embraced it,

Two Factions there.

Perſecution of Proteſtants in Scotland.

[1] At *Utrecht*.

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and promis'd to go and meet the King his Uncle at *York*; whither *Henry* went to expect him: But *James* was not so good as his Word; which so provok'd *Henry*, that he resolv'd to make War upon him.

James V promises an Interview with Henry, *but disappoints him, for which* Henry *resolves on a War.*

HE put this Resolution in practice *Anno* 1542, on pretence of a Breach of the Peace, and of an old Dispute that still subsisted between the two Kingdoms, with respect to some Lands situate on the Frontiers. But his true Aim in this War, was to force the King of *Scotland* to follow his Counsels in Affairs of Religion, for fear of being oppress'd at a time when he could not expect any Assistance from the King of *France*, who was employ'd elsewhere. I shall not enter here into the Detail of this War, in which *Henry* appointed the Duke of *Norfolk* General. It will suffice to declare in a few Words, that what with the ill Conduct of King *James*, and a Panick with which the *Scots* were seiz'd, their Army was entirely routed. The *English* took a great Number of Prisoners; particularly seven *Scots* Noblemen of Distinction, and above 200 Gentlemen; which broke the Heart of *James* V, who died on the 14th of *December*, seven Days after the Birth of *Mary* his Daughter; to whom he left the Crown, having lost two Sons not long before.

War with Scotland.

Defeat of the Scots, *and Death of their King.*

THE Death of the King of *Scotland* put King *Henry* upon a Project for uniting the two Kingdoms, by the Marriage of Prince *Edward* his Son with the young Queen of *Scotland*; which Project having been communicated to the *Scots* Lords that were Prisoners at *London*, they approv'd of it, and promis'd to contribute their utmost to bring it about: after which they were releas'd upon their Parole of Honour.

Henry's Project for a Union with Scotland.

IN 1543, a great part of the *Scots* Nobility having either perish'd in the last Defeat, or being Captives in the Hands of the *English*, Cardinal *Beton*, Archbishop of *St. Andrews*, undertook to make an Advantage of the Confusion which there was in the Kingdom, and to set himself up for Regent, by Virtue of a pretended Will of the late King. But *James Hamilton* Earl of *Arran*, to whom the Regency belong'd by Birthright, having prov'd the Forgery of the Will produc'd by the Cardinal, was declar'd Regent, and supported chiefly by the Prisoners that had been releas'd in *England*, and by the People that were return'd into *Scotland*.

Cardinal Beton *trumps up a sham Will, by which he claims the Regency.*

Earl of Arran *declared Regent.*

NOT long after, *Henry* caus'd the Marriage of the Prince his Son with the Queen of *Scotland* to be propos'd to the Regent and the States: His Proposal was accepted, notwithstanding the opposition of Cardinal *Beton*, and the Queen Mother; and a Treaty was concluded thereupon, which was sign'd the first of *July* 1543. But these Measures were broke by the Intrigues of the Cardinal and the Queen Dowager, who form'd so considerable a Party that the Regent's Authority went for nothing. Nor did they only oppose the Regent, but they also form'd a Project to supplant him, and to take the Government into their own Hands. For this end, they prevail'd with the King of *France* to send *Matthew Steuart*, Earl of *Lenox* into *Scotland*, to set him up against the Regent, and to be the Head of their Party; and in order to engage *Steuart* the more heartily in their Interests, they gave him hopes of marrying the Queen Dowager, and of succeeding also to the Crown, if the young Queen shou'd die.

Treaty concluded for the Marriage of Prince Edw. *to the Q. of* Scots.

HENRY VIII.

Cardinal Beton's *Faction set up the Earl of* Lenox *against the Regent.*

THE Earl of *Lenox* arriving in *Scotland*, the Regent was for securing the Person of the young Queen, lest she should fall into the Hands of his Enemies. But *Lenox* having quickly assembled 4000 Men, repair'd to the young Queen, and broke the Regent's measures, for which reason the Regent finding it was in vain for him to make longer Resistance, chang'd both his Party and Religion, and put himself absolutely under the Direction of the Queen and the Cardinal, who by that means became Masters of the Government in the Regent's Name. Then the first thing they had to do was to find ways and means to send back the Earl of *Lenox* to *France*, because he was of no longer use to them in *Scotland*. To succeed in this Design, they insinuated to *Francis* I, by means of the Princes of *Lorrain*, who were Brothers to the Queen Mother, that this Lord was an Enemy to his Interests; and thereby they cut off those Supplies of Money which had been promis'd him by *Francis* I. *Lenox* being disgusted at this unworthy treatment of him, resolv'd to be reveng'd; for which end he took Arms, and made some Efforts, but at last was oblig'd to make a disadvantageous Peace, for want of Money to carry on the War. Thus the Queen Dowager and the Cardinal remain'd in sole possession of the Government, and *Henry* perceiving, to his Mortification, that by this means the Treaty he had made with *Scotland* wou'd not be executed, and that the method of Negotiation wou'd be to little purpose, was determin'd at last to make War upon the *Scots*, in order to oblige them by force of Arms to execute the Treaty.

The Regent puts himself under the Cardinal's Direction, whose Faction disgust him and provoke him to take Arms.

HENRY having rais'd an Army in 1544, against *France*, caus'd part of it to march to *Scotland*, under the Command of the Earl of *Hertford*, and *John Dudley* Baron of *Lisle* the Admiral. At first this Army made great Progress in *Scotland*, and actually took possession of *Edinburgh*, the Queen and the Cardinal having taken no manner of Precaution to defend the Kingdom, so that with this Army *Henry* might have easily conquer'd it. But as he had occasion for his Troops in *France*, whither

Henry sends an Army to Scotland, *where he might have made a Conquest of the whole Kingdom.*

whither he design'd to go in Person; so his Aim was only to intimidate the *Scots*, and to oblige them by the Terror of his Arms to execute the Marriage Treaty, which however did not succeed. In this War the Earl of *Lenox* sided with the King of *England*, and even made Conventions with him, by which he engag'd to deliver up the Town of *Dumbarton* to him; for which Reason all his Friends and Party were persecuted by the Queen, the Regent, and the Cardinal, after the *English* Troops were withdrawn. But another Invasion of the *English*, who tho' but few in number, took *Jedburg*, *Kelso* and *Coldingham*, put a stop to their Proceedings, and forc'd them to raise an Army, which by reason of a panick Terror in the Regent who commanded it, dispers'd of its own accord, and gave the *English* an opportunity to make a great Progress.

Earl of Lenox sides with Henry.

His Friends persecuted by the Cardinal, &c.

The Persecution diverted by another Invasion from England.

IN the Year 1545, *Francis* I having sent some Troops to *Scotland*, the *Scots* Army pass'd the *Tweed* in order to enter *England*, but upon their Intelligence that the Earl of *Hertford* was marching against them, they disbanded themselves and went home. The rest of the Year was spent in the Negotiation of a Peace betwixt *France* and *England*, in which the main Difficulty to be got over was *Henry*'s refusal to have the *Scots* included in it.

Scots *Army enters* England, *but disbands on the approach of the Earl of* Hertford.

AT length *Henry* giving up this Point, the Peace was sign'd in 1546, and *Scotland* on certain conditions was included in the Treaty. Immediately after this, the Queen, the Regent, and the Cardinal persecuted the Reformed, of whom some were condemn'd to be burnt. Among others there was one *Wishart* a Minister, whom the Cardinal order'd to be burnt before his Window, that he might have the Pleasure of seeing the Execution. They say that this Minister propheſy'd that this haughty Prelate, as high as he was now, shou'd in a few Days be brought as low. Whether there was such a Prediction or not, this is certain, that not many Days after, the Cardinal was actually assassinated in his own House, and his Body cast into the Street, out of the very Window from whence he saw the Minister burnt.

Henry's *Peace with* France.

Persecution of the reformed in Scotland.

Cardinal Beton *murder'd.*

The Acts in the XIVth Tome *of the* Fœdera *which have any relation to the Affairs between* England *and* Scotland, *are these:*

1. THE King of *Scotland*'s full Power to treat of a Peace or Truce with *England*; dated *Feb.* 16, 1534 [l].

K. of Scotland's *Treaty with* England, 483. 529.

2. THE Treaty of Peace betwixt *England* and *Scotland* to continue during the Life of the two Kings, and a Year after; dated at *London May* 11, 1534.

3. CONVENTIONS by which *Henry* engag'd to restore the Castle of *Edrynton* to the King of *Scotland*, and *James* permitted *Henry* to keep *Archibald Douglas* Earl of *Angus*, *George* his Brother, and *Archibald Douglas* their Uncle, Prisoners in *England* [m].

Conventions for restoring Edrynton-Castle, *and keeping the* Douglasses *Prisoners.* 538, 540, 542.

4. THE King of *Scotland*'s Ratification; dated *June* 30, 1534, at *Edinburgh*.

5. A full Power of *Mary* Queen of *Scotland*, to treat of a Peace with *England*; dated *May* 4, 1543 [n].

Q. of Scots *Treaties of Peace and Marriage with* England. 781, 783, 792, 796.

6. ANOTHER to treat of her Marriage with *Edward* Prince of *Wales* of the same Date.

7. TREATY of Marriage betwixt *Edward* Prince of *Wales* and *Mary* Queen of *Scotland*; dated *July* 1, 1543 [o].

8. TREATY of Peace between *England* and *Scotland*; dated at *Greenwich* as above.

MARY was at that time about six Months old.

The chief Acts of this Class and Period in the XVth Tome *of the* Fœdera *are,*

Tome XV *of the* Fœdera, 4 *and* 5.

I. A Ratification of the two foregoing Treaties by *Mary*; dated *Aug.* 35, 1543 [p].

The Treaty of the Earls of Lenox *and* Glencairn *with* England. 19, 22.

II. A Commission from the Earls of *Lenox* and *Glencairn* to treat in their Name with the King of *England*; dated *April* 8, 1544 [q].

III. A Convention betwixt *Henry* VIII and the Earls of *Lenox* and *Glencairn*; dated at *Carlisle May* 17, 1544.

The Engagements of the two Scots *Lords were these:*

1. THAT they will cause the pure Word of God to be preach'd in their Domains.

2. THAT they will serve *Henry* to the utmost of their Power, and renounce the Alliance with *France*.

3. THAT they will use their Endeavours to put the Queen of *Scotland* into the Hands of *Henry*; or at least to hinder her from being carry'd out of the Kingdom.

4. THAT they will endeavour to have *Henry* declar'd Director and Protector of the Kingdom of *Scotland*.

5. THAT they will give the Bishop of *Caithness* and *William Cunningham*, as Hostages, into the Hands of the King.

The King's Engagements.

1. THAT the *English* shall do no damage in the Lands of the Earls of *Lenox* and *Glencairn*.

2. THAT if the King be declar'd Protector of *Scotland*, he will give the Government of the Kingdom to the Earl of *Lenox*, under certain Conditions,

3. THAT he will grant him a Revenue suitable to that Dignity.

[l] At *Edinburgh*. [m] Dated at *London*. [n] At *Edinburgh*. [o] At *Greenwich*. [p] At *Edinburgh*. [q] At *Dumbarton*.

4. THAT

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4. That in case the young Queen die, *Henry* shall support the Right of the Earl of *Lenox* with respect to the Crown, in opposition to the Earl of *Arran*.

5. That he will continue the Pension to the Earl of *Lenox*; and give one of 1000 Crowns to the Earl of *Glencairn*.

6. That the King will give his Consent to the Marriage of the Earl of *Lenox* to *Margaret Douglas*, provided she agree to it.

Margaret Douglas *was Niece to* Henry VIII, *being descended from the second Marriage of* Margaret *Queen of* Scotland, *to* Archibald Douglas *Earl of* Angus.

IV. Other Conventions betwixt *Henry* and the Earl of *Lenox*; dated *June* 26, 1544.

Engagements of the Earl of Lenox.

1. That he will observe the Treaty of *Carlisle*.

2. That he will serve the King against all whomsoever.

3. That he will deliver up *Dumbarton* Castle to the King.

4. That he will deliver up the Isle of *Bute* to him, and do his utmost to make him Master of *Ross* Castle in that Island.

5. That being Governour of *Scotland*, he will do nothing of Importance without advertizing the King of it.

6. That he will renounce all his general and particular Alliances.

7. That he will do his Endeavour to put the Queen of *Scotland* into the Hands of the King.

8. That he will give to *Margaret Douglas* a certain Jointure, specify'd in the said Article.

The King's Engagements.

1. He ratifys the Treaty of *Carlisle*.

2. He consents to the Marriage, and promises to give the Earl in recompence for his Losses in *France*, an Estate in Land, in *England*, of the Revenue of 1700 *l. Sterling*.

3. That he will give the Earl 500 Men besides the Garison, which he will place in *Dumbarton*.

4. That he will make him Governour of *Scotland*, on Condition that he shall not call a Parliament without his Consent.

5. That he will give him a good Revenue.

6. That he will reward *George Striveling* for the Loss of the Government of *Dumbarton*.

Denization of the E. of Lenox. 37.

V. The Denization of the Earl of *Lenox*; dated *June* 6, 1544 [r].

E. of Glencairn's *Pension.* 47.

VI. Pensions granted to the Earl of *Glencairn* and his Son, *viz.* 250 *l. Sterling* to the Father, and 125 *l.* to his Son; dated *July* 13, 1544 [s]. Henr VIII.

Order for Troops against Scotland. 72.

VII. An Order to raise Troops against *Scotland*; dated *May* 2, 1545 [t].

Article IV. *Domestick Affairs.*

As the Domestick Affairs of the remainder of this Reign have no necessary Connection with one another, because they are of a different Nature, I shall content my self with a Relation of the most material Events under this Head in each Year.

Origin of Henry's *exorbitant Power.*

In the Year 1535 we begin to discover that the exhorbitant Power which *Henry* VIII acquir'd over his Subjects, was really owing to Religion. For as the King observ'd a certain medium in that respect, some affected an entire Complaisance to him on that Score, in order to induce him to push the Reformation farther, while others were equally devoted to him for fear that their opposition to him wou'd force him to engage with the other Party. Factions, tho' generally fatal to States, are nevertheless sometimes advantagious to Sovereigns, if they have but the Skill to make them subservient to their particular Views. This was what *Henry* VIII was not deficient in, and by this means he acquir'd a Power which no King of *England* had for many Ages.

The Death of *Catherine* of *Arragon* which happen'd in 1536, pav'd the way for a Reconciliation betwixt the Emperor and *Henry*, as was observ'd in the first Article.

Anne *of* Boleyn *divorc'd and beheaded.*

About six Months after, Queen *Anne* of *Bolleyn* was condem'd by a Sentence of the Peers, and beheaded. I will not descend here into the Particulars of this Event, because there are very few Acts in the *Fœdera* that relate to it. The curious may be further inform'd, by consulting Dr. *Burnet's History of the Reformation.* It will be sufficient to observe here, for the sake of connecting the History of this Period, that before the Queen was executed, the King had dissolv'd his Marriage with her, on pretence that before she was marry'd to him, she had enter'd into some Engagement with an *English* Nobleman; which tho' no more than a mere Pretence, was sufficient to procure a Divorce. And the very next Day after the Execution, the King marry'd *Jane Seymour*, with whom he had been in Love some time before. *Anne* had a Daughter by the King nam'd *Elizabeth*, who tho' declar'd a Bastard, came afterwards to the Crown of *England*.

K. marries Jane Seymour.

The Death of *Anne* of *Bolleyn*, and the Dissolution of her Marriage with the

[r] At *Westminster* [s] At *Westminster.* [t] At *Westminster.*

King,

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King, reviv'd the Hopes of *Mary*, who was the King's Daughter by his firſt Wife *Catherine*. She had 'till then obſtinately refus'd to conform to the Acts of Parliament, concerning her Mother's Divorce, and the Affairs of Religion. But after the Death of *Anne*, ſhe judg'd, by the Advice of her Friends, that ſhe ought not to miſs that opportunity of being reconcil'd with the King her Father. She therefore ſign'd a Writing, in which ſhe own'd the King's Supremacy, and the Juſtice of his Divorce from her Mother, and renounc'd her Obedience to the Pope. This Writing which the King himſelf prepar'd for her to ſign, was the thing that reſtor'd her to his Favour, but not to the Title and Rank of his lawful Daughter.

Princeſs Mary owns the King's Supremacy, and the Juſtice of her Mother's Divorce.

In a ſhort time after, the Parliament made an Act for repealing that which had paſs'd in favour of the King's Children by *Anne* of *Bolleyn*; and after having declar'd the two Daughters which *Henry* had by his two former Marriages, Baſtards, they ſettled the Succeſſion of the Crown on the Children that the King might have by *Jane Seymour*, or any other Woman that he ſhou'd marry for the future. The Parliament not only gave the King this Proof of their Complaiſance to him, but alſo granted him a Power to ſettle the Succeſſion himſelf in ſuch manner as he ſhou'd think fit, by a Will to be ſign'd with his own Hand, or by Letters Patent under the Great Seal. By this means they empower'd him to leave the Crown to either of the two Daughters whom they had juſt declar'd illegitimate. But whatever the King ſignify'd a Deſire to have done, he was ſure of the Parliament's Compliance.

The Settlement of the Succeſſion by Parliament.

King's Quarrel with Cardinal Pole.

In this Year we find out the Spring of that Broil betwixt the King and Cardinal *Pole*, who was then at *Rome*. This Cardinal was the Son of *Richard de la Pole*, and was conſequently of the *York* Family, by the Mother-ſide, and near a-kin to *Henry*. Some have advanc'd that his Aim was to ruin the King, by robbing him of the Affection of his Subjects, and then to marry the Princeſs *Mary*, in order to aſcend the Throne with her. Be this as it will, he was not ſparing of his Pen to laſh the Conduct of the King, who conceiv'd a Hatred againſt him, of which he made his whole Family feel the Effects. But I ſhall ſay no more on this Head, becauſe there are few Acts in the *Fœdera* that allude to it.

Rebellions in Lincolnſhire *and* Yorkſhire.

There was a Rebellion this Year in *Lincolnſhire*, which was very eaſily quaſh'd, by a Pardon that the King granted to the Rebels, but was ſoon follow'd by another of much greater Conſequence in *Yorkſhire*. It was upon the Score of Religion, and the King was very much harraſs'd by it; for he had but few Troops on Foot, whereas the Rebels, who were commanded by one *Aske*, had a numerous Army, and had ſeiz'd *Pontefract*, *Hull*, and *York*. The Duke of *Norfolk* who commanded the King's Army, was twice in danger of being defeated, but at length found means to pacify the Rebels, by promiſing them certain Conditions, to which the King engag'd himſelf, tho' afterwards he did not think proper to perform them.

Another Rebellion.

In the Year 1537 there was another Rebellion which did not give the King ſo much Trouble as the laſt, and was ſeverely puniſh'd. *Jane Seymour* was brought to Bed in *October* of a Prince, who was nam'd *Edward*; but ſhe dy'd in a few Days after. *Edward Seymour* her Brother was about this time created Earl of *Hertford*.

Jane Seymour's *Delivery of a Prince, and Death.*

Further Inſtances of Henry's *Reſentment againſt Cardinal* Pole.

The King's Reſentment againſt Cardinal *Pole* was prodigiouſly heighten'd in 1538, upon the Intelligence he receiv'd that all the Memoirs drawn up againſt the King in *England*, were addreſs'd to the ſaid Cardinal at *Rome*, who put them in order, and caus'd them to be publiſh'd; and there were ſome in which his Stile was too palpable to be conceal'd. He was ſo exaſperated againſt this Cardinal, that he made all his Kindred and Friends feel the Effects of his Indignation; and not long after, the Marquiſs of *Exeter*, and ſome others, were condemn'd to Death, and executed for correſponding with the Cardinal, which in thoſe Days was a Crime not to be forgiven. At laſt *Paul* III having publiſh'd his Bull againſt the King, *Pole* wrote a Book endeavouring to prove that it was more meritorious to make War upon *Henry* than upon the Infidels: But all his Efforts exaſperated the King more and more againſt him.

Pole *writes a Book to prove it more meritorious to fall upon* Henry *than the Infidels.*

HENRY was arriv'd to ſuch a degree of Authority that the Parliament did nothing but by his Direction. In 1539 the two Houſes gave a very flagrant Proof of their ſlaviſh Attachment to him, by paſſing an Act which gave the ſame Sanction to the Proclamations of a King, or the Orders of Council during a Minority, as to Acts of Parliament; of which Act, after *Henry* VIIIth's Death, *Edward* VIth's Council made a very good Handle.

Parliament makes an Act, giving the ſame Authority to the Orders of a King and Council in a Minority, as to the ſtatutes.

That ſame Parliament confirm'd the Sentence of Death paſs'd upon the Marquiſs of *Exeter*, and ſome others, for holding a Correſpondence with Cardinal *Pole*. Moreover, the Cardinal's Mother, the Counteſs of *Salisbury*, and the Marchioneſs of *Exeter*, were condemn'd to die for the ſame Crime, by an Act of Attainder, without being admitted to make their Defence. The Houſe of Lords made ſome Efforts to oppoſe this Injuſtice. But *Cromwell* ſo bully'd the Parliament, that he made them paſs this Act, which was afterwards urg'd as a Precedent againſt himſelf;

Perſons attainted for correſponding with Cardinal Pole.

The Act turn'd afterwards upon Cromwell, *the Author of it.*

self; and a Man had no other way to save his Estate, Honour, and Life, than to conform to the King's Will: 'Tis true, that *Henry* put no body to Death upon his bare Authority, but he had gain'd such an Ascendant o'er the Parliament, that he got such Laws enacted as he judg'd necessary for establishing his Authority more and more, and then caus'd them to be put in Execution without Mercy against all that were deficient in Complaisance to him.

Henry's Ascendency over the Parliament.

CROMWELL and *Cranmer*, the two Pillars of the Reformation, knowing what a Strength it wou'd be to their Party if the King marry'd a Protestant Princess, manag'd him so that they prevail'd with him to demand the Princess *Anne*, Sister to the Duke of *Cleves*, in Marriage.

His Marriage with Anne *of* Cleves, *by whom promoted*, 3.

THIS Princess arriving in *England* in 1540, the King was so dissatisfy'd with her, that he cou'd not forgive *Cromwell*, who had engag'd him in the Marriage, from which however he cou'd not go back, because he then thought he shou'd quickly stand in need of Succours from the Protestants of *Germany*. Mean time he made *Cromwell* Earl of *Essex*; but not long after, this Minister was accus'd of High Treason, and condemn'd by an Act of Attainder, without being admitted to make his Defence, in the very same manner as he himself had procur'd the Condemnation of the Countess of *Salisbury*, and the Marchioness of *Exeter*.

Henry's *Disgust at it.*

Cromwell *made E. of* Essex, *and attainted of High Treason.*

IMMEDIATELY after, the King resolv'd to have a Divorce from *Anne* of *Cleves*, on pretence that she was engag'd beforehand to a Prince of the House of *Lorrain*. If ever there was a far-fetch'd Pretence, this was one, but the Parliament and Clergy being devoted to the King, he got his Marriage dissolv'd without any Difficulty; and the rather because the Queen, who found the King had no Affection for her, did not oppose it, and was contented with the Title of the King's adopted Sister, and a good Pension. Not long after, the King marry'd *Catherine Howard*, Niece to the Duke of *Norfolk*.

Henry's *Divorce from* Anne *of* Cleves.

And Marriage to Catherine Howard.

IN 1541, while *Henry* was at *York* waiting for the King of *Scotland*, he put forth a Proclamation, inviting his Subjects who had suffer'd any Wrong from his Ministers to bring their Complaints to him. Mean time his View was not to do them Justice, but only to heap Blame upon the Administration of *Cromwell*, and to give the Inhabitants of the Northern Counties hopes of a milder Government than they had liv'd under for the time past.

His Proclamation pretended for the Ease of his Subjects, but really to cast an Odium on Cromwell.

THIS Year *Ireland* was erected into a Kingdom.

Ireland *made a Kingdom.*

CATHERINE Howard, to whom the King was but lately marry'd, was beheaded in 1542, after having been convicted of being false to the King, and of having led a dissolute Life both before and after her Marriage. The Act which condemn'd her imported, among other Things, that a Woman whom the King shou'd marry for a Virgin that was not so, and did not acquaint the King of it, shou'd be guilty of High-Treason; which made some say, that the King cou'd not safely marry with any but a Widow, as he actually did, in marrying *Catherine Parr*, the Widow of the Lord *Latimer*.

Henry's *Marriage to* Catherine Parr.

THE King's new Marriage was productive of a new Act of Parliament in 1544, for settling the Succession to the Crown. Prince *Edward* was nam'd first in it with his Issue. In the second Rank were the Male Issue that the King might happen to have by the Queen now reigning. In the third, the Princess *Mary* and her Descendants; and in the fourth, Princess *Elizabeth* and her Issue. But as to these two Princesses, the Act subjected them to such Conditions as it shou'd please the King their Father to impose on them; and in case of Disobedience, they were declar'd incapable of succeeding to the Crown; and the Parliament granted the King a Power to settle the Succession in what manner he thought fit, either by a Will sign'd with his own Hand, or by Letters Patent under the Great Seal. So that on the one Hand the Parliament seem'd to acknowledge the two Princesses to be Legitimate by the Rank they gave them in the Order of Succession, while on the other Hand they seem'd to treat them but as Bastards, because what Right of Succession they gave them was altogether dependant on the King's Will and Pleasure: But this is not the only Contradiction we meet with in the Acts of Parliament, with regard to *Henry* VIIIth's Succession.

A new Act for the Succession.

ANOTHER Act was pass'd afterwards, by which the Title of *King of* England, France *and* Ireland, *and Defender of the Faith*, was inseparably united to the Crown of *England*.

The Parliament's Settlements of the King's Title.

THIS same Parliament granted the King a Subsidy, after a very extraordinary manner, by declaring him quit of all his Debts; but they were his private Debts for which the Parliament did not stand engag'd. Probably the Parliament was glad of it, in order to put a stop to the Loans, whether voluntary or forc'd, which Kings sometimes had recourse to in their Necessities, and which by degrees wou'd have render'd Parliaments useless, or at least not near so frequent. For as to the Debts of the Nation which have Parliamentary Security, I don't believe there ever was an Instance in the History of *England* that the Creditors lost their Money; and to the Glory of their Parliament it must be said, that their strict Honour in this Article has given the *English* Nation that Credit hitherto which

They wipe out his Debts with a Spunge.

no

FOEDERA Tom. XIV.

no other Monarchy in the World ever had.

THOMAS Audley High Chancellor, who ſucceeded *More*, dying this Year, *Wriotheſley* was advanc'd to his Poſt, who was a great Enemy to the Reformed.

Wriotheſley made High-Chancellor.

Death of the Duke of Suffolk.

I don't find any thing conſiderable with reſpect to Domeſtick Affairs in the Year 1545, except it be the Death of *Charles Brandon*, Duke of *Suffolk*, who was mightily belov'd and eſteem'd by the King his Brother-in-Law.

Henry's abſolute Authority.

AFTER *Henry* had fallen out with the Pope, he acquir'd an Authority over his Subjects that was little ſhort of being abſolute, of which, as I have already hinted in another Place, Religion was the Cauſe. He had made a terrible Uſe of that Power, as well with reſpect to his Wives and Favourites, as to thoſe who wou'd not ſquare their Religion by his, whether they were Catholicks or Reformed. Nay, he was grown ſo fierce, that none cou'd look at him without trembling; and his Peeviſhneſs increas'd by reaſon of his extreme Corpulency, which was ſuch an Uneaſineſs to him, that he was not able at laſt to manage a Pen ſo as to ſign his Name to any thing, ſo big were his Fingers. He had moreover ſuch an Ulcer in his Leg, that he could not walk without being ſupported; yet for all this, inſtead of thinking on Death, which was juſt ready to trip up his Heels, all his Thoughts were how to extend his Authority, for he wou'd have every thing done after his own Fancy; inſomuch that the Queen herſelf narrowly miſs'd of falling a Prey to the ſavage Temper of the King her Husband; for in 1546, the Queen having been accus'd of ſuffering the new Religion to be preach'd in her Apartment, in preſence of her Ladies, the King ſign'd an Order to take her into Cuſtody, and gave it to the Chancellor, who by miſtake loſt it; which Order being found and carry'd ſecretly to the Queen, ſhe improv'd that Time which the Chancellor took to ſeek it, in pacifying the King, who reſtor'd her to his Favour.

His unwieldineſs and ſavage Temper.

The Queen's narrow Eſcape for ſuffering the Proteſtant Doctrine to be preach'd.

HENRY being almoſt choak'd with Fat, and ſtill very much annoy'd by his Ulcer, was ſenſible at laſt that he had not long to live. This made him ſeriouſly forecaſt what might happen after his Death. He was apprehenſive that the Affair of his Divorce from *Catherine* of *Arragon* wou'd be ripp'd up again, and that his Daughter *Mary* wou'd find Intereſt enough among the ſecret Friends of the Pope to get the Sentence of the Divorce repeal'd, and to ſeize the Crown in prejudice of her Brother *Edward*. He knew that the Pope had ſtill a ſtrong Party in *England*, and tho' he was ſenſible he had Power enough to cruſh it, yet he was afraid that his Succeſſor wou'd not have ſufficient Strength in a Minority. Therefore he conſulted on his Pillow how to prevent thoſe Accidents which might be capable of making an Alteration in his Eſtabliſhment, either of the Crown or Religion. The Duke of *Norfolk*, tho' a true Courtier, and one that paid an external Obedience to the King's Will and Pleaſure, yet all Mankind, and the King in particular, knew that he was the Head of the Pope's Party, and his Son, the Earl of *Surry*, was of the ſame Principle. Theſe two Noblemen were ſo powerful, that the King was afraid that after his Death they wou'd put themſelves at the Head of the Popiſh Party, in order to ſupport the old Religion, and the Intereſts of *Mary*. This ſingle Conſideration made him reſolve to put them both to Death before he left the World, and accordingly he order'd them to be committed to the *Tower*, and a ſham Proſecution to be commenc'd againſt them.

His Care about the Settlement of the Succeſſion and Religion.

Duke of Norfolk and his Son committed to the Tower.

WHILE the Proceſs againſt theſe two Lords was carrying on, the King caus'd a Will to be tranſcrib'd, which he made before his laſt Expedition to *France*. In this Will he ſettled the Order of his Succeſſion according to the Act of Parliament in the Year 1544; but without making any mention of the Poſterity of *Margaret* Queen of *Scotland*, his eldeſt Siſter, he order'd that the Daughters of his youngeſt Siſter, *Mary* Queen of *France*, and Dutcheſs of *Suffolk*, ſhou'd ſucceed after *Elizabeth*, if ſhe dy'd without Children, and even next to *Edward*, in caſe that *Mary* and *Elizabeth* did not perform the Conditions requir'd of them. Thus in Conſequence of the Power that had been granted to the King by the Parliament, namely, by virtue of that Authority, *Henry* entirely excluded his elder Siſter's Branch from the Succeſſion to the Crown, without giving any Reaſon for it. We find this Will at large in the XVth Tome of the *Fœdera*, together with the Subſcription of the King and Witneſſes: Whether the King ſign'd it himſelf with his own Hand, or whether his Name was only printed to it, I will not take upon me to ſay, becauſe, as I obſerv'd a little above, he had not been able to hold a Pen for ſome time paſt; and we find in the *Fœdera* that he had for ſeveral Years appointed Commiſſioners to ſign the Acts for him. We ſhall take notice of the chief Articles of this Will by and by, and only obſerve here, that the King caus'd the Name of *Gardiner* Biſhop of *Wincheſter*, to be raz'd out of the number of the Guardians whom he had appointed over the Prince his Son during his Minority.

Henry's laſt Will about the Succeſſion.

Gardiner ſtruck out of the Liſt of Edward's Guardians.

IN 1547 *Henry*, finding himſelf drawing near to his End, and conſidering that the Proſecution of the Duke of *Norfolk*, and the Earl of *Surry*, might take up a vaſt deal of time, if they were try'd after

the

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the usual Form, caus'd a Bill of Attainder to be pass'd in Parliament against the Earl of *Surry*, for being so insolent as to quarter the Arms of St. *Edward* in his Escutcheon; which tho' a far fetch'd Pretence, was sufficient to get him capitally condemn'd, and the Sentence was soon follow'd with Execution. Afterwards, the like Act was prepar'd against the Duke of *Norfolk*, on some pretence or other, as far fetch'd as the former, and the said Acts having passed thro' both Houses, the King gave his Approbation thereof by Commissioners; and immediately after, the Lieutenant of the *Tower* receiv'd an Order to carry the Duke to the Place of Execution on the 29th of *January*; but happily for him the King himself dy'd the Night before, *viz.* the 28th; and thus the Duke escap'd as it were by a Miracle, *Edward's* Council not thinking it adviseable to stain his Accession to the Crown with the Execution of the first Nobleman of *England*.

Earl of Surry *attainted for false Heraldry, and executed.*

His Father also attainted, and narrowly escapes Execution.

THE Acts in the XIVth Tome *of the* Fœdera *which relate to Domestick Affairs, are chiefly these:*

1. AN Act wherein *Catherine* of *Arragon* is only stil'd Princess Dowager of *Wales*, and Prince *Arthur's* Widow; dated *Jan.* 8, 1534 [v].

Catherine *of* Arragon's *Title.* 482.

2. A Memorandum, shewing the Alteration in the King's Title, *viz.* Henry VIIIth *by the Grace of God, King of* England *and* France, *Defender of the Faith, and Lord of* Ireland, *and on Earth supreme Head of the Church of* England; dated *Jan.* 15, 1535 [w].

Henry's *Stile and Title.* 549.

3. A Writ of Summons for the meeting of the Parliament on the 8th of *June*, 1536; dated *April* 27, 1536 [x].

Writ for calling the Parliament. 563.

THIS Act shews the Number and Names of the Peers.

4. THE Distribution of *Cromwell's* Offices after his Condemnation and Death, *per attinctturam & forisfacturam Thomæ Cromwell, Comitis Essexiæ, de diversis Hæresibus, & de altâ proditione attincti & modo defuncti:* i. e. by the Attainder and Forfeiture of *Thomas Cromwell*, now deceas'd, for certain Heresies, and for High-Treason; dated *Aug.* 3, 1540 [y].

Cromwell's *Attainder, and the Distribution of his Offices.* 702.

5. CREATION of *Gregory Cromwell*, Son of *Thomas Cromwell*, a Baron of the Realm; dated *Dec.* 18, 1540 [z].

His Son made a Baron. 708.

6. THE Denization of *Anne* of *Cleves*, the new Queen of *England*; dated *Jan.* 9, 1541 [a].

Denization of Anne *of* Cleves. 709.

7. SEVERAL Grants to *Anne* of *Cleves*; dated *Jan.* 21, 1541 [b].

8. SUMMONS to the Parliament to meet on the 16th of *January*, 1542; dated *Nov.* 23, 1541 [c].

Summons to the Parliament. 737.

9. CREATION of *William Bourck*, alias *Mac-William*, an *Irishman*, Earl of *Clanricard*; dated *July* 1, 1543 [d].

Creation of Irish *Peers.* 797.

10. CREATION of *Mawer o Bryan* Earl of *Thomond*; dated *July* 1, 1543 [e].

799.

11. CREATION of *Conat o Bryan*, Baron of *Ibrakain* [f].

800.

The Acts relating to the Domestick Affairs in this Period, in the XVth Tome *of the* Fœdera, *are these*; Tome XV.

1. CREATION of *Conac o Neal* Earl of *Tyrone*; dated *Sept.* 1, 1543 [g].

2. LETTERS Patent, constituting Queen *Catherine Parr* Regent of the Kingdom in the Absence of the King; dated *July* 9, 1544 [h].

Catherine Parr *made Regent.* 39.

3. AN Order to obey the Warrants or Orders of the Queen with regard to Money; dated *July* 11, 1544 [i].

Order to obey her Warrant to the Treasury. 44.

4. THE King's Letters Patent, authorising certain Commissioners to sign for him, with an engrav'd Seal, such Orders as are sent to the Treasury for the Money which is necessary for the Garisons; dated *Oct.* 12, 1545 [k].

King appoints Commissioners to stamp his Name on Orders, &c. 81.

THE King began at that time to find a great Uneasiness in signing with his own Hand, and therefore he had a mind to free himself from the Trouble of the frequent Signings which were absolutely necessary for the Treasury.

5. A Commission to desire the People's Benevolence, or Free Gift, but no Names of the Commissioners; dated *Jan.* 5, 1546 [l].

Benevolence demanded. 84.

6. LETTERS from the King to the Count *Palatine* of the *Rhine*, inviting him to come to *London*; dated *Jan.* 30, 1546 [m].

Invitation of the Palatine *of the* Rhine. 88.

THEY say the King design'd to give him the Princess *Mary* in Marriage.

7. LETTERS Patent, whereby *Anthony Dennis*, *John Gate*, and *William Clerk*, are authoris'd to sign all Warrants in the King's Name, dated *Aug.* 31, 1546 [n].

Commission to sign the King's Orders. 100.

8. OTHERS of the like nature authorising the Lords of the Council to sign all the Orders for the Treasury with the Royal Signet; dated *Octob.* 16, 1546 [o].

103.

9. *HENRY* VIIIth's Will; dated *Dec.* 30, 1546 [p]. The Articles are in Substance as follows *;

Henry's *last Will and Testament.* 110.

" HE

[v] At *Westminster.* [w] At *Westminster.* [x] At *Westminster.* [y] At *Old Forde.* [z] At *Westminster.* [a] At *Hampton-Court.* [b] At *Westminster.* [c] At *Westminster.* [d] At *Westminster.* [e] At *Greenwich.* [f] Dated as before. [g] At *Greenwich.* [h] At *Westminster.* [i] At *Westminster.* [k] At *Westminster.* [l] At *Greenwich.* [m] At *Westminster.* [n] At *Hampton-Court.* [o] At *Westminster.* [p] At *Westminster.*

* This is the Will that was so much canvass'd in the late Queen's Reign, by some of the most eminent Writers for and against the *Hanover* Family; but being a Dispute of no great Importance since their happy Accession to the Crown, it will suffice just to mention wherein it consisted. That such a Will was drawn up by the King's Order was scarce doubted; but the Question was, whether it was duly executed according to the Act of Parliament?

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" He earneſtly begs the bleſſed Virgin " *Mary*, the Mother of Jeſus Chriſt, and " the whole Company of Heaven, to pray " to God continually for him.

" He deſires that his Body may be in- " terr'd in a Tomb he had prepar'd at " *Windſor*, and that the Corpſe of Queen " *Jane* may be depoſited therein with his. " That immediately after his Death all " the Funeral Services be perform'd for " him. He gives 1000 Marks to the Poor, " who ſhall aſſiſt at his Funeral, and 600 *l.* " *Sterling per Ann.* in Land to the Dean " of *Windſor*, that he may order Maſſes " for his Soul continually.

" He gives Twelve-pence a-day to the " thirteen Poor, called the *Poor Knights*, " and 3 *l.* 6 *s.* 8 *d.* a Year to the Head " and Governour of them, beſides the or- " dinary Pay.

The Order he eſtabliſh'd for the Succeſſion to the Crown.

The Order of the Succeſſion.

1. " *EDWARD* and his Children.

2. " The Children of *Henry* VIII, by " *Catherine Parr*, or ſuch other Wife as " he ſhould marry afterwards.

3. " *MARY*, on condition that ſhe " does not marry without the Advice and " Council of the Counſellors, or the major " part thereof appointed by the King to " adminiſter Affairs under *Edward*, or at " leaſt of ſuch as ſhall be then living. This " Condition is abſolutely neceſſary.

4. " *ELIZABETH* to ſucceed on " the ſame Condition.

5. " The Deſcendants of *Frances* " *Brandon*, Daughter of *Mary* Queen " *Dowager* of *France*.

6. " The Deſcendants of *Eleanor*, ſe- " cond Daughter of the ſaid Queen *Mary*.

7. " The neareſt rightful Heirs.

" 'Tis not certain whether he meant the " Deſcendants of *Mary* Queen of *Scotland*, " his eldeſt Siſter, or the other Kindred " which he might have in *England*.

" If *Mary* refuſe to execute the Con- " dition impos'd on her, the Crown ſhall " paſs to *Elizabeth* all one as if *Mary* " was dead.

" If *Elizabeth* does not perform the " Condition, the Crown ſhall paſs to " *Frances Brandon*, &c. All Statutes to " the contrary notwithſtanding.

HENRY VIII.

The Executors nominated were theſe; His Executors.

The Archbiſhop of *Canterbury*.

Lord *Wriotheſley*, Lord Chancellor of *England*.

Lord *St. John*, Great Maſter of the Houſhold.

Earl of *Hertford*, Lord Great Chamberlain.

Lord *Ruſſel*, Lord Privy-Seal.

Viſcount *Liſle*, Lord Admiral of *England*.

— *Tunſtal*, Biſhop of *Durham*.

Sir *An. Brown*, Kt. Maſter of the Horſe.

Sir *Edward Montague*, Kt. Chief Juſtice of the Common-Pleas.

Juſtice *Bromley*.

Sir *Edward North*, Kt. Chancellor of the Augmentations.

Sir *William Paget*, Kt. Firſt Secretary.

Sir *Anthony Deny*, Sir *Wm. Harbard*, } Kts. Chief Gentlemen of the Privy-Chamber.

Sir *Edward Wootton*, Kt. Treaſurer of *Calais*.

Dr. *Wootton*, his Brother, Dean of *Canterbury* and *York*.

" The ſame Perſons who were Execu- " tors of the Will, were alſo nominated " for *Edward*'s Privy-Counſellors. Edward's Privy-Counſellors.

" The Executors are charg'd, 1. To " pay the King's Debts after the Funeral " Expences. 2. To perform all his Pro- " miſes.

" *EDWARD*, Prince of *Wales*, " is declar'd lawful Heir.

" 'Tis requir'd that the Council by the " Majority of Votes order all things that " ſhall be thought convenient 'till *Edward* " is marry'd, and attain to the Age of " eighteen.

" The other Counſellors nominated to " give their Opinion in Council, when call- " ed to it, are, Other Counſellors to be call'd.

The Earls of *Arundel* and *Eſſex*.	Sir *Ric. Riche*, Kt.
	Sir *John Baker*, Kt.
Sir *Tho. Cheney*, Kt.	Sir *Ra. Sadleyr*, Kt.
Sir *John Gage*, Kt.	Sir *Tho. Seymour*, Kt.
Sir *An. Wingfield*, Kt.	Sir *R. Southwell*, Kt.
Sir *Wm. Petre*, Kt.	Sir *Ed. Peckham*, Kt.

liament? which at the ſame time that it impower'd the King to ſettle the Succeſſion, order'd it ſhould be done by Letters Patent under the Great Seal, or by a Will ſign'd with the King's own Hand-writing. Mr. *Rymer* having left this Point in doubt, ſome Gentlemen of Note were deputed in the late Reign by Perſons of the firſt Rank in this Kingdom, to go to the Chapter-houſe of *Weſtminſter-Abbey* on purpoſe to ſearch for the Original Will among the Records of the *Exchequer*. They found it to conſiſt of ſeveral Sheets of ſoft coarſe Paper, tack'd together with a Braid of green and white Ribbon; the Writing of a mean and ſlovenly Character. The Will was ſign'd on the top of the firſt and the end of the laſt Page with the King's Hand-writing, as pretended, but the Character fairer than ever he could make. Upon Comparing his Name on the Will with his Stamp and his uſual Hand-writing, it agreed with neither; and was ſo far from reſembling the trembling Hand of a dying Man, that it was very ſtiff, like a counterfeit Hand; only there is a Scratch, ſeemingly made on purpoſe to ſcreen the Forgery againſt any future Enquiry by the Royal Line of *Scotland*, which was thereby totally diſinherited, or at leaſt poſtpon'd after all the other Families. It is ſeal'd with his Pocket-Seal, on ſoft Wax appended to the Ribbon which tacks the Sheets together; and upon the whole there is great Reaſon to conclude that this Stamp was cut on purpoſe to reſemble the King's Hand as well as they could, in ſuch Circumſtances as he then was.

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The Portions of Mary *and* Elizabeth.

Henry's *other Legacies.*

" THE Portion of *Mary* and *Elizabeth* " ſhall be 10,000 *l. Sterling* each, or more, " at the Diſcretion of the Counſellors. " To each a Penſion of 3000 *l.* 'till their " Marriage. " To the Queen 3000 *l.* in Jewels or " Plate, and 1000 *l.* in ready Money, be- " ſides her Jointure. " To thoſe Executors who are Lords 500 *l.* " a-piece, and to the others 300 *l.* each. " AND other Legacies amounting to " 8650 Marks, and 1700 *l. Sterling.*

HENRY VIII.

The REIGN of *EDWARD* VI *.

ANNO 1547.

FOEDERA Tom. XV.

THE Reign of *Edward* VI may be properly divided into four principal Articles, *viz.* Domeſtick Affairs, Affairs with *Scotland*, Affairs with *France*, and Affairs concerning Religion.

EDWARD VI.

ARTICLE I.

Of Domeſtick Affairs.

Edward VI's *Acceſſion.*

EDWARD VI, the only Son of *Henry* VIII, was but in the tenth Year of his Age, *Anno* 1547, when he ſucceeded the King his Father. As ſoon as he was proclaim'd, the Council open'd the Will of *Henry* VIII, in which they found that he had appointed ſixteen Perſons to adminiſter Affairs for the young King during his Minority, with the Title only of Executors of his laſt Will and Teſtament, tho' they had properly the Authority of Regents, and that he had nam'd twelve other Perſons to aſſiſt theſe with their Councils. He empower'd the Executors or Regents, or the Majority of them, to act as they thought convenient; a Clauſe of which they made great uſe, and which gave them room to make ſuch Alterations as without doubt *Henry* never dream'd of. For example, he never once intended to give the Majority a Power to chooſe a Protector, or to exclude any of the Regents from the Commiſſion. This appear'd from his putting the two Princeſſes his Daughters under a neceſſity of not marrying without the Conſent of ſuch of the Executors as ſhould then happen to be living. Nevertheleſs, theſe two Articles were got over by virtue of the general Clauſe juſt mention'd. Among the Executors, or Regents, the Archbiſhop of *Canterbury*, the Lord *Wriotheſley*, Great Chancellor, the Earl of *Hertford*, who was the young King's Uncle by the Mother-ſide, and *John Dudley* Viſcount of *Liſle*, Son to *Edward Dudley* who was hang'd in the beginning of the Reign of *Henry* VIII, were they that made the greateſt Figure; as did among the Privy-Counſellors, the Earls of *Arundel* and *Eſſex*, and *Thomas Seymour*, Uncle to the King, and Brother to the Earl of *Hertford*.

His Executors or Regents.

A Propoſal to chooſe a Protector oppos'd.

THE Regents and Privy-Counſellors having enter'd upon their Offices, the firſt thing propos'd in the Council of the Regency was to chooſe a Protector. *Wriotheſley* the Great Chancellor oppos'd it to the utmoſt of his Power, and pleaded, that as the late King's Will deriv'd all it's Force from an Act of Parliament, it was not poſſible to

* WE now come to *Edward* VI, whoſe Reign we ſhall introduce as we have done thoſe of his Anceſtors, with the Dedication of that particular *Tome* of the *Fœdera*, viz. *Tome* XV, which takes in all the publick Acts relating to it.

" THIS, *ſays the Compiler*, who addreſſes it to the late Queen, is the XVth Tome drawn forth from your " moſt ſacred Treaſures, for a Bounty to the World.

" IT comprehends a Period ſomewhat more than forty Years, in which ſo long Space Atchievements of " *War*, *Battles*, *Victories*, and *Triumph*, are not ſo much in *Vogue*.

" 'TIS now Matters of the *Church*, the Operations of *Religion*, the Reformation, and Application to " cultivate true *Piety*, and give our *Holy Faith* a new Light and Luſtre.

" As to *Civil Affairs*, it begins with a Ratification of a Treaty concluded for her Majeſty the Queen of " *Scotland* to marry Prince *Edward*, apparent and undoubted Heir of King *Henry* VIII, your Majeſty's Pre- " deceſſor of moſt glorious Memory; and it ends with an Account of the States General, *Gueldres*, *Zutphen*, " *Flanders*, *Holland*, *Weſtfrieſland*, *Zealand* and *Utrecht*, and other the United Provinces of the *Netherlands*, " who declare themſelves diſcharg'd from all Ties to the King of *Spain*, and therefore reſolv'd to provide them- " ſelves with another Maſter capable to defend and protect them againſt the Tyranny of the aforeſaid King of " *Spain*, and againſt the *Spaniſh moſt barbarous Inquiſition*, introduc'd for no other End but the Extirpation of " the *true Religion*.

" HEREUPON they ſue to Queen *Elizabeth* to take them under her Care and Protection, which readily ſhe grants.

" AND now it is that *Eſcluſe*, the *Brill*, with *Flushing*, and the *Rammakins*, are deliver'd into the Hands of " *Engliſh* Governours and Garriſons.

" THIS done, the *Queen* diſpatches away her Ambaſſadors to *Scotland* for a cloſer Friendſhip, and a League " Offenſive and Defenſive, in order to ſupport the *Reformed Religion* againſt all Enemies and Oppoſition, and " for the *King* to be a Partner with her, and effectually to have his Share in being a *Defender of the Faith*; " which ſeaſonable Confederacy clear'd the way to a *Proteſtant Succeſſion*, in the Perſon of King *James* your " *Majeſty's Progeniter*, of ever bleſſed Memory.

" HE was a Peace-maker, and he was a King fifty-five Years.

" LONG was the Reign of his Contemporary and Confederate, Queen *Elizabeth*.

" THAT, *&c.*

to make any Alteration in it: Beſides this Reaſon, there were other more ſecret Motives which were no leſs prevalent with him to oppoſe it. In the firſt Place, as he was Great Chancellor, and as the Archbiſhop of *Canterbury*, who preceded him in the Commiſſion, did not trouble himſelf with State Affairs, he hop'd to be always Preſident of the Regency, and to be look'd upon as the Head of it. In the ſecond Place he knew full well that the View of this Propoſal was to advance his Enemy, the Earl of *Hertford*, to the Dignity of Protector. Thirdly, he was afraid that the Catholick Religion, to which he was very much attach'd, would ſuffer too much Prejudice from the Authority of the Earl of *Hertford*, whoſe Biaſs to the Reformation was known to all Mankind. Notwithſtanding all the Oppoſition he could make, the Choice of a Protector was reſolv'd upon, and it fell upon the Earl of *Hertford*, with this Reſtriction nevertheleſs, that he *ſhould not act without the Conſent of the other Regents*. This Election was founded upon the general Clauſe in the Will which I mention'd above, that the Executors ſhould adminiſter the Affairs of the Government in ſuch manner as they thought fit. From whence it was inferr'd, that every thing which the Majority of the Regents approv'd of, was deem'd conformable to the late King's Will.

Earl of Hertford choſe Protector.

THIS firſt Step being taken, they went a little farther, but ſtill on pretence of executing the late King's Will, as he had expreſly charg'd his Executors. When they came to know the Promiſes that he had made to ſeveral Perſons to advance them to high Dignities, they thought themſelves oblig'd to execute his Intention in that reſpect, the rather becauſe it was in favour of many of the Regents and Privy-Counſellors. Conſequently, the Earl of *Hertford*, who was already Protector, was created Duke of *Somerſet*; *William Parr*, Earl of *Eſſex*, created Marquiſs of *Northampton*; the Viſcount *Liſle* had the Title of Earl of *Warwick*; the Chancellor that of Earl of *Southampton*; *Thomas Seymour* was made Baron of *Dudley*; and *Rich*, *Willoughby*, and *Sheffield*, were promoted to the Dignity of Barons. For ſupport of theſe new Dignities, certain Lands of the Church were alienated and diſtributed to the new created Peers. Immediately after this, the Protector was made High-Treaſurer and Great Marſhal, and *Thomas Seymour*, his Brother, was preferr'd to the Poſt of High-Admiral. All this was done in the ſpace of a Fortnight after the Death of *Henry* VIII, and then that Prince's Funeral Obſequies were perform'd, and the new King crown'd.

Honours conferr'd on the Regency and Council.

THE firſt Uſe that the Protector made of his Credit and Authority was, to remove the Chancellor, who furniſh'd him with a Pretext for turning him out of his Office, and confining him to his Houſe *. Afterwards, the Duke of *Somerſet*, not content with being choſe Protector by the Regents, got a Patent diſpatch'd in the King's Name, by which he was by the King himſelf declar'd Protector, and caus'd certain Clauſes to be inſerted in it, which render'd his Dignity independent on the other Regents, who by that means were no more than his Counſellors. Thus the Duke of *Somerſet* became abſolute Maſter of the Government, and thereby drew upon him the Hatred and Envy of his Collegues, who took hold of every Opportunity to ruin him, as we ſhall find hereafter.

Lord Chancellor remov'd.

Abſolute Power of the Protector.

THE Protector having remov'd the Chancellor, and given his Poſt to the Lord *Rich*, his devoted Tool, thought himſelf ſecure from the Attacks that he had moſt reaſon to fear; tho' he found a formidable Enemy in his own Brother the High-Admiral, whoſe Ambition knew no Bounds. This Lord being the King's Uncle, was ſo offended at his not being put in the Liſt of the ſixteen Regents, as well as his Brother, that he could not bear to think of the Diſtinction thereby made between himſelf and his Brother. Immediately after the Death of *Henry* VIII, he made his Addreſſes to the Princeſs *Mary*, but being very ſoon convinc'd that his Project was too difficult to put in execution, he pay'd his Compliments to *Catherine Parr*, the Queen *Dowager*, and marry'd her ſo ſoon after the Death of *Henry* VIII, that if ſhe had prov'd with Child, it would have been a Doubt whether the late King or he was the Father. The Advancement of his Brother to the Dignity of Protector fill'd up the Meaſure of his Jealouſy, ſo that he never ceas'd caballing againſt him; and while the Duke was taken up in the War againſt *Scotland*, he actually try'd to draw the young King into his Party, and to oblige him to take ſuch Steps as tended to the Protector's Ruin. In fine, he behav'd in ſuch a manner that the Duke was under a Neceſſity either of being ruin'd himſelf, or of making away with his Brother, who was condemn'd to Death and executed.

His Brother the Lord Dudley's Enmity to him.

His ſaid Brother marries the Queen Dowager.

The Protector gets him condemn'd and executed.

THIS extraordinary Act of Severity gave a great Handle to the Protector's Enemies, who took Occaſion from thence to run him down as a Man that had ſacrific'd his own Brother;

The Protector hated for it.

* What the Crime of the Lord Chancellor was, and the Proceedings thereupon, may be ſeen at large in Biſhop *Burnet*'s Hiſtory of the Reformation, Tome II. p. 15, 16. the Account whereof he ſeems to have taken from the Council-Book.

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Brother (whoſe Crime, to make the moſt on't, was acting only againſt him, and not againſt the King) to his boundleſs Ambition. The Protector enjoy'd never the more Tranquillity for the Death of the Admiral; for ſoon after, great Inſurrections aroſe in ſeveral Parts of the Kingdom, and particularly in the Counties of *Devon* and *Norfolk*, which were occaſion'd by the Oppreſſions that the common People ſuffer'd from the Nobility on account of certain Lands which the Nobility and Gentry had inclos'd with Pales. The Protector ſeem'd in ſome meaſure to ſupport the Complaints of the Commonalty, by doing all that he could to prevent the treating of the Rebels with Extremity, but he was not able to ſucceed in it; tho' after they had been routed and diſpers'd by the Earl of *Warwick*, he granted them an Amneſty by his own Authority, and contrary to the Advice of the Council.

Inſurrections in the Country, on account of the Nobilities Incloſures of Land that us'd to lie open.

The Protector pardons them, contrary to the Advice of the Council.

THIS Step was very diſguſting to the great Men, who from that time began to concert Meaſures for his Ruin. And his Conduct afterwards, in Affairs relating to *France* and *Scotland*, haſten'd the Execution of the Conſpiracy which his Enemies had form'd againſt him. All on a ſudden, when he thought leaſt of it, the Preſident, and ſome others of the Privy-Council, retir'd to the Biſhop of *Ely*'s Houſe in *Holbourn*, and proteſted that they were oblig'd to take this Step, becauſe the Council paſs'd for no more than a Cypher; the Protector doing every thing of his own Head, without adviſing with any body. All the Precautions which the Protector took to guard againſt this Conſpiracy, only ſerv'd to furniſh his Enemies with new Pretences. He did but carry the King to *Windſor*, and it was reckon'd a Crime. And at length, ſeven other Counſellors joining with thoſe who were already withdrawn, and the City of *London* declaring for them, the Protector began to be diſcourag'd; and this made him loſe ſeven other Counſellors, who join'd with the reſt: ſo that he could keep none with him but *Cranmer* the Archbiſhop of *Canterbury*, and Sir *William Paget*. When the Counſellors ſaw themſelves ſo well ſupported, they wrote to the King, acquainting him with the Faults and Ambition of the Duke his Uncle, whom they had already declar'd unworthy of being Protector; and they had Leave granted them to repair to the King at *Windſor*. There they caus'd the Duke of *Somerſet* to be arreſted, and ſent him to Court. After this they nam'd ſix Governours for the King, of which Number was the Earl of *Warwick*, who had the Cunning to get all the Authority into his own Hands, and officiated, in a proper Senſe, as Protector, tho' he had not the Title. This new Governour fearing leſt the Duke of *Somerſet* ſhou'd find means to reſume his Authority, caus'd an Act of Attainder to be paſs'd againſt him in Parliament; whereby he was condemn'd to a Fine of 2000*l.* a Year in Land, and his Goods were confiſcated. Notwithſtanding all this, the Duke ſtill kept himſelf above Water, the King who lov'd him having granted him a Pardon; but he did not recover his former Poſt. The Earl of *Warwick* procur'd himſelf the Poſt of High-Admiral, and ſtill continued to direct all the Affairs of the Government. The better to maintain himſelf in his Station, and to puſh his Fortune the farther, he made a ſtrict Union with the Lord *Gray*, Marquiſs of *Dorſet*, who had marry'd *Frances Brandon*, eldeſt Daughter of the late Duke of *Suffolk*, and of *Mary*, Siſter of *Henry* VIII, who was Queen Dowager of *France*. The Duke of *Suffolk* had had two Sons by a ſecond Marriage, who both dying about the time I ſpeak of, left the Title of Duke of *Suffolk* extinct, for which reaſon the Earl of *Warwick* procured it for his Friend the Marquiſs of *Dorſet*, who by his Marriage with *Frances Brandon*, had three Daughters, *viz.* *Jane*, *Catherine*, and *Mary*. The View of the Earl of *Warwick*, as it afterwards appear'd, was to marry one of his Sons with *Jane Gray*, the Duke of *Suffolk*'s eldeſt Daughter, and to put her upon the Throne, excluſive of *Mary* and *Elizabeth* the King's Siſters. The better to ſucceed in this Project, he endeavour'd to marry *Elizabeth* to the King of *Denmark*, but he found Difficulties in it which render'd it abortive.

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His Pardon from the King.

The Earl of Warwick's *Promotion.*

His Union with the Marquiſs of Dorſet,

whom he makes Duke of Suffolk,

and aims at the Succeſſion of the Crown to the Duke's Daughter.

Meeting of the Great men at Ely-*Houſe in* Holbourn, *&c.*

The Defection of the Counſellors.

Their Complaint to the King againſt the Protector.

Protector's Fall.

THE Earl of *Warwick*'s Intereſt increaſing every Day, he procur'd for himſelf the Title of Duke of *Northumberland*, and at length having brought an Accuſation againſt the Duke of *Somerſet* of a Deſign to aſſaſſinate him, he caus'd Sentence of Death to be paſs'd upon him, and afterwards ſo artfully prejudic'd the young King againſt his Uncle, that he obtain'd an Order from him for the Execution of the Sentence.

Gets the Title of Duke of Northumberland.

Duke of Somerſet *condemn'd and executed.*

AFTER the Duke of *Somerſet*'s Death, the Duke of *Northumberland* finding no more Oppoſition, did whatſoever he pleas'd. He advanc'd his Creatures, and made himſelf abſolute Maſter of the King and Government. Not long after, the King falling into a Diſtemper, from which there was no Hopes of his Recovery, the Duke of *Northumberland* made haſte to execute his Project. He marry'd *Guilford Dudley* his fourth Son, to *Jane Gray*, and perſwaded the young King on his Death-bed, to make a ſolemn Act for transferring the Crown to her, excluding his Siſters *Mary* and *Elizabeth* from the Succeſſion.

Duke of Northumberland's *Power.*

Marries one of his Sons to Jane Gray.

Edward's Act transferring the Succeſſion to her.

This

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This Act was founded on that by which the King's two Sisters had been declar'd Bastards in the Reign of *Henry* VIII, and upon the Danger which wou'd attend the Reformation, if *Mary* ascended the Throne. The Judges were evenforc'd to draw up this Act, which was nevertheless sign'd by all the Privy Counsellors. The King being very ill, the Duke of *Northumberland*, who wish'd to have *Mary* and *Elizabeth* in his Hands, sent them an Order to come and divert the King their Brother in his Sickness. They were actually on the Road, but being inform'd of the King's Death, they avoided the Snare which was laid for them. *Edward* VI dy'd the 6th of *July*, 1553, in the 16th Year of his Age, and every body suspected that his Days were shorten'd by foul Practices.

His Sickness and Death.

The Acts relating to Domestick Affairs are,

Edward's *first Proclamation.* 123.

1. THE first Proclamation for keeping the King's Peace; dated *Jan.* 31, 1547 [q].

Earl of Hertford's *Patents.* 124, 125.

2. THE Patent of Treasurer of the Exchequer for the Earl of *Hertford* the Protector; dated *Feb.* 10, 1547 [r].

3. ANOTHER which confers on him the Title of Baron *Seymour*; dated the 15th of the same Month [s].

'Tis said in the Patent, that this Title is conferr'd on him, for fear lest the ancient Name of *Seymour* shou'd be eclipsed, and totally extinguished by the Splendor of the Protector's other Titles. The King orders that this Title pass to the Children of the second Venter, and their Descendants, then to *Edward Seymour* the Protector's Son by the first Venter; and if *Edward Seymour* should die without Issue Male, to the Children that the Protector might have by any future Wife.

Marquis of Dorset *made High-Constable.* 129.

4. ANOTHER appointing the Marquis of *Dorset* High-Constable, only for the 19th of *February*, the Day preceding that of the King's Coronation; dated *Feb.* 17, 1547 [t].

Lord Russel *Steward.* 130.

5. ANOTHER appointing the Lord *Russel* Lord High-Steward for only the 20th of *February*, the Day of the Coronation; dated as above.

Duke of Somerset *Earl-Marshal,* 130.

6. ANOTHER for conferring the Office of Earl-Marshal on the Duke of *Somerset*; dated as above.

Patent of King's Printer. 150.

7. THE Office of Printer to the King in *Hebrew*, *Greek* and *Latin*, given to *Reginald Wolf*; dated *April* the 19, 1547 [v].

8. THE Lord *Russel*'s Patent for the Office of Privy-Seal; dated *Aug.* 21, 1547 [w].

Lord Russel *Privy-Seal.*

9. ANOTHER Patent for the Office of High-Admiral conferr'd on *Thomas Seymour*; dated *Aug.* 30, 1547 [x].

Tho. Seymour *High-Admiral.* 157.

This Patent was obtained by *Thomas Seymour* in the Absence of the Protector his Brother. 'Tis more ample than the former of *Feb.* 15.

Protector's Prerogatives. 164.

10. A Patent granting diverse Preeminences and Prerogatives to the Protector; dated *Nov.* 3, 1547, at *Westminster*, viz.

THAT he shall sit by himself in Parliament, on a Bench or Stool, at the King's right Hand.

THAT he shall enjoy all the Prerogatives which all other Protectors have enjoy'd, notwithstanding the Statute of the 30th of *Henry* VIII touching Precedency.

Is made Capt. General. 174.

11. A Patent constituting the Protector Captain-General, as well without the Kingdom as within it; dated *Aug.* 11, 1548 [y].

Visitation of the Universities. 178.

12. A Commission to visit the Universities of *Oxford* and *Cambridge*, with Power to the Commissioners to suppress one or two Colleges, in order to found one for the Civil Law, and another for Physick [z].

Sebastian Cabot's *Pension.* 181.

13. A Pension of 166 *l.* 13 *s.* 4 *d. Sterling* granted to *Sebastian Cabot*; dated *Jan.* 6, 1549 [a].

Earl of Warwick *High-Admiral.* 194.

14. A Patent of High-Admiral for *John* Earl of *Warwick*; dated *October* 28, 1549 [b].

Duke of Brunswick's *Pension.* 201.

15. A Pension of 375 *l. Sterling* granted to *Otho* Duke of *Brunswick* and *Lunenburgh*, *durante bene placito*; dated *Dec.* 24, 1549 [c].*

Ld. Chancellor's Power to make Denizens. 202.

16. A Power granted to Lord *Rich*, the High Chancellor, to make Denizens; dated *Jan.* 20, 1550 [d].

17. A Patent for the Office of Great Chamberlain of *England*, conferr'd on *William Parr*, Marquis of *Northampton*; dated *Feb.* 4, 1550 [e].

Duke of Somerset's *Pardon.* 205.

18. LETTERS of Pardon for the Duke of *Somerset*; dated *Feb.* 16, 1550 [f].

Earl of Warwick *High-Steward.* 208.

19. PATENT of High-Steward of the King's Houshold for the Earl of *Warwick*; dated *Feb.* 20, 1550 [g].

THIS Officer was formerly known by the Title of Seneschal of the King's Houshold. It was *Henry* VIII, who in Imitation of the Court of *France*, gave him the Title of High-Steward.

The Preamble to his Patent.

IN this Patent the King gives the following Character of the Earl of *Warwick*.

Cujus in Religione Christiana constanti-

[q] At *Westminster*. [r] At *Westminster*. [s] At the *Tower* of *London*. [t] At *Westminster*. [v] At *Westminster*. [w] At *Westminster*. [x] At *Westminster*. [y] At *Westminster*. [z] Dated *Nov.* 10, 1548, at *Westminster*. [a] At *Westminster*. [b] At *Westminster*. [c] At *Westminster*. [d] At *Westminster*. [e] At *Westminster*. * [f] At *Westminster*. [g] At *Westminister*.

* *We are told by Sir* John Hayward, *Kt. LLD. who wrote this Reign at large, that soon after this the Duke offer'd to serve the King with* 10,000 *Men in his Wars, and to court his eldest Sister the Lady* Mary, *but the King return'd Answer, that his Wars were just ended, and that at that time there was a Treaty on foot betwixt the Lady and the Infant of* Portugal.

am, in bello, ſeditione, & tumultu, fortitudinem, & animum erga Nos benevolum & fidiſſimum ſemper experti ſumus. Cujus commorantiam & perſonalem reſidentiam in Hoſpitio noſtro Regio, & circa perſonam noſtram Regiam, præſertim in hac tenera noſtra ætate, affectamus.

i. e. OF whoſe Conſtancy in the Chriſtian Religion, of whoſe Valour in War, and in ſuppreſſing ſeditious Riots and Tumults, and of whoſe Affection and Fidelity to us we have always had Experience; and whoſe Perſonal Stay and Reſidence in our Royal Palace, and about our Royal Perſon, we deſire, eſpecially in this our tender Age.

Polydore Virgil's Licence to go home. 234.

20. A Licence to *Polydore Virgil* to depart the Kingdom, and to return to his own Country; dated *June* 2, 1550[i].

His Reward.

THE King grants to *Polydore Virgil* a Power to keep his two Benefices, *viz.* the Archdeaconry of *Bath* and *Wells*, and the Priory of *Nonyngton* in the Dioceſe of *Hereford*, in Conſideration that he had liv'd 40 Years in *England*, and wrote the Hiſtory of it.

D. of Somerſet's Power to grant 200 Liveries. 235.

21. A Licence to the Duke of *Somerſet* to give his Livery to 200 Perſons, Gentlemen or others, beſides his ordinary Domeſticks; dated *June* 5, 1550[k].

Licence for printing the Pandects. 255

22. A Privilege granted for 7 Years to *Lawrence Torrentin*, a *German* by Birth, but a Printer at *Florence*, for the Impreſſion of the Pandects; dated *April* 18, 1551[l].

Duke of Somerſet's Execution, 295. *and his Accomplices,* 296.

23. ORDER for the Execution of the Duke of *Somerſet*. Without any Date[m].

24. ANOTHER for the Execution of Sir *Ralph Vane*, Sir *Miles Partridge*, Sir *Thomas Arundel*, and Sir *Michael Stanhope*, who were ſaid to be the Duke of *Somerſet's* Accomplices[n].

Cecil made Chancellor of the Garter. 330.

15. *WILLIAM Cecil* made Chancellor of the Order of the Garter; dated *April* 12, 1553.

ARTICLE II.

Affairs with Scotland.

HENRY VIII had expreſly recommended it to his Executors to employ all the Means poſſible in order to put the Treaty in execution which he had made with the *Scots* for the Marriage of his Son with the young Queen of *Scotland*. The Duke of *Somerſet* being made Protector, thought this was an Affair not to be neglected. Therefore he demanded of the *Scots*, in

Scots Refuſal to perform the Treaty for the Marriage of the young Queen to King Edward.

1547, to execute the Treaty, and upon their refuſal, reſolv'd to carry the War into *Scotland*, not with a View to conquer the Kingdom, but according to *Henry* VIIIth's Maxim, to oblige the *Scots*, by the Inconveniencies and Hazards of War, to perform the Treaty. The Regent of *Scotland* and the Queen Dowager being abſolutely againſt this Marriage, had taken timely Precautions to have Aſſiſtance from *France* in caſe of need. For *Henry* II, who was but juſt come to the Throne of *France*, thought he was concern'd to hinder the King of *England* from becoming alſo King of *Scotland*; and the two Princes of *Lorrain*, who had very great Credit with him, corroborated him in his Deſign to ſupport the *Scots*, leſt the Match ſhou'd take place betwixt the Queen, their Niece, and a Proteſtant Prince. At that time alſo, it ſeems, they had a Deſign to give their Niece in Marriage to the Dauphin. Be that as it will, when *Henry* II came to the Crown, he declar'd that he would aſſiſt the *Scots* with all his Power, which was what made the Protector of *England* fearful of engaging in this Affair, and he would have been glad of getting off on't with Honour: With this View he offer'd the *Scots* a Condition which wou'd never have been rejected, if there had not been a Deſign on foot to marry the young Queen to the Dauphin. He was willing to leave *Scotland* in quiet 'till the Queen came of Age, on condition that during that time ſhe ſhou'd be bred up in *Scotland*, without engaging in any Marriage. It was manifeſt, that during this Interval, *Edward* or *Mary* might die; and happen what would, the *Scots* would have been in the ſame Condition when the Queen came of Age, as when this Propoſal was made to them, which of Conſequence muſt appear advantageous to them. But the violent Party was too ſtrong for the moderate, and the Propoſal was rejected with very great Contempt. Conſequently the Protector continued his March towards *Scotland*, which Kingdom he enter'd, and won a great Victory over the *Scots* in which they loſt 14,000 Men, beſides 1500 Priſoners, of whom 800 were Gentlemen[o]. After this Battle, the Protector ſeiz'd *Edinburgh*, and made ſuch farther Progreſs as would have reduc'd *Scotland* to a fatal Extremity, or to the neceſſity of performing the Marriage-Treaty. But during this the Protector being inform'd of the Conſpiracies which his Brother the Admiral was forming to ruin him, quitted *Scotland* abruptly to return to Court, and loſt all the Fruit of his Victory, by not following the Blow.

Protector's Victory over the Scots at Muſſelburgh.

Earl of Shrewsbury made his Lieutenant-General.

IN 1548, after the Storm gathering againſt him was blown over by the Death of his Brother, he reſolv'd to repair his Miſtake by continuing the War againſt *Scotland*. But being loth to command in that Country himſelf, he put the Army under the Conduct of the Earl of *Shrewſ-*

[i] At *Weſtminſter*. [k] At *Weſtminſter*. [l] At *Weſtminſter*. [m] The Execution was on the 22d of *January*, 1552.
[n] Dated at *Weſtminſter*, *Feb.* 25, 1552. [o] This Battle was fought in 1547, the 10th of *September*.

bury,

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bury, whom he appointed his Lieutenant, by virtue of a new Patent from the King which gave him the Power of such Nomination.

Browghty Castle besieg'd by the Scots,

WHILE this Army was preparing in *England*, the Regent of *Scotland* besieg'd the Castle of *Browghty*, which the *English* had taken in the preceding War, and he was three Months before that Place with all the Forces of the *Scots*; which gave the *English* Time and Opportunity to be Masters

and Hadington.

of the Castle of *Hadington*, and to fortify it, which Place being but 12 Miles from *Edinburgh*, was a very great Annoyance to that Capital.

They receive Succours of France.

BUT it being not long before the *Scots* received a Succour of 6000 Men from *France*, under Command of *Desse d' Epainvilliers*, they join'd him with 8000 Men of their own Troops, and went and besieg'd *Hadington*; and 'twas during this Siege, that after several Conferences between the *French* and *Scots*, a Resolution was taken to send the young Queen of *Scotland* to *France*. Indeed the Proposal met with vast Opposition from many of the great Men, who fear'd what wou'd be the Consequence of so important a Resolution; but the *French* Party prevail'd. The Queen Dowager earnestly wish'd for the Marriage of her Daughter to the Dauphin. On the other hand, the King of *France* threaten'd to call home his Troops, and wou'd not continue his Assistance of *Scotland* any longer, but on condition that the Queen

Regent made Duke of Chatelherault.

shou'd be put into his Hands. At length he gain'd the Regent by offering him the Title of Duke of *Chatelherault* in *France*, together with 12000 Livres *per Annum* in Land; and the young Queen was sent to *France* with the same Ships that had brought over the *French* Succours.

Queen of Scotland sent to France.

MEAN time, the Earl of *Shrewsbury* putting himself at the Head of an Army, consisting of *English*, and a Body of Landsquenets which was sent for from *Germany*, caus'd the Siege of *Hadington* to be

Siege of Hadington rais'd.

rais'd, and threw a fresh Supply of Provisions into it; after which he advanc'd farther into *Scotland* in order to offer the Enemy Battle, but perceiving that they would not accept it, he retir'd. After he was withdrawn, *Desse* made an Incursion into *England*, and advanc'd to *Newcastle* without meeting with any Opposition; but what became of the Earl of *Shrewsbury* and his Army we know not.

French lord it in Scotland.

IT was not long e'er the *Scots* repented of sending their Queen to *France*. For she was no sooner gone, but the *French* began to lord it over *Scotland*. *Desse* treated the *Scots* with a deal of Contempt, and in a little time *Monluc* Bishop of *Valence*, came over to exercise the Office of Great Chancellor in *Scotland*. But upon the Complaints of the Queen Dowager, they were both recall'd, and the Court of *France* sent *Thermes* to supply the Place of *Monluc*.

Forces sent against the Rebels in Norfolk.

IN 1549, the Protector put the Earl of *Warwick* at the Head of an Army, in order to act against *Scotland*, but was obliged to employ it against the Rebels in *Norfolk*, who were become very formidable; for which Reason, despairing of being able to keep *Hadington*, he caused the Fortifi-

Hadington-Castle demolish'd.

cations of it to be demolish'd, for fear it wou'd fall into the Hands of the *Scots*, as *Browghty Castle* did, which they had just taken.

THIS, properly speaking, put an End to the War with *Scotland*, from which the Protector could no longer hope for Advantage, because, even tho' he had made greater Efforts, he could never have attain'd to the End which he propos'd to himself when he began the War, I mean the Performance of the Marriage-Treaty, since the young Queen was in the Hands of the King of *France*. At length a Peace being

Peace renew'd with France and restor'd to Scotland.

renew'd in 1550, betwixt *France* and *England*, certain Articles were inserted in the Treaty relating to *Scotland*, *viz.* the Demolition of two or three small Places, which the *English* still held in that Kingdom; and it was agreed that *Edward* should no longer make War against *Scotland*, unless the *Scots* gave him some new Occasion to fall out with them; which was as much as to say, that indirectly he desisted from the Execution of the Contract that had been made for his Marriage with the Queen of *Scotland*.

AFTER that time, *Scotland* was pretty quiet. The Duke of *Chatelherault* was still Regent, but suffer'd himself to be govern'd by the Archbishop of St. *Andrews*, his Bastard Brother, a Man who led a Life not quite so pious as became a Clergyman. Moreover, the Regent's Authority was

Regent's Authority less-sen'd.

very much lessen'd by his Dependance on the Court of *France*, who had the Queen in their Power, and sent him such Orders as they thought expedient.

BESIDES, the Queen *Dowager*, who was supported at the Court of *France* by the Duke of *Guise*, and the Cardinal of *Lorrain*, her Brothers, kept the Regent so much in Awe, that he had no more than the Shadow of Authority; for strictly speaking, it was the Queen Dowager that govern'd the Kingdom.

IN 1551, the Queen *Dowager* not content with a borrow'd Power, made a Voy-

Queen Dowager goes to France.

age to *France*, on pretence of going thither to see the Queen her Daughter; and by the Interest of her Brothers, she obtained the King's Consent for the Regency of *Scotland*, if she could get Leave from the Duke of *Chatelherault*. When she was

return'd

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Anthon her return has the Regency resign'd to her.

return'd to *Scotland*, she sent a civil Message to the Duke, that it would be much more to his Advantage to yield the Regency to her with a good Grace, than to be forced to it by Orders from the higher Powers. The Duke, who was beforehand informed of the King of *France*'s Will and Pleasure, was convinc'd that it would be in vain for him to oppose it; and besides, he was very glad to keep what he possess'd in *France*, and therefore he resign'd the Regency to the Queen, notwithstanding the Solicitations of the Archbishop his Brother to the contrary, who did all he could to divert him from it.

Archbishop of St. Andrew's *Cabals among the Clergy frustrated by the Queen's throwing her self upon the Protestants.*

THE Prelate missing his Aim, caball'd among the Clergy, in hopes of engaging them to thwart the Queen's Designs; which was the Reason that, in order to support her self against the Attacks of the Clergy, she chose to rely upon the Assistance of the Protestants, who were already very numerous in *Scotland*, by granting them leave to worship God in their own Houses, after their own manner. By this means she preserv'd the Regency, and baffled the Designs of the Archbishop.

The Acts relating to Scotland *are,*

Safe Conduct for the Bishop of Ross. 131.

I. A safe Conduct for the Bishop elect of *Ross*; dated *March* 2, 1547 [n].

Edward's *Conventions with some* Scots *Gentlemen.* 131.

II. CONVENTIONS between *Edward* VI and certain *Scots* Gentlemen; dated *March* 9, 1547 [o], in Substance as follows;

1. THAT they shall use their Endeavour to have the Marriage accomplish'd; that they shall give Hostages for the performance of it, and declare against those who are for a War with the *English*.

2. THAT during the Queen's Minority, they shall not suffer St. *Andrew*'s *Castle* to be put into the Hands of the Queen Dowager, or the Regent, without the Consent of the King of *England*,

3. THAT they shall deliver up the Regent's Son, who is in their Hands, to the King.

4. THAT the King shall maintain for them 120 Foot and 40 Horse for the Guard of the Castle of St. *Andrew*.

5. THAT he shall furnish them with Artillery and Ammunition.

6. THAT he shall grant them Pensions.

7. THAT he shall put them in possession of their Estates in *Scotland*, or else make them Amends in *England*.

Lord Gray *of* Angus's *Terms propos'd to the King.* 142.

III. CONDITIONS propos'd to the King by *Patrick* Lord *Gray*, Lord of *Angus*; dated *March* 11, 1547, viz [p].

1. THAT his Brother be restor'd to him who is now an Hostage.

2. THAT Assistance be given him to take St. *Johnstown*. EDWARD VI.

3. HE engages to use his Efforts to accomplish the Marriage, and to deliver up the Queen to *Edward*.

4. To keep St. *Johnstown* for the King.

5. To deliver up one of its Castles.

6. To assist the King with all his Power.

Engagement of the Scots *Conventioners.* 144.

IV. THE Engagement of the *Scots* Gentlemen nam'd in the Conventions of *March* 9, relating to those Conventions; dated *March* 15 1547 [q].

Earl Bothwell's *Patent.* 150.

V. *EDWARD* VIth's Letters Patent in favour of *Patrick*, Earl of *Bothwell*; dated *Sept.* 3, 1549 [r].

"THE Earl of *Bothwell* having recog-
"niz'd *Edward* for Sovereign Lord of
"*Scotland*, the King takes him into his
"Protection, grants him a Pension of 3000
"Crowns, promises to maintain 100 Horse
"for him, and to reward him in *England*,
"in case he lose his Lands in *Scotland*.

Articles relating to Scotland *in the Treaty betwixt* France *and* England *about* Boulogne. 211.

VI. ARTICLES relating to *Scotland* inserted in the Treaty betwixt *France* and *England*, for the Restitution of *Boulogne*; dated *March* 24, 1550, in Substance as follows, *viz* [s].

THAT the Forts of *Douglas* and *Ladre* be restor'd to the Queen of *Scotland*.

THAT if those two Places are out of the King of *England*'s Power, he shall in lieu thereof cause *Aymouth* and *Roxburgh* to be demolish'd, and that these two Places shall not be rebuilt by either of the two Parties.

THAT if the King of *England* restore *Douglas* and *Ladre*, and the Queen of *Scotland* is dispos'd to demolish them, he shall be oblig'd to cause *Aymouth* and *Roxburgh* to be demolish'd also, under the same Condition, that they shall not be rebuilt either by the *English* or *Scots*.

THAT the King of *England* shall not attack *Scotland*, if the *Scots* don't give him fresh Occasion.

ALL other Pretensions of *England*, *France*, and *Scotland*, are reserv'd reciprocally.

Queen of Scots *Ratification.* 255.

VII. THE Ratification of *Mary* Queen of *Scotland*, as to what concerns her in the Treaty made for the Restitution of *Boulogne*; dated the 13th of the Calends of *May*, 1551 [t].

Her Treaty with Edward. 263.

VIII. COMMISSION of *Mary* Queen of *Scotland* to treat with *Edward*; dated *May* 8, 1551 [v].

Q. Dowager's Passport. 269.

IX. SAFE Conduct for the Queen Dowager of *Scotland*, returning thro' *England* in her way from *France* to *Scotland*; dated *May* 12 [w].

[n] At *Westminster*. [o] At the Castle of St. *Andrews*. [p] At St. *Andrew's Castle*. [q] At the Castle of St. *Andrews*. [r] At *Westminster*. [s] In a Field near *Boulogne*. [t] At *Edinburgh*. [v] At *Edinburgh*. [w] At *Westminster*.

X. A

FOEDERA Tom. XV. Treaty with Scotland. 265.

X. A particular Treaty betwixt *England* and *Scotland*; dated at *Norham*, *June* 10, 1551, in Subſtance as follows; *viz.*

THE Boundaries ſhall be the ſame as they were before the War betwixt *Henry* VIII and *James* V.

THE Lands diſputed, or the debateable Grounds, ſhall be upon the ſame Foot.

BERWICK to be a free Town, independent on either of the two Kingdoms.

THE Houſe and Mill of *Edrynton* ſhall be reſtor'd to *Scotland*.

XI. THE Paſsport for the Queen Dowager of *Scotland* renew'd by an Act dated *Sept.* 17, 1551 [o].

Treaty with Scotland. 316.

XII. TREATY betwixt *England* and *Scotland* about the debateable Lands; dated *Sept.* 24, 1552 [p].

Ratification. 319.

XIII. RATIFICATION of *Mary* Queen of *Scotland*; dated *Nov.* 9, 1552 [q].

ARTICLE III.

Affairs with France.

IN 1547, immediately after the Death of *Henry* VIII, *Francis* I ſent an Ambaſſador to *Edward* VI, to congratulate him, and to renew the Alliance lately made with the King his Father. This Embaſſy was productive of two Treaties, which were concluded at *London March* 11, 1547. The firſt was only a Confirmation of the Alliance between the two Crowns. The ſecond regulated the Limits of *Boulogne*, while that Place remain'd in the Hands of the *Engliſh*, and the Demolition or Continuation of certain Fortifications which had been begun in the Neighbourhood of *Boulogne* before, or after the late Treaty.

Treaties with France.

FRANCIS I dying the 31ſt of *March*, 20 Days after the Concluſion of the Treaties I have now mention'd, without having ratify'd them, the Council of *England* gave Order to *Nicholas Wootton*, Ambaſſador in *France*, to congratulate *Henry* II, the new King of *France*, and to deſire the Ratification of the two Treaties concluded at *London*. But the Court of *France*, by changing their Sovereign, had alſo chang'd their Maxims and Politicks, and form'd other Projects. The Duke of *Guiſe*, and the Cardinal of *Lorrain*, who had a great Share of Credit with the new King, perſuaded him that it was his Intereſt to hinder the King of *England* from marrying the Queen of *Scotland*; that for this End he ought to ſupport the *Scots*: and that to prevent the *Engliſh* from making a Diverſion in *France*, by means of *Boulogne*, it was abſolutely neceſſary, before all things, to regain that Place, coſt what it would. *Henry* purſuing this Advice, refus'd to ratify the two Treaties concluded at *London*, and diſown'd the Ambaſſador of the King his Father, who had ſign'd them. He thereby not only reſerv'd to himſelf a Cauſe of Quarrel, touching the Limits and Fortifications of *Boulogne*, but by refuſing to renew the Alliance, he alſo manifeſtly ſhew'd that he had a Deſign to break the Peace. For, this very Year he ſignify'd to the Protector, that if he did not cauſe a Stop to be put to the Works that were carrying on at the Fort of *Bullenberg*, he ſhould reckon it an Infraction of the Peace. It had been expreſly agreed in the Treaty, that all the Works that were begun before the Peace, might be perfected; and as thoſe of the Fort of *Bullenberg* were of this Claſs, the Protector was manifeſtly authoriz'd by the Treaty to continue them. Nevertheleſs, as a new War with *France* was no ways conſiſtent either with the Deſigns he had form'd, or with his own private Intereſts, or thoſe of the Kingdom, he caus'd the Works that were begun to be diſcontinued.

Which the new King of France refuſes to ratify.

He ſends Succours to the Scots, and takes away the Queen.

BUT this Moderation of his was not capable to avert that War from him which he was afraid of. For in 1548, the King of *France* ſent 6000 Men to the Aſſiſtance of the *Scots*, and carry'd off the Queen of *Scotland* from the King of *England*, to whom ſhe had been promis'd in Marriage. Nor did he ſtop there, for in 1549, taking the Opportunity with which the Rebellions then in *England* furniſh'd him, he enter'd into the *Boulonnois*, at the Head of an Army, without declaring War, and after having taken in ſome of the Forts about *Boulogne*, he laid Siege to that City. It had been agreed by the laſt Treaty of Peace, that the King of *France* ſhould pay the King of *England* two Millions of Crowns of Gold in 8 Years time, and that during that ſpace *Boulogne* ſhould remain in the Hands of the *Engliſh*. But *Henry* II wanted to have the Place, not only before the Time fix'd by the Treaty, but alſo without paying the Sum therein ſtipulated. The only Reaſon he alledg'd to juſtify his Proceeding was, that the War which *Henry* VIII made againſt *Francis* I was unjuſt, and that by Conſequence it was allowable for him to lay hold of the Opportunity that preſented to make *France* Amends for her Loſſes. But beſides that the greateſt part of the two Millions was due to *Henry* VIII before he had taken *Boulogne*, if the Reaſon urg'd by the King of *France* ought to have taken Place, no Treaty of Peace wou'd ever have been concluded that could be rely'd on. Be that as it will, *Henry* II caring very little what the *Engliſh* or the Publick could ſay about his Conduct, continu'd the Siege of

King of France beſieges Boulogne.

[o] At *Weſtminſter*. [p] On thoſe Lands. [q] At *Jedburgh*.

FOEDERA Tom. XV.

A Plague in the French *Army.*

The Protector's Reasons for declining a new War.

Boulogne. But his Army being infected with the Plague, he left the Command of it to *Gaspar de Coligny*, who was at length oblig'd to turn the Siege into a Blockade.

THIS new War made the Protector extremely uneasy for many Reasons. In the first Place, he was for establishing the Reformation in *England* on a good Footing, for which a time of War was not a fit Juncture. *Secondly*, He knew that the King of *France* had promis'd a great Supply to the Protestants of *Germany*, as soon as he should have recover'd *Boulogne*; from whence he inferr'd, that the said Monarch would make a powerful Effort next Campaign to execute his Design. By Consequence, *England* would be expos'd to a very considerable Expence to maintain this War. In the third place, the King's Coffers were empty, and the Protector was afraid of a new Rebellion, if he should be forc'd to oppress the People. *Fourthly*, He was in as much Fear of the Nobility, among whom he had a great Number of Enemies. *Fifthly*, Nothing could be more for the Advantage of the Reformation than the Union of *France* with the Protestants of *Germany*, to which his Intention of keeping *Boulogne* was entirely opposite: All these Reasons made him resolve to propose the Surrender of *Boulogne* in Council. But a Conspiracy being already form'd to ruin him, the Proposal was receiv'd with Indignation, and the Protector's Enemies made this their main Handle, to act openly against him, as I mention'd before in the Article of Domestick Affairs.

IN 1550, the Duke of *Somerset* being remov'd from Council, the Earl of *Warwick* and the rest of the Counsellors were as much perplex'd as he, what to do in the Affair of *Boulogne*. The King of *France* was just ready to attack the Place with all his Forces; and there had been no Preparation to defend it, tho' the Council made such a Noise of the Dishonour it would be to give it up. 'Twas resolv'd therefore to restore *Boulogne* to *France*, and all the Difficulty now consisted in a Punctilio of Honour, which did not permit *England* to make Advances on that Subject. But this Scruple was remov'd by means of *Guidotti*, a Merchant of *Florence*, who liv'd at *Southampton*; which Merchant being privately sent to *Paris*, found means to get some loose Proposal in Commission from the Constable of *Montmorency*: And upon this Foundation, the two Courts sent Plenipotentiaries to *Picardy*, where the Treaty was soon concluded on

The Restitution of Boulogne *to* France.

the 24th of *March*, 1550. By the said Treaty *Boulogne* was restor'd to *France*, on paying a Sum of 400,000 Crowns in Gold, one half at the time of Restitution, the other before the 15th of *August*.

EDWARD VI.

IN 1551, the King, by the Earl of *Warwick*'s Direction, sent Ambassadors to *Henry* II, to carry him the Order of the Garter, and to propose a Match to him betwixt their King and his Daughter *Elizabeth*; which Proposal being accepted, the Marriage-Treaty was sign'd at *Angers* the 19th of *July*, but 'twas not to be consummated 'till the Princess was twelve Years old. It was given out by many, that the Earl of *Warwick* had nothing in View but to amuse young *Edward*, who he well knew would die before the time was come for the Consummation of the Marriage.

The Garter sent to the French King.

Marriage-Treaty for Edward *with the King of* France's *Daughter.*

The Acts which relate to France *are,*

1. A Commission from *Francis* I to agree with *Edward* VI about the River of *Boulogne*, and certain Points relating to the Fortifications; dated *Feb.* 15, 1547 [r]. *Conventions about* Boulogne. 126.

2. A Treaty about the Limits of *Boulogne*; dated *March* 11, 1547 [s]. 135.

3. ANOTHER for confirming that of *June* 7 between *Francis* I and *Henry* VIII, of the same Date as the former. 139.

4. A Commission from *Henry* II to treat of a Peace with *England* at a Place to be agreed on; dated *Jan.* 20, 1550 [t]. *Henry's Commission to treat with* England. 202.

5. A Treaty for the Restitution of *Boulogne*, which was concluded betwixt *Boulogne* and *Fort d' Outreau* on the Banks of the River *Lyane*; dated *March* 24, 1550, and importing, "That there shall "be a true, stable, firm, inviolable, sin-"cere, perpetual and certain Peace, Friend-"ship, Confederacy, Union, League, and "Harmony, *&c.*

Restitution of Boulogne. 211.

"THAT *Boulogne* shall be restor'd to "*France* in six Weeks *.

"THAT the King of *France* shall pay "the King of *England* 400,000 Crowns "of Gold of the Sun †, *viz.* 200,000 "Crowns at the taking possession of *Bou-*"*logne*, and 200,000 Crowns by the 15th "of *August*.

"ALL the other Pretensions of *England* "upon *France*, or of *France* upon *Eng-*"*land*, are reciprocally reserv'd."

6. THE Attestation of *Francis* of *Montmorency*, and of *Gaspar de Coligny*, that the City of *Boulogne* has been restor'd to them; dated *April* 25, 1550 [v]. 228.

7. RATIFICATION of the Treaty of *Boulogne* by *Henry* II, and that King's Oath. 'Tis dated *May* 8, 1550. 232.

[r] At *la Muette*. [s] At *London*. [t] At *Fontainbleau*. [v] At *Boulogne*

* THIS discovers a gross Error in Sir *John Hayward's* History, which makes it six Months.

† SIR *John Hayward* makes the Value of each Crown 6 *s.* 8 *d.* Sterling.

FOEDERA Tom. XV. Edward's Marriage-Treaty. 273.

8. TREATY for the Marriage of *Edward* VI with *Elizabeth* of *France*, Daughter of *Henry* II; dated at *Angers*, *July* 19, 1551.

ARTICLE IV.

Affairs of Religion.

I ſhall not enlarge much upon this Article for two Reaſons. 1. Becauſe in this Tome of the *Fœdera* we find but few important Acts on that Subject. 2. Becauſe the Alteration which was made in Religion in the Reign of *Edward* VI, has been ſo well accounted for in the Biſhop of *Salisbury*'s *Hiſtory of the Reformation* of *England*, that it would be loſs of Time here to enter into a long Train of Particulars upon that Subject.

THE Death of *Henry* VIII, in 1547, having deliver'd the People of *England* from that Fear and Slavery to which they were ſubject during that Prince's Reign, the Proteſtants made no longer ſcruple to declare their Sentiments, and even to preach them publickly, tho' the Laws made in the Reign of *Henry* VIII were ſtill in Force. The Advancement of the Duke of *Somerſet* to the Dignity of Protector made them conceive great Hopes, becauſe that Lord was entirely of their Party. Moreover, they had the King himſelf on their ſide, together with the two Archbiſhops, ſeveral Biſhops, and others of the Heads of the Clergy, beſides a conſiderable number of Friends among the great Men, and the common People. Conſequently all the Authority was on their ſide, becauſe they were ſupported by the Government. Their Enemies, who were not in ſo advantagious a Situation, were ſenſible that their Religion could expect no Favour; ſo that without ſtriving to alter what was now done, all they pretended to was to hinder any greater Changes. For this Purpoſe they maintain'd that nothing could be decided with reſpect to Religion under a Minority. Becauſe nothing could be done in it but by virtue of the King's Supremacy, they pleaded for the neceſſity of ſtaying 'till he was of Age to exerciſe it, and to know Religion by himſelf, and not by the Eyes of another. But they that were at the Helm, would by no means admit of this Maxim, which might have Influence upon the other Affairs of the Government; and they maintain'd that the Royal Authority was the ſame, whether the King was of Age or not.

The advantageous Situation of the Proteſtants.

UPON this Plea they began to promote the Reformation by a general Viſitation of the Churches, with a Power to the Viſitors to aboliſh the groſſeſt Abuſes, particularly with reſpect to Images. *Bonner* Biſhop of *London*, and *Gardiner* of *Wincheſter*, were the only Biſhops of the whole Bench that oppos'd the Regulation which the Viſitors made. They went upon the Maxim I have juſt now mention'd, that *no Change could be made in Religion during the Minority of a King*; but for their refuſal they were both confin'd, *Bonner* to the *Tower*, and *Gardiner* to his own Houſe. The latter had his Liberty by virtue of an Act of Grace which was granted at the End of the firſt Seſſion of Parliament; but in the Year following he was ſent to the *Tower* for the very ſame Fault. *Bonner* was alſo reſtor'd to his Epiſcopal Functions, but he did not hold it long. Princeſs *Mary* complain'd likewiſe very bitterly, in a Letter ſhe wrote to the Council, againſt the Alterations made in Religion during the King's Minority. But the Protector ſent her an Anſwer which convinc'd her that the King and Council did not intend to be directed by her, and that ſhe had nothing to do but to obey.

Bonner *and* Gardiner *confin'd for oppoſing the Viſitation of Churches.*

Princeſs Mary *complains to Council againſt the Alterations in Religion.*

THE Parliament which met the 4th of *November* made ſome Advances towards a Reformation beyond what had been known in the Reign of *Henry* VIII. They repeal'd certain Acts made formerly againſt the *Lollards*, revok'd the Law of the ſix Articles, confirm'd the King's Supremacy, aboliſh'd private Maſſes, and gave the Cup to the Laity in the Communion. The King was inveſted with a Power to nominate to vacant Biſhopricks, by which means the *Conges d' Eſlire*, which for ſome time paſt were only Grimace, becauſe they were always at the Pleaſure of the Court, were aboliſh'd. The Juriſdiction of the Eccleſiaſtical Courts was alſo reſtrain'd, and at length the Parliament granted the King all the Lands ſet apart for the Maintenance of Chantries, and all other Revenues appropriated to ſuperſtitious Uſes, as the Support of Lamps, Fraternities, and other things of that Nature. This Article was paſs'd notwithſtanding the Oppoſition of *Cranmer* Archbiſhop of *Canterbury*; who foreſeeing the ill Uſe that would be made of it, deſir'd that the Diſpoſition of thoſe Eſtates might be deferr'd 'till a fit Opportunity preſented to employ them for the Service of the Publick and the Church.

Further Advances of the Parliament towards a Reformation; by Acts repealing thoſe againſt the Lollards, *and the ſix Articles, by other Acts concerning the Sacrament, and the Nomination of Biſhops, and for aboliſhing private Maſſes and Chantries.*

THE King, the Protector, and the Parliament, having manifeſted by ſuch Conduct their Deſign to make a thorough Reformation, ſeveral eminent Men among the Proteſtants of *Germany* retir'd to *England*, there to enjoy that Liberty of Conſcience which was deny'd them in their own Country, after the great Advantages which the Emperor had gain'd over the League of *Smalcald*. Of this number were *Peter Martyr*, *Bucer*, *Ochinus*, and *Fagius*, to whom the King granted Penſions and Benefices for their Subſiſtence.

Proteſtants come over from Germany *for Liberty of Conſcience.*

THE

FOEDERA Tom. XV.

THE Parliament, which met again on the 24th of *November*, 1548, made a farther Progreſs in the Affair of the Reformation. They permitted Prieſts to marry, and approv'd the new Liturgy drawn up by their Order, in which many things were reform'd, eſpecially in the Office of the Communion: This reformed Liturgy is much the ſame that the Church of *England* makes uſe of at this Day.

Parliament's further Progreſs in the Reformation.

The Liturgy ſettled.

NOTWITHSTANDING theſe advantagious Alterations, yet the greateſt Number of the Reformed were diſpleaſed that Matters were not carried further. They knew that the Protector had a great many Enemies, and were afraid that if he ſhould miſcarry, his Fall would be the Ruin of the Reformation, in which thoſe Zealots were always oppos'd by *Cranmer*, who was for advancing it by little and little.

Princeſs Mary *refuſes it.*

IN 1549, after the Prorogation of the Parliament, the new Liturgy was received in all the Churches, only Princeſs *Mary* refuſed to admit it in her Chapel. But the King and Council had reſolved to have compell'd her, if the Emperor's powerful Interceſſion had not prevented its being put in execution.

Commiſſion to try the German *Anabaptiſts.*

THE Protector and Council being inform'd ſome time after, that a great Number of Anabaptiſts were come from *Germany* into *England*, iſſued a Commiſſion in the King's Name to *Cranmer*, and ſome others, to proceed againſt them by the Laws of the Realm. An *Engliſh* Woman, whoſe Name was *Joan Butcher*, or *Bocher*, otherwiſe call'd *Joan* of *Kent*, being converted by them, was declared a Heretick by the Commiſſioners, and as ſuch deliver'd over to the Secular Power, who condemn'd her to the Flames. The King reſiſted a long time before he could be prevailed on to ſign the Order for the Execution; and it was only owing to the vehement Sollicitations of *Cranmer*, that he ſign'd it at laſt, with Tears in his Eyes, telling the Prelate at the ſame time, that he ſhould be anſwerable for it in the Preſence of God. But this extreme Severity gain'd *Cranmer* no Reputation, and he was ſure to be twitted with it as often as an Opportunity offered *. A *Dutchman* of the ſame Sect was alſo executed in the ſame manner †. But *Cranmer* and the reſt little thought that the time was coming when they that had the Power in their Hands, would treat them in the ſame manner.

An Engliſh *Woman of that Sect burnt,*

and a Dutch*man.*

EDWARD VI.

IT had been a Rule with *Bonner*, Biſhop of *London*, to make the greateſt Oppoſition that he could to all the Alterations that were making in Religion, becauſe he acted upon the Maxim I have already mention'd, touching the Authority of a King under Age; but when the thing was once decided, and paſſed into a Law, he acquieſced in it with a good Grace, and by that means ſuffer'd no Advantage to be taken of him with reſpect to his publick Actions. But it was known, that in private he diſapproved of every thing that was done, and endeavoured to propagate Maxims that were very dangerous. Nevertheleſs, for all his Diſſimulations, he render'd himſelf ſo ſuſpected, that the Council reſolved to make Trial of him: Therefore an Order was ſent him to preach upon a certain Day in St. *Paul*'s Church, *London*, and ſolidly to eſtabliſh certain Points in his Sermon, of which this was the principal, *That a Minor King has as much Authority as a King that is of Age.* He preach'd as he had been ordered, and let fall ſome equivocal and dangerous Propoſitions in his Sermon, without mentioning one Word about the main Article relating to the Authority of a King under Age. Upon this the King having appointed Commiſſioners to proceed againſt him, he was depriv'd, and ſent to the *Tower*.

Bonner's Conduct.

His Sermon,

and Impriſonment.

THIS was quickly followed by the Diſgrace of the Duke of *Somerſet*, after which the Earl of *Warwick* uſurp'd the Adminiſtration of the Government. The Pope's Party knowing that the new Miniſter would be favourable to them, and unravel all that the Duke of *Somerſet* had done, began already to triumph; but their Hopes were vain. *Warwick*, who proſtituted Religion to his ambitious Views, thought that in order to ſupport himſelf, it would be better for him to conform to the Inclinations of the King, and the Majority of the People, than to pretend to thwart them. He abus'd the Earl of *Southampton*, one of the moſt zealous Champions for the Pope, to ſuch a degree that he broke his Heart. Conſequently they who were ſtill attach'd to the old Religion, had Reaſon to be convinc'd that they had no Good to expect from the Credit of the Earl of *Warwick*.

Earl of Warwick's Policy.

Ill Treatment of the Earl of Southampton.

* THE Author of the Notes upon this Reign in the *Complete Hiſtory of* England, Tom. II, vindicates the Archbiſhop from this ſevere Charge, on account of his Humanity and Tenderneſs of Nature; and obſerves that he was put upon it by the Council, according to the Confeſſion of *Fox* himſelf, whom he blames for Ill-will to Churchmen, in aſperſing a Prelate who was the chief Inſtrument of our Reformation. The late Biſhop *Burnet*, who ſays that this *Joan Bocher* was burnt for denying the Incarnation of *Chriſt*, and that ſhe was ſo extravagantly conceited and enthuſiaſtical that ſhe was fitter for *Bedlam* than the Stake, obſerves, That the Anabaptiſts that came over from *Germany* at this time were of two Sorts; that the one only objected to the ſprinkling of Children, but the other held many Opinions that had been anciently condemned as Hereſies, of which latter Sort was this *Joan Bocher*.

† HIS Name was *George van Parre*; who, according to the Biſhop of *Sarum*, was burnt for denying the Divinity of Chriſt.

FOEDERA Tom. XV.

In the Year 1550 the Biſhoprick of *Weſtminſter*, founded by *Henry* VIII, was united to the Biſhoprick of *London*, in favour of *Nicholas Ridley*; and in order to compenſate *Thyrleby*, who was Biſhop of *Weſtminſter*, he was made Biſhop of *Norwich*.

See of Weſtminſter united to London.

STEPHEN Gardiner, Biſhop of *Winchester*, who was as much ſuſpected as *Bonner*, was depriv'd in the Year 1551. That ſame Year the old Religion receiv'd a mortal Stab by a new Confeſſion of Faith, in which the Maſs, the real Preſence, and Tranſubſtantiation, were aboliſhed. The Princeſs *Mary* abſolutely refuſed to conform to theſe Alterations, and finding that the King was reſolv'd to uſe her with Violence, ſhe actually intended to leave the Kingdom, but was prevented *. There's ſome Probability that if the Earl of *Warwick* had already form'd a Deſign to exclude her from the Succeſſion, he would not have been againſt her withdrawing out of the Kingdom, becauſe ſhe could not have done him ſo much Hurt abroad as at Home.

Bp. Gardiner depriv'd.

A new Confeſſion of Faith rejected by Princeſs Mary.

HEATH, Biſhop of *Worceſter*, and *Day*, Biſhop of *Cheſter*, were depriv'd in the Year 1552, becauſe of their having been ſo vigorous in oppoſing the Progreſs of the Reformation. It ſeems that the Council had reſolved to make all the Efforts poſſible, in order to reconcile by fair means thoſe of the Biſhops who were ſtill attach'd to the old Religion, and to get rid of the moſt obſtinate of them by Deprivation; but theſe Deprivations were attended with great Difficulty. After the King had been veſted with a Power to nominate to Biſhopricks, he gave Patents to the Biſhops, which conferred the Sees on them *durante vitâ*; therefore in order to degrade a Biſhop, there was a neceſſity of appointing Commiſſioners, and to find out Crimes, either real or imaginary, which might render the Biſhop accuſed worthy of Deprivation. For this Reaſon the Council thought it proper that the King ſhould confer no more Biſhopricks but with this Clauſe or Condition, *quamdiu ſe bene geſſerit*. By that means, a Biſhop might be turn'd out of his Biſhoprick without any Examination, by the King's meer Will and Pleaſure. Queen *Mary* did not fail to make uſe of thoſe ſame Patents to turn out thoſe very Biſhops whom *Edward* had eſtabliſhed with this Condition.

Biſhops of Worceſter and Cheſter depriv'd.

Biſhops made by the King's Patents.

EDWARD VI.

TONSTAL, Biſhop of *Durham*, was alſo depriv'd this Year, but not ſo much on account of his Religion, as for the Dignity of *Palatine*, which was annexed to his Biſhoprick, and with which the Earl of *Warwick* deſired to be inveſted, as he actually was after the Biſhoprick of *Durham* was ſuppreſſed. Of this ſame Biſhoprick, ſtripp'd of the *Palatinate*, the King founded two Sees, one at *Durham*, and the other at *Newcaſtle* †.

Biſhop of Durham *depriv'd.*

THUS have I given the Subſtance of the moſt material Events relating to Religion in the Reign of *Edward* VI. The Curious who wiſh to know farther Particulars, may conſult the *Hiſtory of the Reformation of* England, ſo often mentioned.

The Acts in this XVth *Tome of the* Fœdera, *relating to Religion, are,*

1. AN Act eſtabliſhing Commiſſioners to take Care that the Conditions upon which the new Cathedrals were founded, be duly executed; dated *March* 10, 1547. [w] *Act relating to the new Cathedrals.* 134.

2. THE Creation of *Henry Holbeche*, Biſhop of *Lincoln*; dated *Auguſt* 19, 1547 [x]. *Biſhop of* Lincoln. 155.

3. THE Tranſlation of the Biſhop of St. *Davids* to the See of *Bath* and *Wells*, by Letters Patent, purſuant to the Act of Parliament for aboliſhing Elections; dated *Feb.* 3, 1548 [y]. *Of* Bath *and* Wells. 169.

4 THE Grant of a Penſion of 40 Marks for Life to *Peter Martyr* a *Florentine*; dated *May* 9, 1548 [z]. Peter Martyr's *Penſion.* 170.

5. LETTERS Patent for conferring the vacant See of St. *Davids* on *Robert Ferrar*; dated *July* 31, 1548 [a]. *Biſhop of St.* David's. 173.

6. A Commiſſion for the Trial of the Anabaptiſt Hereticks ‡; dated *April* 12, 1549 [b]. *Commiſſion for the Trial of the Anabaptiſts.* 181.

7. A

* BISHOP *Burnet* ſays, the Emperor eſpouſed her Quarrel ſo warmly, that he threaten'd to make War, if ſhe ſhould be hardly us'd; and the Merchants having then great Effects at *Antwerp*, the Council, for fear they ſhould be ſeiz'd, were willing to let the Matter fall; and prevail'd on her to have her Maſs ſaid ſo privately as not to give Offence, which *Edward*, tho' with great Regret, conniv'd at.

† THE former was to have 2000 Marks Revenue, and the latter 1000. There was alſo a Dean and Chapter to be endow'd at *Newcaſtle*, but the King's Death put a Stop to the Affair; and upon the Acceſſion of *Mary*, the old Biſhoprick of *Durham* was new erected, and *Tonſtal*, who was depriv'd and committed to the *Tower*, as Dr. *Burnet* ſays, upon an Information of Miſpriſion of Treaſon, was reſtored. See alſo *Stow*'s Annals, where 'tis ſaid, that the Pretence for diſſolving this Biſhoprick was the great Extent of it, ſo that one Biſhop was not enough to take care of it.

‡ *M. le Clerc* has thought fit to ſubjoin the following Reflections to this Article. They, *ſays he*, who iſſued this Commiſſion in *Edward*'s Name, as well as they who ſollicited it, did not only violate Chriſtian Charity, which does not warrant the Puniſhment of bare Errors in Judgment, but alſo tranſgreſſed the ordinary Rules

[w] At *Weſtminſter*. [x] At *Weſtminſter*. [y] At *Weſtminſter*. [z] At *Weſtminſter*. [a] At *Leighs*. [b] At *Leighs*.

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Visitation of the University of Oxford. 183.

7. A Commission to the Earl of *Warwick*, and others, to visit the University of *Oxford*; dated *May* 8, 1549 [c].

——*Magistros, Præpositos, Præsidentes, Socios vel Scholares quoscunque illis Officiis indignos, non proficientes, Statutis Collegii, vel commodo Reipublicæ & bonarum Litterarum id exigentibus, expellendum & amovendum, & alium vel alios in amotorum locum præficiendum & substituendum*——

i. e. To expel and remove the Masters, Wardens, Presidents, Fellows, or all Scholars whatsoever, unworthy of those Offices, and making no Proficiency, if the Statutes of the College, or the Commonwealth of Learning required it, and to prefer and substitute others in the Places of those removed.

Commission for examining Bp. Bonner. 191.

8. A Commission to Archbishop *Cranmer*, Bishop *Ridley*, the two Secretaries of State, *viz.* Sir *William Peters*, and Sir *Thomas Smith*, and *William May*, LLD. and Dean of St. *Paul's*, to examine *Bonner*, Bishop of *London*, with a Power to imprison or deprive him of his Bishoprick; dated *Sept.* 8, 1549 * [d].

192. 9. ANOTHER explaining some Doubts arisen upon the former one; dated the 17th of the same Month [e].

10. THE Grant of a Pension of 100 *l. Sterling* to *Martin Bucer* a *German*, and Professor of Divinity; dated the 26th of that Month [f]. EDWARD VI. Bucer's Pension. 192.

11. THE Grant of another to *Paul Fagius* a *German*, also a Divinity Professor; dated as above. Fagius's. 192.

THIS is the last Piece wherein the King says, *By the Advice of* Edward *Duke of* Somerset. &c. for in the following Acts he says, *By the Advice of our Council.*

12. A Licence granted to the Earl of *Warwick*, his Family and Visitors, to eat Flesh in the Time of *Lent*; dated *Feb.* 18, 1550 [g]. *Licences for eating Flesh in* Lent. 207.

THERE are others of the same Kind which shew that this Custom was not yet much known in *England.*

13. *THOMAS Thyrleby*'s Resignation of the Bishoprick of *Westminster* to the King, in order to dispose of it as he shall think fit; dated *March* 31, 1550 [h]. *See of* Westminster *yielded to the King.* 219.

THESE Resignations of Bishopricks were by no means pardonable, because a Bishop has not such a Property in his See as to dispose of it. Nor is it a Farm or Lease of such Nature, that the King has a Power to redemand it, either to appropriate it to himself, or to give it to any other according to his good Pleasure. But these were some of *Henry* VIIIth's Rules of Prudence. For these were not of that Sort of Anabaptists who were guilty of so many Disorders and Crimes at *Munster*, because this Patent granted them Pardon on their Repentance; whereas the Civil Laws do nevertheless punish Rebellion, Polygamy, Murder, and the other Crimes of that Nature, of which those of *Munster* were guilty, tho' there be Repentance. But in this Patent the Persons to be tried were such as the Archbishops and Bishops had a Power to pardon and enjoin Penance on, if they abandon'd their Sentiments. The Prelates who were empower'd to pardon them, and if the Enormity of the Fact required it, to deliver them over to the Secular Arm, ought to have consider'd that the same Case might happen to themselves, if *Mary* the eldest Daughter of *Henry* VIII should chance to succeed her Brother, which might easily be, and as she did accordingly. I cannot imagine how *Cranmer* and the others, to whom this Commission was directed, suffered themselves to be stiled not only *Cognitores, Judices, & Commissarii*, i. e. Examiners, Judges and Commissioners, but also *Inquisitores*, or Inquisitors, a Name abhorred by the whole Body of the Protestants, and even by some of the Catholicks. For after this, they had no Reason to complain of what Protestants suffered from the Roman Catholick Princes, and particularly in the Reign of Queen *Mary*. If it be objected that the Protestants had Truth on their Side, that does not bring them off; for the Judges in *Mary*'s time pretended to be as much in the Right as they; and as they were likewise both Judges and Parties, they hang'd and burnt the Protestants provisionally, 'till God should decide the Cause for them.

——————————*dolendum*
Hæc dici potuisse, & non potuisse refelli.

BISHOP *Burnet* observes, that no Severities were used against that Sort of Anabaptists who only objected to the Mode and Subjects of Baptism; though some Books were written to justify Infant Baptism.

* Dr. *Burnet*'s History takes Notice with what Disrespect and Disingenuity he carried it to the Delegates, and with what foul Language he treated his Accusers, so that he behav'd like one disturb'd in his Brain. He called the Accusers Hereticks, and said they only prosecuted him because they denied the Presence of Christ in the Sacrament, and that therefore they were excommunicate, and not capable to appear in any Court: And when Mr. Secretary *Smith* said he had acted like a Thief and a Traitor, he told him, that as he was Secretary of State he honoured him, but as he was Sir *Thomas Smith*, he was *a Liar*, and he defied him. He also refused to answer while Sir *Thomas* was present, and for such Contempt of the Court he was committed to Prison, where continuing obstinate, though he was promised gentler Usage, he lay under Sentence of Deprivation 'till Queen *Mary*'s Reign; behaving, says Dr. *Burnet*, more like a Glutton than a Divine; for he sent about to his Friends to furnish him well with Puddings and Pears, and gave all to the Devil that did not supply him liberally. Such Curses, adds the Historian, were strange Acts of Episcopal Jurisdiction; yet they were mild, compared to those he gave out when he was restored to his See in the next Reign, by which he condemn'd so many Innocents to the Fire. But in order to set this Process of the Delegates against him in the clearest Light, we cannot omit the Opinion of Dr. *Burnet* upon the whole Matter, that it being resolved to turn him out upon the first Occasion, the Fault was rather aggravated for his Sake, than he depriv'd for the Fault, which would have been more gently passed over in another; but he had been fierce and cruel, and so was much hated, and little pitied.

[c] At *Westminster*. [d] At *Westminster*. [e] At *Hampton-Court*. [f] At *Leighes*. [g] At *Westminster*. [h] At the Chapter-House of *Westminster*.

Airs,

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Airs, who minded no Rule but his Caprice.

Bishop of Norwich. 221.

14. LETTERS Patent for conferring the See of *Norwich* upon *Thomas Thyrleby*; dated *April* 1, 1550 [i].

Ridley's *Translation to* London. 222.

15. OTHERS for translating *Nicholas Ridley* from the Bishoprick of *Rochester* to the See of *London*, vacant by the Deprivation of *Edmund Bonner*; dated as above.

See of Westminster *joined to* London. 223.

16. OTHERS for uniting the See of *Westminster* to that of *London*, of the same Date.

Denization of J. à Lasco. 238.

17. THE Denization of *John à Lasco*, a *Polish* Lord, who was Professor of Divinity; dated *June* 27, 1550 * [k].

Hooper *Bishop of* Glouc. 240.

18. LETTERS Patent for conferring the Bishoprick of *Gloucester* upon *John Hooper*; dated *July* 3, 1550 [l].

German *Church at* London. 242.

19. A License to found a Church at *London* for the *Germans*, with a Superintendant, and four Ministers, to be a Body Corporate; dated *July* 24, 1550 [m].

THE King gives the *Augustin* Friars Church for that Foundation, and appoints *John de Lasco* Superintendant of it.

Grant of a Prebend to P. Martyr. 248.

20. THE Grant of a Prebend to *Peter Martyr*; dated *October* 24, 1550 [n].

Commission against Heretics. 250.

21. A Commission to enquire after Anabaptists, and other Hereticks and Nonconformists; dated *Jan.* 18, 1551 [o].

New Bishop of Winchester. 253.

22. LETTERS Patent for conferring the Bishoprick of *Winchester* on *John Poinet* Bishop of *Rochester*, in the room of *Stephen Gardiner* degraded; dated *March* 23, 1551 † [p].

23. OTHERS for conferring the Bishoprick of *Rochester* on *John Storye*; dated *April* 26, 1551 [q].

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Of Rochester. 256.

24. OTHERS for changing St. *Nicholas*'s Church in the Town of *Galloway* in *Ireland* into a College, called the *King's College*; dated the 29th *ditto* [r].

St. Nihcolas *Church in* Galloway. 258.

Bishop of Exeter. 283.

25. OTHERS for conferring the Bishoprick of *Exeter* on *Miles Coverdale*, though a married Man; dated *Aug.* 14, 1551 [s].

Of Gloucester 297.

26. ORDERS for the Consecration of *John Hooper* Bishop of *Gloucester*; dated *March* 7, 1552 ‡ [t].

27. HIS Resignation of the said Bishoprick to the King; dated *April* 26, 1552.

The See united to Worcester. 298.

28. THE Suppression of the See of *Gloucester*, and the uniting of it to that of *Worcester* in favour of *John Hooper*, to whom the King grants it *durante vita naturali, si tamdiu se bene gesserit in eadem, i. e.* during his natural Life and good Behaviour; dated *May* 20, 1552 ‖ [v].

Bishop of Lincoln. 312.

29. THE Creation of *John Taylor* Bishop of *Lincoln*, with he same Clause; dated *June* 18, 1552 [u].

Monasteries resign'd to the King.

IN this Tome, under the Reign of *Edward* VI, we find the Surrender of several Monasteries to the King, which 'tis probable *Henry* VIII had left standing; all which favour'd very much of this Prince's despotick Power, and could not be defended by the Rules either of true Divinity or sound Policy **.

The

* DR. *Burnet* says, he came over this Year with some *Germans* of the *Helvetian* Confession, who were erected by Letters Patent into a Corporation, of which he was their Superintendant; but the Doctor adds, that he meddled too much for a Foreigner with *English* Affairs, and wrote against the Episcopal Habits, and against kneeling at the Sacrament.

† DR. *Burnet* says, *Poinet* had 2000 Marks in Lands assign'd him for his Subsistence; for he has a Remark, that the hungry Courtiers had begg'd the best Manors in several Bishopricks, so that in some it was hardly possible for a Bishop to subsist.

‡ THE Reason why his Consecration was so long deferr'd after the King had given him the Bishoprick, we learn from Dr. *Burnet*, who says, that he had some Scruples concerning the Episcopal Vestments, and that he thought that all those Garments having been consecrated with much Superstition, were to be reckon'd among the Elements condemn'd by St. *Paul*. *Ridley*, *Bucer*, and *Peter Martyr* wrote to *Hooper* in Vindication of those Vestments; but he was very stiff, and was suspended for a while from preaching, 'till at last his Scruples were so far satisfy'd, that he was content to be consecrated in his Vestments, and to wear them when he preached before the King, or in his Cathedral, though he was dispensed with upon other Occasions.

‖ *GLOUCESTER* was soon after made an exempted Archdeaconry, and he was declared Bishop of *Worcester* only. See Dr. *Burnet*.

** For any other considerable Transactions in this Reign, Dr. *Nicholson*, late Bishop of *Londonderry*, thought the curious could not consult a better Register than the Diary written with this King's own Hand, and still preserv'd in the *Cotton* Library, from whence the Reverend Dr. *Burnet* transcrib'd and publish'd it. See the Appendix to Tom. II. of the *Reformation*.

The full Character of this hopeful young Prince is given us by the Learned *Cardan*, who wrote it after his Death, and in *Italy*, where this Prince was counted an Heretick, so that there was nothing to be got or expected by flattering him; and yet it is so great, and at the same time so strictly true, that we shall give it here in *English* before we pass to the next Reign.

"All the Graces, says *Cardan*, were apparent in King *Edward*; and for the Tongues, he was not only exact in the *English*, *French*, and *Latin*, but understood the *Greek*, *Italian* and *Spanish*: nor was he ignorant of Logick, the Principles of natural Philosophy, or Musick, being apt to learn every thing. The Sweetness of his Temper was such as became a Mortal, his Gravity becoming the Majesty of a King, and his Disposition suitable to his high Degree. In short, that Child was so bred, had such Parts, and was of such Expectation, that he look'd like the Miracle of a Man. These things are not spoken rhetorically and beyond the Truth, but are indeed short of it. —— In fine, he was a marvellous Boy. He began to love the liberal Arts before he knew them, to know them before he cou'd use them; and in him there was such an EFFORT OF NATURE, that not only *England*, but the World has reason to lament his being so early snatch'd away. How truly was it said of such extraordinary Persons, that their Lives are short. He gave us an Essay of Virtue, tho' he did not live to give a Pattern of it. When the Gravity of a King was needful, he carry'd himself like

[i] At *Westminster*. [k] At *Leighes*. [l] At *Leighes*. [m] At *Leighes*. [n] At *Westminster*. [o] At *Westminster*. [p] At *Westminster*. [q] At *Westminster*. [r] At *Westminster*. [s] At *Westminster*. [t] At *Westminster*. [v] At *Westminster*. [u] At *Westminster*.

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" like a man in Years, and yet was always affable and gentle as became his Youth. —— In Bounty he emulated " his Father, who in ſome Caſes may appear to have been bad, but there was no Ground for ſuſpecting any " ſuch thing in the Son, whoſe Mind was cultivated by the Study of Philoſophy. EDWARD VI.

Dr. *Cox* was his Preceptor for Manners, and for the Knowledge of Philoſophy and Divinity, and Mr. *Cheek* for the Languages and Mathematicks. He was ſo forward in his Learning, that before he was eight Years old, he wrote *Latin* Letters to his Father, to his Godfather the Archbiſhop of *Canterbury*, to his Uncle the Earl of *Hertford*, and to *Catherine Parr*.

To this we ſhall add the Character of this excellent King, as drawn by the late Biſhop of *Sarum*, Vol. II. of his *Hiſtory of the Reformation*.

" He was counted the Wonder of his Time: He was not only learned in the Tongues and the Liberal Sci- " ences, but knew well the State of his Kingdom. He kept a Table-Book, in which he wrote the Characters " of all the eminent Men of the Nation. He ſtudy'd Fortification, and underſtood the Mint well. He knew " all the Harbours in all his Dominions, with the Depth of Water, and Way of coming into them. He under- " ſtood Foreign Affairs ſo well, that the Ambaſſadors who were ſent into *England* publiſh'd very extraordinary " things of him in all the Courts of *Europe*. He had great quickneſs of Apprehenſion, but being diſtruſtful of " his Memory, he took Notes of every thing he heard that was conſiderable, in *Greek* Characters, that thoſe " about him might not underſtand what he wrote, which was afterwards copied out fair in the Journal that he " kept.

" His Virtues were wonderful. When he was made believe that his Uncle had conſpir'd the Death of the other " Counſellors, he abandon'd him. *Barnaby Fitz Patrick* was his Favourite; and when he ſent him to travel, " he writ oft to him to keep good Company, to avoid Exceſs and Luxury, and to improve himſelf in thoſe things " that might render him capable of Employment at his Return. He was very merciful in his Nature, took " great Care to have his Debts well paid, and had ſpecial Regard to the Petitions of the Poor and Oppreſs'd; " but his great Zeal for Religion crown'd all the reſt. " It was not an angry Heat about it that acted him, but " it was a true Tenderneſs of Conſcience founded on the Love of God and his Neighbours.

" Theſe extraordinary Qualities, ſet off with great Sweetneſs and Affability, made him univerſally belov'd by " his People, of whom ſome call'd him their *Joſias*, others *Edward the Saint*, and others the *Phœnix*, that " riſeth out of his Mother's Aſhes: And all People concluded the Sins of *England* muſt have been very great, " ſince they provok'd God to deprive the Nation of ſo ſignal a Bleſſing as the reſt of his Reign would in all ap- " pearance have prov'd. And indeed ſo great were they, that as they provok'd God highly on the one hand, ſo they " diſpoſed the People much to that ſad Caſtrophe which is to be the Subject of the next Reign.

The REIGN of Queen *MARY*.

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WE proceed now to the Reign of Queen *Mary*, the chief Events of which we ſhall range under three Articles, *viz.* Domeſtick Affairs, religious Affairs, and foreign Affairs. Q. MARY.

ARTICLE I.

Of Domeſtick Affairs, beginning at the Year 1553.

Proclamation of Jane Gray.

THE Act by which *Edward* VI had transferr'd the Crown to *Jane Gray*, was not capable to fix her on the Throne. She was indeed immediately proclaim'd Queen by the Duke of *Northumberland*, purſuant to the Orders of Council, but her Reign was not many Days; for *Mary*, Siſter to the deceas'd King, ſecur'd a great number of Friends in the Counties of *Norfolk* and *Suffolk*, by promiſing the Inhabitants that ſhe would not make any Alteration in the eſtabliſhed Religion. Her Party was ſtrengthened by the Support of the Nobility; and at laſt the Duke of *Northumberland* was obliged to put himſelf at the Head of an Army to march againſt *Mary*, whoſe Friends encreaſed every Day. But he was no ſooner gone from *London* than the Council declared for *Mary*, and proclaim'd her; and the Duke of *Northumberland* being abandon'd by his Army, was himſelf obliged, in hopes of ſaving his Life, to cauſe *Mary* to be proclaim'd at *Cambridge*; but notwithſtanding this he was arreſted, and afterwards put to Death. He own'd on the Scaffold that he had been always a Catholick from his Soul. But it was the Opinion of many, that he only ſaid it in hopes of obtaining his Pardon *, and that in the main either of the two Religions was the leaſt of his Concern. He had committed a great Overſight in not cauſing *Mary* and *Elizabeth* to be ſecur'd before *Edward* dy'd; but he entertained Hopes of catching them in the Snare that he had laid for them, wherein he found himſelf miſtaken. *Mary* was not at all belov'd, and yet every Body declar'd for her, by reaſon they were afraid of relapſing under the Duke of *Northumberland*'s Tyranny, if *Jane Gray* his Daughter in-Law continued on the Throne. Thus it may be truly ſaid, that this Duke was the only Cauſe of the Diſaſter of this unfortunate Princeſs, as he had been the ſole Author of her Advancement. I will not enter farther into the Particulars of the Troubles at that time in *England* for the ſake of placing *Mary* on the Throne, not only becauſe the Hiſtory of it is very well known, but becauſe the publick Acts make no mention of it.

Duke of Northumberland *executed.*

Mary's *Promiſe to the Proteſtants.*

Queen Mary *proclaim'd.*

* *FOX* clears up this matter, by telling us that he was promis'd a Pardon, tho' his Head were on the Block, on condition he would recant and hear Maſs; and this is confirmed by the Author of the *Hiſtory* of *England* in two Volumes 8*vo*, who ſays, that after the Duke had kneel'd down, and commended his Spirit into the Hands of the Lord, he look'd about as if he expected a Pardon, but none coming, he then patiently ſubmitted his Neck to the Block.

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THE Project for re-eſtabliſhing the Catholick Religion in *England*, and extirpating the Proteſtants, was almoſt the ſole Aim and Buſineſs of Queen *Mary*, during the whole Courſe of her Reign. I ſhall ſay nothing of it here, becauſe I intend to treat of it under the ſecond Head. In this I ſhall confine my ſelf to certain things which have no relation to the Affairs of Religion; tho' 'tis nevertheleſs very apparent that this bigotted Queen had a View in all her Actions to her main Deſign, which I juſt now mention'd. It was this only Conſideration that engag'd her to marry *Philip*, Prince of *Spain*, and Son to the Emperor *Charles* V. She was made to believe that ſince ſhe had form'd a Deſign ſeriouſly to promote the Converſion of her Subjects, ſhe had reaſon to fear that ſuch an Undertaking wou'd occaſion Rebellions in the Kingdom, and that in that caſe ſhe cou'd not ſubſiſt without a foreign Alliance: that an Alliance with the Emperor was the more neceſſary for her, becauſe *Mary Stuart* Queen of *Scotland*, who was in the power of the King of *France*, and deſign'd as a Match for the *Dauphin*, had Pretenſions to the Crown of *England*, which the King of *France* wou'd think ſo plauſible, that he wou'd be inclin'd to aſſert them, and to take an advantage of the Rebellions of the *Engliſh*, if he ſaw the Queen without Friends and Allies. Theſe Reaſons were ſo convincing to *Mary*, that ſhe reſolv'd to marry *Philip*; and the Man that ſhe employ'd in negotiating it, was *Gardiner*, the Perſon that firſt put her upon it, who having already ſecretly concerted meaſures with the Emperor, gave him to underſtand that he ought not to diſpute about any Conditions that ſhou'd be demanded of him: and that in order to engage the *Engliſh* to conſent to the Marriage, it was abſolutely neceſſary to yield ſome Articles to them, the execution of which might afterwards be at *Philip*'s Option, juſt as he thought fit; but that above all things there was a neceſſity of ſending a great Sum of Money to *England* to bribe the Members of Parliament, and engage them to approve of the Marriage[a]. Tho' the Houſe of Commons had already given the Queen proofs of all the Condeſcenſion in the world, as to the Articles of Religion, yet they were all in confuſion upon the Report of this Marriage, and preſented an Addreſs to this Queen to divert her from it; but their Addreſs was very ill receiv'd, and the Parliament immediately diſſolv'd[b].

Queen Mary's Reaſons for Marriage.

Gardiner employ'd to negotiate it.

Parliament diſſolv'd for oppoſing it.

Q. MARY

IN the beginning of the Year 1554, the Emperor ſent a magnificent Embaſſy to *England*, and the Marriage was concluded after the manner that *Gardiner* had contriv'd it; that is to ſay, the Emperor granted every thing that was deſir'd of him[c].

Her Marriage concluded.

NOT long after this, happen'd the Rebellion or Conſpiracy of *Wyat*, a *Kentiſh* Gentleman, who took Arms in company with the Duke of *Suffolk*, and ſeveral other Malecontents, to oppoſe the Queen's Marriage with the *Spaniſh* Prince. *Wyat* having gather'd an Army, advanc'd to *London* without oppoſition, and fancying that the Citizens wou'd take Arms in his favour, he was ſo raſh as to enter the City with his Army, and to engage in a Street where for want of room to extend his Troops, he was taken and committed to Priſon. This Enterprize coſt the Lives of *Jane Gray*[d], her Husband Lord *Guilford Dudley*, her Father the Duke of *Suffolk*, and many others, and was within an ace of being as fatal to the Princeſs *Elizabeth*; for *Wyat*, in hopes of ſaving his own Life, accus'd her of being an accomplice in his Treaſon, but afterwards when he came to Execution, he revok'd what he had ſaid. Nevertheleſs, ſo deſirous were the Queen and her Miniſters of finding her guilty, that they ſent her to the *Tower*, where ſhe was uſed very roughly. And *Gardiner* ſpeaking of the Efforts that were made to deſtroy the Proteſtant Religion, ſaid 'twas in vain to lop off the Branches of that Tree without cutting down the Trunk; by which he meant *Elizabeth*, whom Providence deliver'd from ſuch imminent danger[e].

Sir Thomas Wyat's *Rebellion.*

Fatal to Jane Gray, *&c.*

Wyat *accuſes* Elizabeth, *who is ſent to the* Tower; *tho' he afterwards retracted it.*

THE new Parliament which met in 1554, approv'd of the Queen's Marriage; and Prince *Philip* arriv'd ſoon after, with a great Sum of Money, to make good *Gardiner's* Promiſes to thoſe he had hir'd to obtain the Approbation of the two Houſes; and ſo the Marriage was conſummated.

Queen's Marriage approv'd by Parliament, and conſummated.

Philip's arrival was happy for *Elizabeth*, becauſe at his Intreaty, the Queen laid aſide the Deſigns which ſhe had form'd againſt her. It was pretended that *Philip* did this more out of Policy than Goodnature; for no doubt he conſider'd that if *Mary* ſhou'd die without Iſſue, the Crown of

Philip's *arrival happy for* Elizabeth.

[a] Bp. *Burnet* ſays, that 400,000 *l.* was order'd to be diſtributed for this end, at the Diſcretion of *Gardiner* and the Emperor's Ambaſſadors, great part of which was paid in hand, the Emperor having borrow'd it from ſome of the Free Towns of *Germany*, and the reſt brought over with the Prince.

[b] This was done upon the 6th of *December* 1553.

[c] The Annotator upon Biſhop *Godwin*'s Hiſtory of this Reign in the 3d Vol. of the *Compleat Hiſtory of* England, proves from the Teſtimony of Sir *Francis Haſtings*, who flouriſh'd in the Reign of Queen *Elizabeth*, and had good Authority for what he ſays; in his Book call'd the *Watchword*, that the ſecret Deſign of the *Spaniſh* Court in this Match, was not ſo much to eſtabliſh the Papacy, as to annex the Crown of *England* to the *Spaniſh* Monarchy.

[d] The two firſt were beheaded the 12th of *February* 1554, and the laſt on the 23d of the ſame Month. See Biſhop *Godwin*'s and Biſhop *Burnet*'s Hiſtories, to which we refer for their Behaviour.

[e] She was led into the *Tower* by the Traytor's Gate, ſo ſtrictly guarded, that none but Spies were admitted to her, and deny'd the Liberty of walking on the Leads, or the ordinary Comforts of Air; and tho' ſhe was ſent to *Woodſtock* when nothing cou'd be made out againſt her, yet ſhe was kept under ſtrict Guards, and very roughly uſed by Sir *Henry Bennifield*. See *Burnet's Hiſtory*.

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of *England* might go to the young Queen of *Scotland*, and by consequence to the Dauphin, who by that means might one day annex all *Great-Britain* and *Ireland* to the Monarchy of *France*; whereas if *Elizabeth* was living, she would be a Bar to such Union.

Q. Mary's *false Conception.*

IN 1555, the Queen fancying her self with Child, at the end of 9 Months thought she was just ready to be brought to Bed, and Couriers were actually posted to carry the News of her Delivery to several Courts; but it happen'd that she was mistaken [a]. They say, that *Philip* was told there was no hopes of the Queen's ever having any Children, and that this put him out of conceit with his Spouse, who besides was no extraordinary Beauty. Be this as it will,

Philip *leaves her.*

he left her, and went to the *Low-Countries*, where soon after, *viz. Octob.* 25. 1555.

Emperor resigns his Dominions to him.

the Emperor his Father resign'd his Dominions to him in a Convention of the Estates at *Brussels*.

THE two following Years were employ'd wholly in persecuting the Protestants, as we find in Dr. *Burnet's History of the Reformation.*

A Member of the H. of Commons sent to Prison, for opposing a Motion to give the same Sanction to the Queen's Proclamations as to Acts of Parliament.

IN 1558, some of the Court-Party in the House of Commons propos'd the giving of the same Authority to the Queen's Proclamations, or Patents, as to Acts of Parliament. But one of the Members strenuously oppos'd the Motion, for this Cause especially, that at this rate it wou'd be entirely in the Queen's Breast to alter the Order of the Succession. The House was alarm'd at his Speech, and so disgusted that any one of their Members shou'd offer to suspect the Queen's having such a Design, that they committed him to Custody [b]. Nevertheless this was sufficient to let the Queen see, that it wou'd not be easy for her to deprive the Princess *Elizabeth* of her Right; and this made her hate her Sister the more, who was for some time in great danger. The Queen easily foresaw that *Elizabeth* who was a Protestant in her Heart, and whose Interest it was to be so, wou'd kick down all that she had built, whenever she ascended the Throne.

Q. Mary

THIS was the occasion of terrible uneasiness to *Elizabeth*, who was forc'd to carry it as fair as possible to the Queen, even so far as to dissemble her Sentiments about Religion, to go frequently to Confession, and to have Mass said in her House. Not long after, she was demanded in Marriage by the King of *Sweden*, who caus'd it to be propos'd to her before one word was said of it to the Queen; but *Elizabeth* behav'd so well in so tickliſh an Affair, that she gave her Enemies no advantage over her: And at last, the Death of *Mary*, which happen'd *Nov.* 1558, deliver'd *Elizabeth* from all her Fears, and from the danger to which she was continually expos'd [c].

Elizabeth's *Complaisance to the Queen.*

Elizabeth *rejects the K. of* Sweden's *Courtship.*

Q. Mary's *Death.*

The Acts in the XVth *Volume of the* Fœdera *relating to the Domestick Affairs of this Reign; are,*

1. A Proclamation by which the Queen remits to her Subjects two Tenths, two Fifteenths, and a Subsidy of 4 *s.* in the Pound on Land, and 2 *s.* 8 *d.* on Goods and Chattels, that was granted to the late King for the payment of his Debts. This Act has no Date but that of the Year 1553.

Act for remitting the Subsidy granted to K. Edward. 335.

2. AN Act for the Pardon of the Duke of *Norfolk*; dated [d] *August* 29. 1553 [e].

D. of Norfolk's *Pardon.* 337.

3. LETTERS Patent conferring the Office of Lord President of the Council in the North, on *Francis* Earl of *Shrewsbury*; dated *Sept.* 10. 1553 [f].

Earl of Shrewsbury's *Patent.* 337.

4. SEVERAL Acts relating to the Queen's Coronation.

Queen's Coronation 338, *to* 340, &c.

5. AN Act for the Pardon of *William Parre* the Marquis of *Northampton*; dated *Jan.* 13. 1554 [g].

Marquis of Northampton's *Pardon.* 360.

6. AN Order that the Merchants of the *Hanse-Towns*, call'd the Society of the *Still-Yard*, enjoy all their Privileges; dated *Jan.* 15. 1554 [h].

Grants to the Still-yard Company. 364.

7. A Licence to the said Merchants to export Woollen Cloth as usual, for the Term of three Years, dated the 17th *ditto* [i].

THESE

[a] Bishop *Godwin* says, she had that sort of Swelling which Physicians call a Mole, and that other Symptoms of Pregnancy seeming to concur, she gave her self up to the Tales of Midwives, and neglecting the Advice of Physicians, affirm'd she felt the Motion of the Embryo, upon which, tho' it turn'd to a Dropsy in process of Time, the Privy-Council on the 27th of *November* sent a Letter to *Bonner* Bishop of *London*, which *Hollingshed* has set down in his Chronicle, requiring him to publish the good News throughout his Diocese, that *Te Deum* might be sung for it in his Cathedral, and all other Churches, and that all the Clergy in their Masses and Divine Service, might continually pray to God, that this thing begun by his Omnipotency might be continued and brought to good Effect. In the same Chronicle there are also three Collects which were us'd upon that occasion. The Bishop adds, that much ado there was with all the necessary Provision of Cradle, Clouts, and such Trumpery, against the good Hour; but all to no purpose, for in the Month of *June* they were undeceiv'd, and the Nation wak'd from this ridiculous Dream, which had even infected the Parliament, who made an Act, vesting King *Philip* with the future Government and Education of the Child, if the Mother shou'd die before it was grown up. But says Bishop *Godwin*'s Annotator, Happy was it that the Heir of this Kingdom, and the Kingdom it self, had no occasion for the Government of that King of *Spain* and his *Spaniards*.

Dr. *Howel* says, the Queen's Delivery was taken to be so certain, because the Queen took her Chamber, and the Court swarm'd with Midwives, that some were punish'd but for questioning it; that the Bells were rung, Bonfires flam'd, and Processions were made for Joy that a Prince was born; and some in their Sermons fondly describ'd his Beauty. Some said this Rumour was spread in Policy, and that the Queen, to put the Lady *Elizabeth* beside the Crown, wou'd have Mother'd another Woman's Child, but King *Philip* scorn'd to Father it.

[b] Bishop *Burnet* says his Name was *Coxley*: but in the Notes on *Godwin*'s History he is call'd *Copley*.

[c] She died of a Dropsy the 17th of *November* in the 43d Year of her Age, after she had reign'd 5 Years, 4 Months and 11 Days.

[d] He had been a Prisoner ever since his Son the Earl of *Surry* was put to death by *Henry* VIII.

[e] At *Westminster*. [f] At *Richmond*. [g] At *Westminster*. [h] *Ibid.* [i] At *Westminster*.

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THESE two Grants were directly contrary to two Acts of Parliament; the former to an Act of *Tonnage and Poundage*, which was paſs'd the Year before in Queen *Mary*'s Reign; the latter to an Act paſs'd in the Reign of *Edward* VI. by which the *German* Company of the *Still-Yard* had been ſuppreſs'd. This was the Firſt-fruit of *Mary*'s Marriage to the Emperor's Son.

Marriage Treaty. 377.

8. A Treaty for the Queen's Marriage to *Philip*.

THE Queen's Ratification of it is dated in *March* 1554, at *Weſtminſter*.

THE chief Stipulations of the Treaty are theſe.

THAT by virtue of this Marriage, *Philip* ſhall enjoy all *Mary*'s Titles, and aſſiſt her in the Government of her Dominions. *Salvis tamen Legibus, Juribus, Privilegiis & Conſuetudinibus eorundem Regnorum, & etiam nominatim cauto & convento, quod D. Princeps, Dominæ Conthorali ſuæ Reginæ Mariæ omnimodum diſpoſitionem omnium Beneficiorum, Officiorum, Terrarum, Redituum, Fructuum, &c. relinquet, quodque ea dabuntur Originariis, &c.*

i. e. Saving the Laws, Rights, Privileges and Cuſtoms of the ſaid Kingdoms; and be it alſo expreſſly provided and agreed, that the Lord the Prince ſhall leave it to the Lady Queen *Mary* his Conſort to diſpoſe of all Benefices, Offices, Lands, Revenues, Profits, *&c.* and that they ſhall be given to Natives, *&c.*

THAT *Mary* ſhall bear the Titles of her Husband, and that her Jointure ſhall be 60,000 Pounds *per Annum*, and that 40,000 thereof be aſſign'd to her on *Spain*, and the other 20,000 on the *Low-Countries*.

As to the Succeſſion of the Children,

THE Sons and Daughters ſhall ſucceed to the Mother's Eſtate, according to the Laws and Cuſtoms of *England*.

AS to the Father's Eſtate, Reſervation is made to Don *Carlos*, *Philip*'s Son, by the firſt Venter, of the Succeſſion of *Spain*, *Naples*, *Sicily*, *Milan*, and all the Domains of *Italy*, on his paying the 40,000 Livres, ſettled on *Mary* for her Jointure; to which Kingdoms and Domains, the Deſcendants of Don *Carlos* ſhall alſo ſucceed.

THE Children that ſhall be born of *Philip* and *Mary* ſhall ſucceed to the Domains of the *Netherlands*.

THERE were ſeveral other Articles under this Head, which it would be needleſs to mention in particular, becauſe there were no Children by this Marriage.

The Articles annex'd to the Treaty.

THAT *Philip* ſhall have none in his Service but the Queen's natural born Subjects.

THAT he ſhall not bring Foreigners into *England*, to make the *Engliſh* uneaſy, and that he ſhall puniſh the Contraveners. Q. MARY

THAT he ſhall make no Alteration in the Laws and Cuſtoms of *England*.

THAT he ſhall not carry the Queen out of the Kingdom, unleſs ſhe deſire it, and that he ſhall not convey her Children from thence without conſent of the *Engliſh* Nobility.

IN caſe that the Queen dies firſt, and leaves Iſſue behind her, *Philip* ſhall not pretend any Right to the Kingdom.

THAT he ſhall not carry away the Jewels of the Queen, or of the Crown, nor make any Alienation of what belongs to the Kingdom.

THAT *England* ſhall not directly nor indirectly be involv'd in the Wars of the Emperor againſt *France*.

Lord Howard made Admiral. 382.

9. A Patent to *William* Lord *Howard* of *Effingham*, for the Office of High-Admiral; dated *April* 8. 1554[i].

Royal Titles 404.

10. A Proclamation notifying the Titles of the King and Queen; dated *July* 27. 1554[k]. They were theſe:

Philippus & Maria, Dei gratiâ, Rex & Regina Angliæ, Franciæ, Neapolis, Jeruſalem & Hiberniæ, Fidei Defenſores, Principes Hiſpaniarum, & Siciliæ, Archiduces Auſtriæ, Duces Mediolani, Burgundiæ, Brabantiæ, Comites Haſpurgi, Flandriæ & Tyrolis.

Grants to Anne of Cleves. 413.

11. CONFIRMATION of certain Grants made by *Henry* VIII. to the Lady *Anne* of *Cleves*; dated *Feb.* 17. 1555[l].

Corporation of Heralds at Arms. 423.

12. LETTERS Patent for eſtabliſhing a Corporation of Kings at Arms, Heralds at Arms, Purſuivants, *&c.* dated *July* 18. 1555[m].

Seals in Commiſſion. 416.

13. A Commiſſion for exerciſing the Office of Chancellor, vacant by the Death of *Gardiner*; dated *Nov.* 13. 1555[n].

Commiſſion for ſigning Iriſh Bills. 455.

14. A Commiſſion to the Lord *Fitzwalter* Deputy in *Ireland*, for paſſing certain Acts in the Parliament of *Ireland*; dated the beginning of *Anno* 1557.

15. LETTERS Patent for creating *Thomas Piercy* Baron *Piercy*; dated *April* 30. 1557[o].

E. of Northumberland's Patents. 461.

16. OTHERS for creating the ſaid *Thomas Piercy* Earl of *Northumberland*; dated *May* 1. 1557[p].

462.

17. OTHERS for conferring the Office of Wardens of the Marches near *Scotland* on the Earl of *Northumberland* and the Lord *Wharton*; dated *Aug.* 2. 1557[q].

468.

Earl of Shrewsbury Captain General. 471.

18. OTHERS for conferring the Poſt of Captain General in the North, upon *Francis* Earl of *Shrewsbury*; dated the 3d of the ſame Month[r].

ARTICLE II.

Affairs relating to Religion.

Mary's breach of her Promiſe to the Suffolk Men.

MARY having aſcended the Throne with univerſal Applauſe, becauſe of the popular

[i] At *Weſtminſter* [k] At *Wincheſter*. [l] At *Weſtminſter*. [m] At *Hampton-Court*. [n] At *Weſtminſter*.
[o] *Ibid.* [p] At *Weſtminſter*. [q] At *Richmond*. [r] *Ibid.*

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popular Hatred againſt the Duke of *Northumberland*, did not keep her word with the Inhabitants of the County of *Suffolk*, to whom ſhe had promis'd that ſhe wou'd make no Alteration in Religion, and that ſhe would be content if only ſhe and her Domeſticks were allow'd the Liberty of exerciſing the Catholick Religion. The Duke of *Norfolk*, *Gardiner* and *Bonner* were immediately ſet at liberty, and became the Queen's chief Counſellors and Miniſters. *Gardiner*, *Bonner*, *Heath*, *Day* and *Tonſtal*, who had been depriv'd, were reſtor'd to their Sees; and they whom *Edward* VI. had ſettled therein, were turn'd out, and *Gardiner* was veſted with the Office of High Chancellor. At laſt the Queen's Council conſiſted wholly of the Pope's Creatures, and ſuch as were the moſt embitter'd againſt the Reformation. By means of ſuch Miniſters and the Changes that were made in all the Offices at Court, and thoſe of the Towns and Counties, the Queen had the ſatisfaction in her firſt Parliament to find a Houſe of Commons entirely at her devotion. Nothing is more eaſy for a Monarch of *England* than to have what Parliament almoſt he pleaſes, before he has taken any ſtep to render himſelf odious, or to create a ſuſpicion that he has Deſigns which are pernicious to the Liberty of his Subjects. If this Truth ſtood in need of Proofs, a multitude of Inſtances might be produc'd both antient and modern, ſufficient to convince the moſt incredulous.

Duke of Norfolk, Gardiner *and* Bonner *taken from Priſon to be her Miniſters.*

The Pope's Creatures prefer'd to all Offices.

A Court-Parliament.

Mary having therefore found means to aſſemble ſuch a Parliament as ſhe wanted, overthrew all the Eſtabliſhments made with reſpect to Religion in the two laſt Reigns, and did not fail to get the Sentence repeal'd, which had diſſolv'd the Marriage of *Henry* VIII. with *Catherine* of *Arragon*. To ſay all in a word, ſhe left no Stone unturn'd that might contribute to the Execution of the Project which ſhe had form'd to re-eſtabliſh Religion in *England* on the ſame footing that it was before *Henry* VIIIth's Quarrel with the Pope. The upper Houſe of Parliament, tho' compos'd of the ſame Lords that had voted for the Eſtabliſhment of the Proteſtant Religion in the laſt Reign, gave ſo far into the Queen's Paſſion, that in this reſpect they even outſtripp'd the Houſe of Commons, which conſiſted of Members choſe by the Court Intereſt; for on the very firſt Day of their meeting, they turn'd out two Biſhops, becauſe they wou'd not go to Maſs, tho' the Laws of *Edward* VI. were not yet aboliſh'd. 'Tis eaſy to imagine that the Court, when back'd by ſuch a Parliament, made very great Advances in a little time. This whole Reign was a continued Series of the moſt flagrant Injuries done to the Proteſtants, and of a Barbarity without meaſure, which was never ſatiated with burning thoſe that wou'd not betray their Conſciences by changing their Religion. Nay, *Cranmer*, Archbiſhop of *Canterbury*, who from his own Weakneſs, and the Fear of Death, had ſign'd an Abjuration, was nevertheleſs burnt alive to gratify the Malice of the Queen, and the Enemies of the Reformation, who bore him a mortal hatred. It was not enough to burn the Living, but even the Bones of the Dead were dug up and conſum'd. In a word, not to enter into the Detail of Facts that are but too well known, I ſhall only take notice that ſo great was the Barbarity ſhewn upon the ſcore of Religion, that the very Biſhops were aſham'd of it, and wou'd fain have laid it at *Philip*'s door; but that Prince, who was as cunning as they, caus'd a certain Dominican Friar, his Confeſſor, to preach a Sermon in publick, wherein he maintain'd that Hereticks were not to be converted by Tortures. All this however was but Grimace, for the King and Queen, the Miniſtry, the Biſhops, and all the reſt of the Clergy, were but too well agreed in the exerciſe of the moſt horrid Barbarity. *Bonner* Biſhop of *London* diſtinguiſhed himſelf during the whole courſe of this Reign, among all the other Tygers ſtain'd with human Gore. *Gardiner*, who was the principal Author of this Perſecution, was ſo crafty as to charge *Bonner* with thoſe barbarous Executions; but he was too well known to be believ'd. Foraſmuch as the Hiſtory of this Reign conſiſts chiefly of the particulars of this horrid Butchery; what I have ſaid may ſuffice for the underſtanding of the few Acts in this XVth Tome of the *Fœdera* that relate to the Perſecution therein carry'd on; and I ſhall only add two things that I think worthy of Remark.

Q. MARY

Cranmer's Execution.

All the late Eſtabliſhments in favour of the Reformation overthrown

House of Lords more ſtrenuous for Popery than the Queen's pack'd House of Commons

Cruelties of her Reign.

The firſt is, that the Queen deſir'd the Pope to ſend her a Legate, and that Cardinal *Pole* might be the Man. The Pope readily granted it; but as ſhe had given ſome intimation that ſhe intended to make him her Husband, the Emperor found means to detain the Legate in his Dominions, and order'd it ſo, that he did not arrive in *England* till after the Queen's Marriage with *Philip* had been conſummated. On the other hand, *Gardiner*, who had an eye to the Archbiſhoprick of *Canterbury*, and was afraid that *Pole*, who had neither Affection nor Eſteem for him, wou'd come and rob him of that Benefice, as well as of the Queen's Favour, made uſe of all the Stratagems he cou'd think of, to retard his coming. The Legate arriv'd nevertheleſs, and reconcil'd the *Engliſh* Nation to the Pope, after the Parliament had deſir'd Abſolution on their Knees.

Queen Mary's Paſſion for Cardinal Pole, whoſe arrival in England is retarded by the Emperor and Gardiner. Parliament begs the Pope's Abſolution on their Knees.

THE ſecond thing I have to remark, is the Artifices which the Court of *Rome* made uſe of to evade giving Aſſurance to the Owners of the Church-Lands, that they ſhou'd continue to enjoy them without moleſtation. This was an Article of very great importance.

The Satisfaction deny'd by the Court of Rome to the Owners of Church-Lands.

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Importance. The Queen had given Pope *Julius* III. to underſtand, that without ſome ſuch Aſſurance, there was great Danger that every thing which had been done till then wou'd be untwiſted. The Court of *Rome* agreed that there was an abſolute neceſſity of giving the *Engliſh* ſome ſuch Hopes, but they had a mind to deceive them, and to have it in their power to reſtore thoſe Lands to the Church. A Bill had been propos'd in Parliament for re-eſtabliſhing the Pope's Authority in the Kingdom but this Clauſe was inſerted in it, *viz*; *That the Alienations of Church-Lands ſhou'd be authoriz'd, and that the Poſſeſſor ſhou'd not be ſubject to any Cenſure or Proſecution on that account.* Now there was an abſolute neceſſity either for rejecting this Bill, or admitting it with that Clauſe. There was no Artifice which the Pope did not make uſe of for waving his conſent to the ſaid Article. He empower'd the Legate indeed to ratify it, but he did it with ſuch Reſtrictions as were not pleaſing to the *Engliſh*. Afterwards, on pretence of amending the firſt Power, he gave a ſecond which was liable to more Objections than the firſt, and at laſt he granted a third which was ſtill more equivocal. Nevertheleſs the Legate was oblig'd at laſt to ratify the Article, juſt as it was worded in the Bill; but at the ſame time denounc'd the Judgement of God againſt thoſe who poſſeſs'd the Lands of the Church. *Julius* III. dying before this Affair was determin'd, *Paul* IV. who ſucceeded him, openly refus'd to confirm the Legate's Conſent, and ſaid that no Pope had it in his power to permit ſuch a thing. After this, let any one judge whether there's a poſſibility of coming to a Compoſition with the Court of *Rome* upon this Article, and whether the Acquieſcence of any Pope wou'd be ſufficient Security for the Poſſeſſors of the Church-Lands, if Popery ſhou'd ever make its Return into *Great-Britain*. *Mary* was ſo far perſuaded that the Conſent even of the Pope was not ſufficient, that ſhe reſtor'd all the Church-Lands that remain'd in her hands.

Pope's Legate curſes the Owners of Church Lands at the ſame time that he ratifies their Poſſeſſion.

The Acts of this Reign in the XVth *Tome of the* Fœdera *relating to Religion; are,*

Commiſſion for trying Tonſtal's Appeal. P. 334.

1. A Commiſſion to judge of the Appeal of *Cuthbert Tonſtal* Biſhop of *Durham*, who was depriv'd of his Biſhoprick in the Reign of *Edward* VI. 'Tis without a Date.

Power to grant preaching Licences. 337.

2. A Power to *Stephen Gardiner* Biſhop of *Wincheſter*, and Chancellor, to grant Licences for preaching; dated *Aug.* 29. 1553[a].

Biſhoprick of Exeter, 340.

3. RESTITUTION of the Temporalities of the Biſhoprick of *Exeter* to *John Veſey*; dated *September* 28. 1553[b].

4. PRESENTATIONS to Benefices in the room of a great number that were ejected.

Marry'd Biſhops depos'd. 370.

5. A Commiſſion to *Gardiner*, *Tonſtal*, *Bonner*, and others, to depoſe the Archbiſhop of *York*, and the Biſhops of St. *David's*, *Cheſter*, and *Briſtol*, by reaſon of their being marry'd; dated *March* 13. 1554[c].

Others remov'd. 370.

6. ANOTHER for depoſing *Taylor* Biſhop of *Lincoln*, *Hooper* Biſhop of *Worcheſter*, and *Harley* Biſhop of *Hereford*; dated the 15th of the ſame Month[d].

THESE had receiv'd their Biſhopricks from *Edward* VI. with the Clauſe *durante vitâ naturali, ſi tamdiu ſe bene geſſerit*. Conſequently they were turn'd out of their Sees not for misbehaviour, but becauſe they were not lik'd.

Conges d'eſſire *for others. P. 374. 375.*

7. *Conges d'Eſſire* for the Biſhopricks of *Lincoln*, *Cheſter*, *Briſtol*, *Rocheſter*, *Hereford*, *St. David's*, and *Glouceſter*; dated *March* 19. 1554[e].

Marry'd Canons depos'd. P. 376.

8. A Commiſſion to turn out the marry'd Canons and Prebendaries; dated the 29th of the ſame Month[f].

Confirmation of Election to Biſhopricks. P. 383 to 389

9. CONFIRMATION of the Elections to the Biſhopricks of *Bath* and *Wells*, *St. David's*, *Hereford*, *Cheſter*, and *Rocheſter*; dated *April* 8. 1554[g].

Cranmer *burnt.*

10. AN Order for the burning of *Tho. Cranmer* at *Oxford*; dated *February* 24. 1556[h].

Temporalities of Canterbury *reſtor'd to* Pole. *P. 432.*

11. RESTITUTION of the Temporalities of the Archbiſhoprick of *Canterbury* to Cardinal *Pole*; dated *May* 21. 1556[i].

Commiſſion to ſign Iriſh *Bills. P. 451.*

12. A Commiſſion to the Lord *Fitzwalter*, Deputy of *Ireland*, to ſign certain Bills in the Parliament of that Kingdom, moſt of which relate to Religion; dated *Dec.* 1. 1556[k].

ARTICLE III.

Foreign Affairs.

THE three firſt Years of this Reign were wholly taken up in Affairs of Religion, during which the War continued betwixt the Emperor and *France*, tho' *England* was not concern'd in it.

Congreſs ſet on foot for a Peace betwixt France *and* Spain.

IN 1555, after the Emperor had reſign'd his Dominions to the Prince his Son, the latter was for making a Peace, or at leaſt ſuch a Truce as might give him leiſure to fix himſelf on the Throne. Queen *Mary* his Spouſe entring into his Views, interpos'd in 1556, for procuring ſuch Peace or Truce, and prevail'd with the two Kings to ſend their Plenipotentiaries to a place betwixt *Ardres* and *Calais*; but the Aſſembly broke up without Succeſs. The Exaltation of *Paul* IV. to the papal Throne, render'd this Peace ſtill more difficult; for this old Man, who was above fourſcore Years of Age, form'd vaſt Projects, and ſuffer'd himſelf to be govern'd by his two Nephews, who were mortal

[a] At *Weſtminſter*. [b] At the *Tower* of *London*. [c] At *Weſtminſter*.
[d] At *Weſtminſter*. [e] Ibid. [f] At *Weſtminſter*. [g] Ibid.
[h] At *Weſtminſter*. [i] At *Greenwich*. [k] At *St. James's*.

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mortal Enemies to the King of *Spain*, becauſe he ſupported the *Colonna's* whom they had a deſign to ruin. It was at the Inſtigation therefore of thoſe Nephews that he made an offenſive and defenſive League with *France* againſt *Spain*. This League however did not hinder *Henry* II. from concluding a Truce of five Years ſoon after with *Philip*. But the Pope, by means of Cardinal *Caraffa* his Nephew, whom he ſent to him in quality of Legate, engag'd him to break the Truce, and to make a new League with him for the Conqueſt of the Kingdom of *Naples*.

Pope's League with France *againſt* Spain.

Truce between France *and* Spain.

Pope makes a new League with France, *and perſuades her to break the Truce with* Spain.

IN purſuance of this League, the Duke of *Guiſe* carried an Army into *Italy* in 1557; but when he came to *Rome*, he found none of thoſe Preparations made which the Pope had promis'd. Mean time *Philip* II. ſeeing that the Truce was broke, did all he cou'd to perſuade the Queen his Spouſe to declare War againſt *France*, and for that purpoſe came over to her from *Flanders*, and at length obtain'd his Deſire. The Queen having declar'd War accordingly, ſent a Body of 8000 Men to the *Low-Countries*, which join'd *Philip*'s Army commanded by the Duke of *Savoy*. Not long after the Duke beſieg'd *St. Quintin*, and after having defeated the Conſtable *de Montmorency*, who advanc'd near the place, and made him his Priſoner, he took it by ſtorm. This Diſaſter oblig'd *Henry* II. to recall the Duke of *Guiſe* from *Italy*, and the Duke was no ſooner gone from *Rome*, but the Pope made a ſeparate Peace with *Spain*, and left *France* in the lurch. *Henry* finding himſelf ſo much preſs'd, engag'd the Queen Regent of *Scotland* to break with *England*: But the *Scots* not being diſpos'd to gratify the Regent's Paſſion, ſhe thought 'twas her beſt way to urge *Henry* to haſten the Concluſion of the Marriage of the Queen her Daughter with the Dauphin, to the end that ſhe might have the more Authority in *Scotland*. This Marriage was accordingly compleated in the Year following, *viz.* 1558.

Queen Mary *makes War againſt* France *in favour of* Philip.

He takes St. Quintin.

Pope's ſeparate Peace with Spain.

Queen of Scotland's *Marriage to the Dauphin.*

THE Duke of *Guiſe* returning with his Army into *France*, quieted the Conſternation which the whole Kingdom was under after the Battle of *St. Quintin*. *Philip* II. often admoniſh'd the Queen his Spouſe and her Council to take ſpecial care of *Calais*; but his Caution was ſo little regarded, that in the Year 1558, the Duke of *Guiſe* made himſelf Maſter of the Place after ſeven Days Siege, and then of all the Forts thereabouts which belong'd to the *Engliſh*. The Queen was ſo griev'd at the loſs of it, that ſhe ſaid if her Body was to be open'd after her Death, they wou'd find the Name of it in Characters upon her Heart. *Philip* indeed would fain have engag'd her to have made one Effort for the Recovery of that place, before the Enemy had render'd it ſtronger, and he alſo offer'd powerful Succours to aſſiſt in it; but 'twas all to no purpoſe: For the Queen's Council, which conſiſted only of Perſons that thirſted for the Blood of the Reformed, would never engage in that Undertaking, on pretence that one Year more would compleat the Ruin of the Reformation, and then they ſhould be more at leiſure to apply to the War.

French *diſpoſſeſs the* Engliſh *of* Calais, *&c.*

Q. MARY.

Queen's Grief for the Loſs of that Place.

Her Council againſt retaking it.

Philip finding that no good would come of that Propoſal, perſuaded the Queen at length that ſhe might repair the loſs of *Calais* by ſeizing the Town of *Breſt* in *Bretagne*. 'Twas with this view that ſhe ſent a Fleet to Sea, commanded by the Lord *Clinton*, which made a Deſcent on *Bretagne*, and burnt the little Town of *Conqueſt*; but at the approach of the Arrier-ban, and the Militia of the Country, he put his Troops on board again, after having loſt 600 Men, which was all that the Queen got by this Expedition for the great Expence ſhe had laid out in the Preparations. This convinc'd her, that ſhe cou'd never reap any great advantage from the Continuance of the War, and made her conſent to the Propoſal for holding a Congreſs at *Cambray*, there to treat of a Peace. The Negotiation for that end was begun there in *October*, about a Month before the Death of *Mary*, which happen'd on the 17th of *November*, in the 43d Year of her Age.

She ſends a Fleet to make a Deſcent on Bretagne.

Congreſs at Cambray.

THE foreign Affairs I have been treating of, are of ſo little Importance, that we find but two Acts in this XVth Tome of the *Fœdera* that can be ſaid to relate to them, *viz.*

1. AN Order to raiſe Troops; dated *Feb.* 9, 1557 *.

THIS Date is of importance, becauſe it ſhews that *Mary* intended to make War againſt *France* in the Month of *February*, tho' ſhe did not declare it 'till *June* following.

Order to raiſe Troops. P. 456.

2. A Commiſſion to the Earl of *Clinton* to command the Fleet deſign'd againſt *France*; dated *April* 12, 1558, at *Weſtminſter* †.

Lord Clinton's *Commiſſion for a Deſcent on* France. P. 492.

The

* At *Weſtminſter*.

† This ends the Reign of Queen *Mary*, who, ſays Dr. *Howel*, in leſs than four Years ſpace, thro' a blind Zeal for Religion, more than from her natural Temper, caus'd 277 Proteſtants to be put to death; of whom there were burnt 5 Biſhops, 21 Miniſters, 8 Gentlemen, 48 Artificers, 100 Husbandmen, Servants and Labourers, 26 Wives, 20 Widows, 9 Virgins, 2 Boys, and 2 Infants, one of them whipp'd to Death by bloody *Bonner*, and the other ſpringing out of its Mother's Womb as ſhe burnt at the Stake, and thrown back into the Fire. Moreover, 64 others were perſecuted for their Profeſſion of the true Chriſtian Doctrine, of whom 7 were whipp'd, 16 periſh'd in Dungeons, and were buried in Dunghills, and many lay rotting in Priſon under Sentence of Death 'till the Acceſſion of Queen *Elizabeth*.

As to Queen *Mary*'s Character, it has appear'd ſo manifeſtly from the above Hiſtory, that it wou'd be needleſs to give a farther Deſcription of it than what is left us by Dr. *Burnet*, who ſays ſhe had been bred to ſome more than ordinary Knowledge; but that a froward ſort of Virtue, and a melancholy Piety are the beſt things that can be ſaid of her, becauſe ſhe left the Conduct of Affairs wholly to her Council, and gave herſelf up to follow all the Dictates and Humours of the Clergy.

We

We ſhall conclude with that excellent Review of the Calamities of her Reign, which was made by the Reverend *Matthew Parker* in his Preface to the Defence of Prieſts Marriage. "Surely, ſays he, "the brief Remembrance of the things that happen'd under this Queen is a lamentable Retroſpect! What immoderate Rains and Tempeſts raged in one Year! What intolerable Heats and Droughts in another! What Penury and Scarcity of Corn and Victuals, conſequently what Hunger and Famine! What Sickneſs, what Agues, what ſtrange Mortalities reign'd and raged! What Misfortunes commonly fell to Women with Child in their Delivery! What Fires happen'd, far more than uſual in the Reigns of other Princes, waſting in many places whole Villages, Towns and Churches! Again, what cruel Burnings of Old and Young, Men and Women whether with Child or not! What Proſcriptions and Baniſhments of Learned Men! and ſuch as tarry'd within the Realm, how were they driven to Corners, ſpoil'd, impoveriſh'd, and openly ſhamed, by vile Penances and ſhameful Recantations! And furthermore, what uncommon Rapes and Villanies committed by Strangers and Foreigners! Then at laſt, what Diſhonour and Loſs the Realm ſuſtain'd by loſing that notable Borderer *Calais*, ſo valiantly won by King *Edward* III. and (till the return of Popery) politickly and chargeably maintain'd, and defended in good and ſure poſſeſſion, to the Comfort of the whole Realm, and Terror of all our foreign Enemies."

The Reign of Queen *ELIZABETH.*

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THE reſt of the XVth Volume of Mr. *Rymer's Fœdera*, contains the Acts of the 28 firſt Years of Queen *Elizabeth*. But it happens, that the number of important Pieces in this Volume does not bear any proportion to the number of thoſe Years, or to the variety of conſiderable Events that fell out in that Period; for of all the Volumes that I have already run thro', I have not found any that has fewer ſuch pieces in it than this, tho 'tis altogether as big as the former. This will not appear ſtrange if it be conſider'd that the Quarrel between *Elizabeth* and *Mary* Queen of *Scotland*, is, as it were, the Hinge upon which almoſt all the Events of this Reign turn; which Quarrel ended at laſt in *Mary's* Impriſonment and Tragical Death. Several things preceded her Impriſonment which reflect no Honour upon her Memory, and which Hiſtorians cannot paſs over in ſilence, if they will be ſo ingenuous as to give the true Reaſon of her tedious Confinement. There's no doubt but Queen *Elizabeth* had taken care to preſerve the ſeveral pieces relating to the Queen of *Scotland* in her Archives, after the Example of her Predeceſſors, who had obſerv'd the ſame Precaution with reſpect to a great many Affairs of leſs importance, as appears from that vaſt Collection of which I have already given ſo many Abſtracts. But from the Year 1563, to the Death of *Mary* in 1587, we find only one Act in the *Fœdera* which relates to the Queen of *Scotland*. This gives a handle for ſuſpicion, that her Son, King *James* I. who aſcended the Throne of *England* after the Death of *Elizabeth*, order'd the Archives to be clear'd of every Act relating to the Queen his Mother, on purpoſe to deprive Poſterity as far as poſſible of the knowledge of her Affairs, and at the ſame time to ſuppreſs every Circumſtance that might conduce to leſſen the Credit of the Annals of *Elizabeth*, which [a] *Cambden* wrote by his Order. Otherwiſe, 'tis difficult to account for the barrenneſs of the *Fœdera* in one of the principal Affairs of

Why ſo defective in Pieces relating to Mary Q. of Scots.

Queen *Elizabeth's* Reign. But ſeveral Authors have taken ſuch care to perpetuate the Memory of the chief Circumſtances of what paſs'd in *England* and *Scotland* with reſpect to this famous Queen, that all the Precaution taken to obliterate it has not been effectual. The defectiveneſs of the *Fœdera* in this ſingle Inſtance might engage me to skip over all that relates to the Queen of *Scotland*, from the time that ſhe retir'd to *England* till her Death: But as I have hitherto undertaken to give an Abſtract of the Hiſtory of every Reign, I hope it will not be taken ill that I don't leave ſo great a Blank here; the rather, becauſe 'tis in a manner impoſſible, unleſs it be fill'd up, to give a ſatisfactory Account of the few important Acts which we find in this Volume, with reſpect even to foreign Affairs, moſt of the Tranſactions in the Reign of *Elizabeth* having a neceſſary relation to, or dependance upon this grand Affair.

Q. ELIZ.

I will begin therefore with a general View of the Reign of Queen *Elizabeth*, which ſhall be the firſt Article. *Elizabeth's* Affairs with the Queen of *Scotland* ſhall be the ſecond. Her Affairs with the Kingdom of *Scotland*, or with K. *James* VI. ſhall be the third. Her Affairs with *France* the fourth. Her Affairs with *Spain* and the *Netherlands* the fifth. The ſixth ſhall be the domeſtick Affairs; and the ſeventh the Affairs which relate to Religion. I ſhall abridge each of theſe Articles as much as poſſible.

ARTICLE I.

A general View of the Reign of Elizabeth.

Elizabeth, the Daughter of *Henry* VIII. by *Anne* of *Bolleyn*, had been declar'd by Act of Parliament a Baſtard, and incapable of ſucceeding to the Crown, as well as her Siſter *Mary*, who was that King's Daughter by *Catherine* of *Arragon*. Afterwards, *Henry* VIII. being authoriz'd by another Act, which gave him a Power to ſettle the Succeſſion in what manner he thought fit, provided

Henry VIIIth's Settlement of the Succeſſion.

[a] M. *le Clerc* is inclin'd to think, that it was rather to deſtroy the Credit of *Buchanan's* Hiſtory, who has not ſpar'd *Mary Stuart*, whereas *Cambden* has us'd her with exceſſive Tenderneſs.

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provided it was by Letters Patent under the Great Seal, or by a Will sign'd with his own Hand, settled it after this manner. 1. His Son *Edward*. 2. *Mary*. 3. *Elizabeth*. 4. *Frances Brandon*, Daughter of his younger Sister *Mary*, by the Duke of *Suffolk*. 5. *Eleanor*, Sister to *Frances*: And made no mention of the Issue of *Margaret* his eldest Sister. This *Margaret* had to her first Husband *James* IV. King of *Scotland*, who was Father to *James* V. And from *James* V. and *Mary* of *Lorrain-Guise*, descended *Mary* Queen of *Scotland*, and Dauphiness of *France*. This Will was liable to a great number of Objections and Scruples, of which I will mention the chief.

Objections against it.

I. IT was objected that *Henry* VIII. had not sign'd it with his own Hand; which was probably true enough.

II. IT was affirm'd to be null because the King had made no mention of the Issue of his eldest Sister, and had only plac'd the two Daughters of his younger Sister in the order of Succession; in which a twofold Nullity was observ'd, because he had not only prefer'd the Children of the younger to those of the elder, but had actually pass'd over the latter in silence, without giving any Reason for it.

III. IT was a question whether by the general Power which the Parliament had given to this Prince to settle the Succession, they intended to empower him to settle it on Bastards, unless the Act which declar'd them such had been repeal'd.

IV. IT might also be doubted, whether the King and Parliament had a Right to place Bastards on the Throne to the prejudice of lawful Issue, for which there was no Precedent.

V. AND supposing even that the King and Parliament had such an unlimited Power with regard to the *English*, it was still a question whether such a Settlement ought to take place to the prejudice of foreign Princes, who might lay claim to the Crown of *England*. For *Edward* III. and his Successors, who still bore the Title of Kings of *France*, did not think themselves bound by the Judgement which the *French* Nation pass'd in favour of *Philip de Valois*.

Elizabeth's Accession.

NOTWITHSTANDING these Objections, *Elizabeth* was proclaim'd Queen, and plac'd upon the Throne by the unanimous Consent of the two Houses of Parliament then assembled; but the Pope, the King of *France*, the King of *Spain*, the Queen of *Scotland*, in a word all the Foreign Catholicks, obstinately maintain'd that *Elizabeth* was a Bastard, and that by consequence she could not be lawful Queen of *England*; tho' at first no visible step was taken to hinder her from ascending the Throne. The Act which had declar'd her a Bastard was not the Foundation on which they rais'd their Belief. That Act, demanded of the Parliament upon an unjust Sentence, which was only supported by a Confession that had been extorted from *Anne* of *Boleyn* after her Condemnation, when she was terrify'd with the Expectation that the Sentence by which she was condemn'd to the Flames would be executed with all Severity; this Act, I say, made no Impression upon any body. But the Foundation of their Opinion was this, that the Sentence of the Divorce betwixt *Henry* VIII. and *Catherine* of *Arragon* was null in it self; that moreover it had been repeal'd by the Pope; and from thence they infer'd, that as *Elizabeth* was born while the former Marriage of the King her Father was still subsisting, her Birth could not be reputed Legitimate. This was the Reason that *Mary* found no opposition while she was on the Throne, and *Elizabeth* scarce any rest. And probably it was for this very Cause that *Elizabeth* did not procure the Repeal of the Sentence of Divorce between *Henry* VIII. and *Anne* of *Boleyn* her Mother. For as there was no reason to fear that such Sentence would ever serve as a Foundation for a Rebellion, so 'tis certain that even tho' it had been repeal'd, the Foundation upon which her Enemies built would have subsisted nevertheless.

Q. ELIZ.

Her Prospect of a troublesome Reign.

WHAT I have now said may suffice to shew, that when *Elizabeth* ascended the Throne, she could not but foresee that her Reign would be troublesome. But to this 'tis proper to add some other Circumstances which concurr'd to increase her apprehension that she would be expos'd to great Storms. In the first place, she was actually at War with the King of *France*, who had the Queen of *Scotland* in his power, and had marry'd her to the Dauphin his Son. It was therefore very apparent, that the said Prince would not suffer the Pretensions of the Queen his Daughter-in-Law to the Kingdom of *England* to lie long dormant. 2. The two Uncles of the Queen Dauphiness, *viz.* the Duke of *Guise* and the Cardinal of *Lorrain*, were in great Credit at the Court of *France*. 3. The Dauphin and the Queen his Spouse were Masters of *Scotland*, and might attack *England* on that side. 4. The King of *Spain* indeed was in Alliance with *Elizabeth*, but she could not promise her self how long he would be her Ally, because it was her Design when she ascended the Throne, to re-establish the Protestant Religion in *England*, and to abolish the Roman Catholick Religion over all the Kingdom. 5. This Design of her's to re-establish the Reformation, could not but make every foreign Papist her Enemy, as well as deprive her of the Affection of the *English* Papists who were very numerous. 6. She could not doubt but the Court of *Rome* would put all Methods in practice, whether open or secret, to rob her of the

Her Legitimacy call'd in question by the Popish Powers.

Crown

Crown. 7. And lastly, in the beginning of her Reign, she found her self without Friends, without Allies, and without Money in her Treasury.

Her Character.

These Difficulties were enough to have shock'd a Princess who had not the Courage of *Elizabeth*. But the Sublimity of her Genius, her Intrepidity, her Judgement, which was naturally just and solid, and her other Qualities which she had receiv'd from Nature, were such as furnish'd her with the means for preventing the Dangers which she apprehended, and for remedying the Evils which she actually labour'd under. Tho' she was but young; tho' she had been bred till the Age of 25, a perfect Stranger to the publick Affairs; tho' she had no Friends, and no Foreign Alliances; tho' at her first setting out she was engag'd in a War with *France*; tho' afterwards she was frequently attack'd, sometimes openly, and at other times secretly by the Popes, by the Kings of *France*, by the King of *Spain*, by the Friends of Queen *Mary* in *Scotland*, and finally by her own Subjects, many of whom were in continual Conspiracies against her Life; yet she procur'd her Subjects that Happiness which the *English* had not enjoy'd in the former Reigns. And for this, properly speaking, her Reign was more to be admir'd than for the great Events which happen'd while she sat upon the Throne. She attain'd to this high degree of Honour and Glory, not by indulging her Whimsies and Passions, as the King her Father had done; but by an exact Observation of certain Maxims, from which she scarce ever departed, the chief of which was to gain the Love of her Subjects. And therefore every Effort to deprive her of the Affection and Esteem of her People was touching her in the most sensible part, because that was her only Support and Refuge.

Before *Elizabeth* had openly declar'd herself a Protestant, and before she had re-establish'd the Reformation, which the Queen her Sister had banish'd from *England*, every one was at a loss to think how she would act. If she had been inclin'd to follow the Steps of her Sister, or at least to have favour'd the Catholick Religion, no Expedients would have been wanting to have establish'd her Right to the Crown of *England*. The Pope's Power was an inexhaustible Source of Means which would have supply'd all defects in such a Title. She might also have marry'd *Philip* II. who courted her with so much Zeal, that he undertook to procure a Dispensation from the Pope for the Marriage. But when once she had re-establish'd the Reformation, she was no otherwise treated by the Roman Catholicks than as a Monster, both by her Birth and Religion unworthy to wear the Crown. From that time the Pope, *France*, *Spain*, the Roman-Catholicks of the *Low-Countries*, those of *Scotland*, and the *English* themselves never ceas'd to conspire against her Crown and Person. The most plausible Pretext they had, was that of her Birth, which they always reckon'd illegitimate, and from thence infer'd that the Crown of *England* belong'd by Right to *Mary* Queen of *Scotland*: for, as I have already said, her Enemies did not think themselves oblig'd to regard the Will of *Henry* VIII. in which they pretended to see so many Nullities. The *English* Papists were of the same Opinion; and even among the Protestants there were some who, tho' they prefer'd the Right of *Elizabeth* to that of the Queen of *Scotland*, were nevertheless persuaded, that if *Elizabeth* died without Issue, they cou'd not refuse the Crown to *Mary* with any colour of Justice. This Opinion prevail'd so generally, that the first Parliament which met in this Reign was very earnest with *Elizabeth* to marry, in order to prevent the Realm from relapsing under the Dominion of a Popish Queen.

The general Hatred of the Roman Catholicks against her, who arraign her Title.

Prejudices in favour of Mary Queen of Scots.

Therefore *Mary* Queen of *Scotland* was *Elizabeth*'s perpetual Competitor: And as long as the said *Mary* liv'd, all the Roman-Catholicks as well *English* as Foreigners, had it constantly in view, and exerted all their Industry to place her on the Throne of *England*; and when she was dead, they try'd to gain the King of *Scotland* her Son, and to persuade him to assert his pretended Rights, even in *Elizabeth*'s Lifetime. This Project failing, they dropp'd the King of *Scotland*, and were for improving the Pretensions of *Isabella* the Infanta of *Spain*. We may therefore be sure that after *Elizabeth* ascended the Throne, she was every Moment of her Life expos'd to open or secret Combinations which multiply'd incessantly to deprive her of the Crown. This is the principal, or rather the only Affair of her Reign, all the others being but consequent and dependent on this. It was to defend her self against the Attacks of her Enemies, and to maintain her self upon the Throne, that she fomented the Troubles of *Scotland*, that she kept *Mary Stuart* in Prison after she had fled to *England* for Refuge, and that at last she caus'd her Head to be cut off. 'Twas for this also that she put to death the Duke of *Norfolk*, and the Earl of *Essex*, that she gave Assistance to the Hugonots of *France*, and supported the Interests of the *United Provinces* of the *Netherlands*: and 'twas for this very Reason that notwithstanding her great Oeconomy, she employ'd her Treasure for the support of *Henry* IV. King of *France*, against the Efforts of the League. All these, which are the principal Articles of this Reign, are as so many Lines tending to one and the same Centre, I mean to the Plots which were laid to ruin *Elizabeth*,

Philip of Spain courts her.

Why Queen Elizabeth caus'd her to be imprison'd and beheaded.

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and to the Measures which she took to maintain her self on the Throne. This, and this alone, is properly the Subject of the History of this famous Reign. We will now enter into a more ample detail of this grand Affair, or at least relate the chief Circumstances attending it.

ARTICLE II.

Elizabeth's *Affairs with the Queen of* Scotland.

IT was observ'd in the last Tome, that *Mary* Queen of *Scotland* was carried to *France*, when but an Infant; and that there she afterwards marry'd the Dauphin *Francis*, who was *Henry* IId's eldest Son. The chief View of *France* in this Marriage was to keep *England* in awe by the means of *Scotland*. She had often experienc'd, in the Reigns of *Lewis* XI. *Charles* VIII. *Lewis* XII. and *Francis* I. how far it was in the power of *England* to hurt her; not to mention that the Kings of *England* were always ready to assert their Pretensions to the Crown of *France*, when fair opportunities offer'd, which were not at all impossible. It was the Interest therefore of *France* to have it always in her power to give *England* a strong Diversion: and for this end nothing was better calculated than the Marriage I have just now mention'd, because it might put the King of *France* in a condition of acting not only as an old Friend and Ally, but also as Sovereign of *Scotland*.

The Policy of France *to make* Scotland *her Friend.*

WHEN *Elizabeth* succeeded her Sister *Mary* on the Throne, *Henry* II. form'd new Projects. His Scheme was not only to defend himself against *England* by the means of *Scotland*, but he aim'd to deprive *Elizabeth* of the Crown, and to place it upon the Head of *Mary* his Daughter-in-Law, or rather of her Husband the Dauphin, in order by that means to unite *Great-Britain* and *Ireland* to the *French* Monarchy. He was at that time in actual War with *England*, which was a very lucky Juncture for his Design; but he met with an Obstacle in it, which was insurmountable. *Philip* II. was *England*'s Ally. It was he who had engag'd *Mary* his Spouse to declare War against *France*, and by consequence he could not in honour abandon *Elizabeth*. Nevertheless he did not act so much from a Motive of Honour and Justice, as from the Expectations he had of marrying *Elizabeth*. While he fed himself with those Hopes, his Ambassadors at the Congress of *Chateau-Cambresis* vigorously supported

Philip of Spain's *Treatment of* Elizabeth.

the Interests of *England*. All the difficulty of the Negotiation betwixt *England* and *France* was owing to the Queen of *England*'s Resolution to recover *Calais*, and to *Henry* IId's obstinate Refusal to restore it. The Hopes which *Philip* II. had entertain'd, falling to the ground by the Measures which Queen *Elizabeth* immediately took with respect to Religion, that Prince became not only colder with regard to *England*, but he might be said to have entirely abandon'd its Interests. Nevertheless, he was willing to salve Appearances, by not signing his separate Treaty with *France*, 'till he had procur'd honourable and advantageous Terms for *Elizabeth*. It is more than probable that this Prince, who, as I have already said, study'd only to salve Appearances, having beforehand settled all the Articles which related to the Peace between *France* and *Spain*, agreed with *Henry* II. that *France* shou'd make a separate Peace with *Elizabeth*, which might seem advantageous to *England*, but that afterwards *Henry* might perform it as he thought fit, when *Spain* wou'd have no reason to be dissatisfy'd with it. Consequently, all that *Philip* aim'd at was, that it might not be said he had abandon'd *England* after he had engag'd that Nation in his War against *France*. According to this Plan, the Peace betwixt *France* and *England* was sign'd at *Chateau-Cambresis*, upon this Condition, that *France* should keep *Calais* eight Years, and be oblig'd after the Expiration of that Term, to restore the said Place, with all the others that she had taken from the *English*.

Q. ELIZ.

Peace with France *at* Chateau-Cambresis.

THIS Treaty was no sooner sign'd, but *Henry* II. made the Dauphin his Son, and the Queen his Daughter-in-Law, take the Title of King and Queen of *England*, and caus'd the Arms of that Kingdom to be engrav'd on their Seal, Plate and Furniture: of which *Elizabeth* caus'd Complaints to be made to *Henry*, but the Answer he return'd was trifling; so that she could no longer doubt that it was the Intention of the Court of *France* to take the Crown from her, and place it on the Head of the Queen of *Scotland**. The great Credit which the *Lorrain* Princes, who were *Mary*'s Uncles, were in with *Henry*, made it shrewdly suspected that they had hatch'd this Scheme in favour of the Queen their Niece; and there was too much Truth in the Conjecture. But as it was not easy to attack *England* by Sea, their Design was to pour an Army into it from the Frontiers of *Scotland*. To carry this Point, there was a necessity

French King gives the Queen of England's *Title to his Son and Daughter-in-Law.*

* *Mezeray* says, that Sir *Nicholas Throckmorton* the Queen's Ambassador had this Answer, That it was in conformity to the Custom of *Germany*, where the Juniors take the Title and Arms of the Chief of their Family. *Cambden* adds, that the *French* Court pretended that all the Princes and Princesses had a Right to wear the Arms of their Family with the Bar. At last, the said Court being press'd upon this Head, told the Ambassador, that the King and Queen of *Scotland* had only taken the Arms of *England* to oblige *Elizabeth* to quit those of *France*. *Throckmorton* reply'd, that twelve Kings of *England* had borne the Arms of *France*, and that by so unquestionable a Right that in all the Treaties which had pass'd between the *English* and the *French*, not one single Exception was us'd against it. But his Arguments were of no force, and *Francis* and *Mary* kept the Title they had assum'd, as long as *Francis* liv'd: Tho', as Mr. *Rapin* observes, *Cambden* has by mistake asserted that the Constable of *Montmorency* prevail'd with them to drop it.

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His Policy to become Master of Scotland.

neceſſity for *Henry*'s making himſelf abſolute Maſter in *Scotland*, in the name of the Queen his Daughter-in-Law: and in order to be Maſter of that Kingdom, there was the ſame Neceſſity for a fair pretence to ſend an Army thither. The *Lorrain* Princes laid a Foundation for ſuch an Opportunity, by cauſing an Order to be diſpatch'd to their Siſter the Regent of *Scotland*, not to tolerate any but the Roman Catholick Religion in that Kingdom. This Order, which the Regent prepar'd to put in execution, produc'd the Effect which the Court of *France* had waited for. The Proteſtants of *Scotland*, who were already more numerous than the Papiſts, united together in a Confederacy, and both ſides took Arms.

Battle there betwixt the Proteſtant and Popiſh Parties.

THE Earl of *Argyle*, and *James Stuart*, Prior of *St. Andrews*, who was Natural Son to *James* V. put themſelves at the head of the Confederates, and compell'd the Queen Regent and *D'Oiſel* who commanded ſome *French* Troops, and the *Scots* which were paid by *France*, to retire to *Dunbar*. I will not enter farther into the Detail of theſe firſt Troubles of *Scotland*. It may ſuffice to ſay in a word, that the *Lorrain* Princes attaining to the End they propos'd to themſelves, which was to raiſe ſuch Broils in the Kingdom, as might give a Handle for ſending an Army thither, *Henry* II. immediately prepar'd to put his Project in execution, and gave Orders for raiſing Troops to be tranſported to *Scotland*, under pretence of ſupporting the Queen Regent; but *Henry* being kill'd at a Tournament, (*July* 10. 1559.) at the very time that he was beginning to take thoſe Meaſures, *Francis* II. his eldeſt Son ſucceeded him.

Death of the French *King* Henry II.

Acceſſion of Francis II.

UNDER this new Reign, the Duke of *Guiſe* and the Cardinal of *Lorrain* acquir'd a vaſt degree of Power, and were reſolv'd not to let this opportunity ſlip of placing the Queen their Niece upon the Throne of *England*. Immediately after the Death of *Henry* II. the Queen Regent had made a Truce with the Confederates, who thereupon disbanded and went home, thinking that the Death of the King of *France* wou'd put an end to the Troubles which were rais'd in *Scotland*. During this, the Earl of *Arran*, Son to the Duke of *Chatelheraud*, having made his Eſcape from the Court of *France*, where he pretended ſome Miſchief had been hatch'd againſt him, acquainted the Heads of the Confederacy with the Deſigns of the *Lorrain* Princes, and engag'd the Duke his Father to put himſelf at the head of the Party. The Earl of *Arran*'s Informations were confirm'd by the Queen Regent's Precaution to fortify *Leith* near *Edinburgh*, during the time of the Truce. The Confederates complain'd of it, and having no ſatisfaction, openly renounc'd all Obedince to the Regent.

Deſigns of the Lorrain *Princes at the* French *Court, divulg'd in* Scotland.

Confederates in Scotland *for the Reformation, routed, and purſued to the* Highlands.

This Action done at a time when they were extremely weak, engag'd the Queen Regent, who had juſt receiv'd Succours from *France*, to march directly to *Edinburgh* in order to ſurprize them. As they were not in a Capacity to make any reſiſtance, they choſe to retire to the *High-Lands*, to which the Regent's Troops, tho' with very great difficulty, purſued them. While they were thus purſued, they ſent the Earl of *Maitland* to *Elizabeth* to implore her Aſſiſtance. The Queen perfectly underſtood how far ſhe was intereſted in their Affairs, together with the neceſſity there was of ſupporting them. Therefore ſhe made a Treaty with them, by which ſhe engag'd to take them under her Protection, while the Marriage ſubſiſted betwixt their Queen and the King of *France*, and a Year after; and to give them Succours anſwerable to their Neceſſities. It was not long before thoſe Succours came, and they no ſooner arriv'd, but the *Engliſh* and *Scots* join'd together, and went to beſiege *Leith*. This Siege was long enough to give the Court of *France* time to ſend ſeveral Ambaſſadors to *Elizabeth*, who were to try to perſuade her to call home her Troops from *Scotland*, and even to offer her the Reſtitution of *Calais*. But ſhe underſtood her Intereſts too well to accept that Propoſal, which only tended to give *Francis* the liberty of making himſelf Maſter in *Scotland*, that he might afterwards with the more eaſe attack *England*. This was the main Article or Ground of a Manifeſto which ſhe publiſh'd to ſhew the indiſpenſable Neceſſity that ſhe was under to drive the *French* Troops out of *Scotland*. The Conſpiracy at *Amboiſe* breaking out in *France* at the ſame time, the *Lorrain* Princes did not think themſelves in a condition to carry on the Project they had form'd with reſpect to *Scotland*, and reſolv'd to refer the Execution of it to a more convenient time. Conſequently *Francis* II. having declar'd to *Elizabeth* that he wiſh'd for a Peace, Plenipotentiaries were ſent on both ſides to *Edinburgh*, where a Treaty was concluded.

Elizabeth's Treaty with them.

Treaty with France *at* Edinburgh.

THIS Treaty, according to a Cuſtom inviolably obſerv'd by the Court of *France* under *Henry* II. and his three Sons, was only made to deceive *Elizabeth*; for on pretence that it was contrary to the Honour of the King and Queen of *France* and *Scotland*, to treat with Subjects in Rebellion, it was not poſſible to obtain the Conſent of the Ambaſſadors of *France* that the Confederates of *Scotland* ſhould be included in the Treaty as Parties. In order to remove this Difficulty, it was agreed that a Memorial ſhould be drawn up in form of a Petition, ſetting forth what the *Scots* deſir'd, and what the King and Queen were willing to grant them; and that for their Security, there ſhould be inſerted in the Treaty betwixt *France* and *England*, an Article whereby

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whereby the King and Queen of *France* and *Scotland* ſhould engage to perform the Articles contain'd in the ſaid Memorial. It ſeems that the Court of *France* had nothing in view but to ſave a Point of Honour; for when all was done, the Confederates obtain'd what they wiſh'd for. But we ſhall inſtantly ſee the Reaſon which the *French* Court had, not to confound the Intereſts of the *Scots* with thoſe of *Elizabeth*.

The Articles granted to the Confederates were,

Articles granted to the Confederates.

THAT the Troops of *France* ſhall quit *Scotland* in 20 Days, and go on board Ships to be lent them by the Queen of *England*.

THAT the Fortifications of *Leith*, and thoſe which the *French* had added to *Dunbar*, ſhould be demoliſh'd.

THAT the King and Queen of *France* and *Scotland* ſhould grant to the Confederates an Amneſty, to be confirm'd by the Eſtates of *Scotland*.

The Treaty betwixt France *and* England *imported,*

Betwixt France *and* England.

THAT the King and Queen of *France* and *Scotland* ſhould not aſſume the Title and Arms of the King and Queen of *England* and *Ireland* for the future, and that all Acts paſs'd with thoſe Titles ſhould be repeal'd, or deem'd of no Value.

THAT as to the farther Satisfaction which *Elizabeth* demanded for the Injury which had been done to her, the ſame ſhould be ſettled in a Congreſs to be held at *London*, between Commiſſioners of the two Kingdoms.

THAT if the Commiſſioners could not agree, the Deciſion thereof ſhould be refer'd to the King of *Spain*.

THAT the King and Queen of *France* and *Scotland* ſhould punctually obſerve what had been promis'd to the Confederates of *Scotland*.

King and Queen of France *and* Scotland *refuſe to ratify the Treaty.*

* THE Articles promis'd to the Confederates were perform'd to a tittle. But when the *French* Troops were return'd home, and *Elizabeth* demanded the Ratification of the Treaty of *Edinburgh*, *Francis* and *Mary* poſitively refus'd it. This ſhews what the Court of *France* had in view, by confounding the Diſputes ſhe had with the *Scots* and thoſe with Queen *Elizabeth*, in one and the ſame Treaty. *France*, in order to bring off her Troops which were beſieg'd in *Leith*, and to engage the Confederates to quit their Arms, at a time when that Court was not in a condition to maintain the War in *Scotland*, was under an indiſpenſable Neceſſity to ſatisfy them, and by that means to deprive *Elizabeth* of any pretence to keep an Army on foot in that Kingdom. But as to her Quarrel with *Elizabeth*, it had no relation to the Affairs of *Scotland*. So that by refuſing to ratify the Treaty of *Edinburgh*, they ran no riſque of engaging the *Scots* in the Quarrel, and left it to *Elizabeth* to take ſuch Meaſures as ſhe thought fit, to obtain the Satisfaction ſhe deſir'd. Mean while, either for want of Attention in the Ambaſſadors of *France*, or by reaſon of their Ignorance of the Affairs of *England*, or perhaps the better to amuſe the *Engliſh*, they ſuffer'd this looſe Term, *That for the future*, &c. to creep into the firſt and principal Article of the Treaty, without fixing the Term to any time; and that very thing prov'd afterwards a Stumbling-block, which always hinder'd the Accommodation between the two Queens, as we ſhall find in the Sequel. Q. ELIZ.

Death of Francis II. *and Acceſſion of* Char. IX. *of* France.

Francis II. dying about the latter end of the ſame Year (1560.) *Charles* IX. his Brother ſucceeded him, under the Guardianſhip of his Mother *Catherine de Medicis*. Then the two *Lorrain* Princes having no longer the ſame Credit at Court, and ſeeing no opportunity to execute the Project of attacking *England* by the way of *Scotland*, and with the Arms of *France*, adviſ'd the Queen their Niece to return to *Scotland*, and gave her ſeveral Directions for her Conduct. 1. To quit the Title of Queen of *England*. 2. To live to outward Appearance in a good Underſtanding with Queen *Elizabeth*, and even to feign a great Affection for her. 3. To endeavour to get her ſelf declar'd *Elizabeth*'s Heireſs. 4. To labour to form a Party in *England*, of which ſhe might make uſe hereafter, as opportunity preſented, to place her ſelf upon the Throne of *England*.

The Lorrain Princes Advice to Mary *Queen of* Scots.

Why Queen Mary *refus'd to ratify the Treaty of* Edinburgh.

IN order to perform the laſt piece of Advice, upon which *Mary* was reſolutely bent, it was abſolutely neceſſary for her to avoid the Ratification of the Treaty of *Edinburgh*. To take that Treaty in a true Senſe, it muſt be conſider'd, that according to its natural Conſtruction, it could not be ſaid that the Intention of the Parties was to exclude *Mary* from the Power of laying Claim *at any time* to the Crown of *England*, under pretence of the Term *for the future*, to which no Bounds had been fix'd. The caſe might very naturally happen, that the ſaid Crown would devolve to *Mary*, without any infringement of *Henry* VIIIth's Will. But then it muſt be conſider'd, that this unlimited Term *for the future*, might be liable to ſuch a ſtrict Explanation. *Mary* therefore made a Handle of the Ambiguity which was couch'd in that looſe Term, to excuſe her ſelf from ratifying the Treaty. Nothing would have been more eaſy than to explain it, as ſhe did afterwards in this manner, *That for the future*, that is to ſay, *during the Life of* Elizabeth *and her Iſſue, ſhe wou'd forbear to take the Style and Arms of the Queen of* England. 'Tis very

* Mr. *Rapin* obſerves, that *Buchanan* in his Hiſtory has only given the Articles granted to the *Scots* Confederates, and that *Cambden* in his Annals of *Elizabeth*, has only made mention of the Treaty between the Crowns; which Omiſſion in both thoſe Writers has render'd many Paſſages in their Hiſtories very obſcure.

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very apparent therefore, that if ſhe had explained herſelf thus at the beginning, *Elizabeth* would have been content. But ſhe did not offer at this Explanation of it, till her Affairs were in a declining condition. 'Tis manifeſt therefore, that the Prejudice ſhe might poſſibly ſuffer from the Ambiguity of that Expreſſion, *for the future*, was only a Pretence ſhe made uſe of to be excus'd from ratifying the Treaty, and from declaring that ſhe would not lay claim to the Crown of *England*, during the Life of *Elizabeth*. For by this Declaration ſhe would have renounced the Rights which ſhe propoſed as her Foundation to form a Party in *England*, capable of dethroning *Elizabeth*, according to the Advice of her Uncles. And on the other hand, when the neceſſity of her Affairs in the ſequel, obliged her to offer the Explanation I have mentioned, *Elizabeth* was not ſatisfied with it, being very ſenſible that *Mary* only reſolved upon it becauſe ſhe was drove to an Extremity; which confirm'd her in the Thought that all the Artifice her Competitor had made uſe of to be excus'd from ratifying the Treaty of *Edinburgh*, had no View in it but to ſecure to herſelf a Right of dethroning her whenever occaſion offer'd. This ſhews the Reaſons which *Mary* had to ſhuffle off the Ratification of the Treaty, on pretence of its being too prejudicial to her. But herein conſiſted the very Ambiguity, which ſhe did not think it was for her Intereſt to clear up. The Prejudice might be in the Conſtruction of the Term *for the future*, which taken in the moſt ſtrict ſenſe, ſeemed to denote that *at no time*, ſuppoſing even that *Elizabeth* died without Iſſue, *Mary* ſhould take the Title of *Queen of* England. That was what ſhe deſired might be the Acceptation of it, though ſhe took care not to explain herſelf too clearly. But on the other hand, the Prejudice might alſo conſiſt in this, that if *Mary* owned ſhe could not take the Title of Queen of *England* during the Life of *Elizabeth*, ſhe would thereby be depriv'd of the opportunity of forming a Party in *England*, which could only be founded on thoſe very Rights ſhe was preſſed to renounce. That was the true Prejudice ſhe was afraid of. Now that ſhe had a Deſign to form a Party in *England* for dethroning *Elizabeth*, appears plainly from the Memoirs of *Melvil*, whoſe Brother was Ambaſſador in ordinary from *Scotland* to *England*. Therefore, when after the Death of *Francis* II. *Elizabeth* demanded of her to ratify the Treaty of *Edinburgh*, ſhe eluded it, by ſaying ſhe had no *Scots* Council about her, and that the Court of *France* did no longer meddle or make with the Affairs of *Scotland*. And afterwards, when by the Advice of her Uncles ſhe quitted the Title of Queen of *England*, ſhe anſwered the Ambaſſador of *England*, who preſſed her on that head, that ſhe had not aſſumed that Title without the poſitive Orders of King *Henry* II. her Father-in-law, and the King her Husband; and that the latter being dead, ſhe had dropp'd that Title: That therefore it was needleſs to demand of her the Ratification of a Treaty which ſhe had already executed, as well in this Article, as in that which related to the *Scots*; and that when ſhe came to *Scotland*, and had her Council about her, ſhe would conſider this Affair more maturely. But *Elizabeth* was not content with *Mary*'s quitting the Title voluntarily. She would have her do it by virtue of the *Edinburgh* Treaty, becauſe otherwiſe ſhe might take it up again with the ſame eaſe that ſhe had relinquiſhed it. Nevertheleſs *Mary* could not perſuade herſelf to ratify the Treaty, while ſhe had any hopes left of aſſerting her claim to the Crown of *England*. This was the very Source and Origin of the Quarrel that aroſe betwixt the two Queens, a Quarrel which we ſee was of no ſmall Importance, and which could not be determined but by the Death of *Mary*. I have taken up ſome time to ſhew the Cauſe of it, though I ſhall not ſpend ſo much in demonſtrating the Effects of it. But 'tis neceſſary to ſtop a little, to conſider the Advantages which *Mary* continually gave her Rival by her ill Conduct, and with how much Art *Elizabeth* improved them.

Q. ELIZ.

The Source of the Quarrel betwixt the Queens of England *and* Scotland.

Mary having a deſign to return to *Scotland* according to the Advice of her Uncles, ſent to deſire a Safe-Conduct of *Elizabeth*, who anſwered, that ſhe would grant her one with all her heart, provided * the *Edinburgh* Treaty was firſt ratify'd; and that ſhe ſhould alſo take it ill if *Mary* did not come through *England* in her Return to her own Kingdom. *Mary*, who had no mind to ratify the Treaty, was provoked at this Refuſal, and declared in a very angry Tone to the Ambaſſador of *England*, that ſhe came into *France* in ſpite of *Edward* VI. and would return to *Scotland* in ſpite of *Elizabeth*. Accordingly ſhe ventured over thither without a Safe-Conduct, and arrived happily at *Edinburgh*. But though ſhe ſeemed in a great paſſion with *Elizabeth* before her Departure from *France*, yet by the Advice of her Uncles, ſhe did not fail to ſend her an Ambaſſador to inform her of her Arrival, and to deſire her Friendſhip.

Mary's Return to Scotland.

Elizabeth *refuſes her a Safe-Conduct.*

BUT the Ambaſſador's chief Commiſſion was to feel the Pulſe of *Elizabeth*, by giving her to underſtand that *Mary* wiſh'd to be declared next Heir. *Elizabeth* in like manner pretended abundance of Eſteem and Affection for her *good Siſter* (as ſhe always called the Queen of *Scotland*) but told the Ambaſſador in plain Terms, that ſhe thought it

Mary's *Propoſal to be declared next Heir to* Elizabeth, *rejected.*

* Mr. *Rapin* blames *Buchanan*'s Injuſtice, in not giving the Terms upon which *Elizabeth* was willing to grant the Safe-Conduct.

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it ſtrange that any Propoſal ſhould be made to her, to declare *Mary* her Heir before the Treaty of *Edinburgh* was ratify'd. Tho' ſhe took it very ill that *Mary* eluded the Ratification of that Treaty by ſuch idle ſhifts, yet ſhe thought it proper to diſſemble her Reſentment, and to feign an extraordinary Affection for *Mary*, as *Mary* pretended on her part for *Elizabeth*. *Melvil* affirms in his Memoirs, that theſe two Queens wrote to each other every Week, in terms the moſt tender and the moſt affectionate; which was a Diſſimulation they both thought neceſſary *. *Elizabeth* left *Mary* not without hopes that ſhe would declare her next Heir, in order to draw her in to ratify the Treaty of *Edinburgh*. And *Mary* on her part endeavoured by her Expreſſions of Friendſhip for *Elizabeth*, to obtain that Declaration from her which ſhe wanted, becauſe ſhe thought that the Ratification of the Treaty would by that means be of no effect. Not that ſhe propoſed to be compleatly ſatisfied by ſuch Declaration, for ſhe had no great Hopes of ſucceeding *Elizabeth*, who was but 27 Years of Age, and who moreover might poſſibly marry and have Children. But ſhe looked upon this Declaration as a very proper means to ſtrengthen the Party, which ſhe was endeavouring to form in *England*, as appears by *Melvil*'s Memoirs. On the other hand, when *Elizabeth* conſidered that *Mary* was ſupported by all the Roman Catholick Powers in *Europe*, as well as by a Party in *England*, which though at preſent kept under, was very ſtrong; and that ſhe might happen to marry ſome Prince of a great Family, powerful enough to promote her Pretenſions; ſhe could not but think *Mary* a very dangerous Rival. What had been the Effect of her Marriage with *Francis* II. might give cauſe to fear a like Attempt from ſome other Quarter: So that when not long after, *Mary* asked her Advice relating to the Marriage propoſed to her, with the Archduke *Charles* II. Son to the Emperor *Ferdinand*, ſhe repreſented to her, that after ſuch a Marriage, ſhe muſt never expect to come to the Throne of *England*, and gave her to underſtand at the ſame time, that ſhe could not do better to gain the Love of the *Engliſh* Nation, than to marry an *Engliſhman*. By that means ſhe gave her a broad hint, that her Requeſt to be declared next Heir to the Crown, depended upon her good Behaviour to herſelf and the *Engliſh* Nation; but ſhe took care not to engage poſitively to grant her Satisfaction. Theſe two Queens lived for ſeveral Years as good Friends to all outward appearance, but no Cunning or Diſſimulation was wanting in either.

Q. Eliz.

The Diſſimulation of both Queens.

'Tis time now to ſay ſomething of the Weight which turn'd the Ballance in favour of *Elizabeth*, and gave her all the Advantage over her Competitor; and that was *Mary*'s ill Conduct. If this Queen had not given way to her Paſſions, 'tis hardly to be doubted but ſhe would have proved ſuch a Plague to *Elizabeth*, that, as cunning as ſhe was, ſhe would have found it very difficult to have ſtood her ground. For notwithſtanding all the Miſtakes of which *Mary* was guilty, and notwithſtanding the loſs of her Liberty, ſhe was ſtill ſo formidable to her, that *Elizabeth* could not be ſure of her Peace, nor even of her Life, but by the Death of her Competitor.

Mary had been brought up from a Child in a Court of Gallantry, though of Bigotry, of which ſhe naturally took ſuch Impreſſions as proved her Ruin. After the Treaty of *Edinburgh*, and even during the Life of *Francis* II. the States of *Scotland* had ſettled the Reformation in that Kingdom by their own Authority, and had only left the Queen the liberty of having Maſs ſaid in her Chapel, without any Pomp. Before *Mary* ſet out from *France*, her beſt Friends, who perfectly knew the Affairs of *Scotland*, adviſed her to ſtick to the Proteſtants, as the only Party able to ſupport her. She immediately comply'd with this Advice, and committed the chief Management of her Affairs to *James Stuart*, Prior of *St. Andrews*, her Baſtard Brother, to whom ſhe not long after gave the Title of Earl of *Murray*. But ſhe was ſoon weary of being govern'd by this Brother, who was a Proteſtant, and whoſe Temper was too rigid for him to approve of certain Irregularities which he perceiv'd in her Conduct. In fine, without entering into too many Particulars under this head, I ſhall only ſay in one word, that ſhe reſign'd herſelf, as we may call it, into the hands of one *David Riccio* or *Rizzo*, an *Italian* Muſician, who became on a ſudden her Prime Miniſter and Favourite †.

James Stuart *made* Earl *of* Murray.

Mary conſults her about a Match propoſed to her with the Archduke.

'Tis

* Mr. *Rapin* in that large Hiſtory of *England* which he wrote after he had made this Extract of Mr. *Rymer's Fœdera*, ſays, he can't but think that *Melvil* was miſtaken in the Account he gives of the weekly Correſpondence betwixt theſe two Queens, ſo ſoon after *Mary*'s Return to *Scotland*, becauſe hitherto nothing had paſs'd betwixt them, which could tend to form or to cement ſuch a reciprocal Intercourſe and Friendſhip; and on the contrary, ſeveral things had happened which contributed to ſet them at greater variance. But Mr. *Rapin* adds, if *Melvil*, who was at that time in *Germany*, was rightly informed, every one muſt own the two Queens were very arrant Diſſemblers.

† As this Man was the original Cauſe of the Troubles in *Scotland*, and of the Diſgrace of his Miſtreſs, we ſhall juſt take notice from *Rapin's* Hiſtory, that he was the Son of a Muſician at *Turin*, and that he came over to *Scotland* in the Retinue of the Count *de Moretto*, who was ſent thither as Ambaſſador. He had not only Judgment in Muſick, but ſo fine a Voice, that he ſoon got acquainted with the Court Muſicians, and was preſented to the Queen, who wanting ſuch a Voice as he had for her Muſick, prevailed on the Ambaſſador to let her have him. After which ſhe preferred him firſt to the Poſt of Secretary of her *French* Diſpatches, from whence he roſe to that of her Prime Miniſter. *Buchanan*, who was a great Enemy of Queen *Mary*, ſays, that ſhe often made him eat at her Table, and that ſhe as often eat at his; inſinuating, that ſome Familiarities paſs'd betwixt them which were not common

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'Tis ſaid that *Riccio* became a Penſioner to the Pope, as ſoon as he became a Favourite with the Queen, if he was not ſo before. Be this as it will, the Queen was determined by the Advice of this Favourite to marry with a Roman Catholick, and by degrees to rid herſelf of the Earl of *Murray*, who was always teazing her. To compaſs this Deſign, ſhe began with recalling certain Enemies of *Murray*, who had been baniſhed from Court; and then ſhe caſt her Eyes upon Lord *Darly*, with a view to make him her Husband. The Lord *Darly* was Son to *Matthew Steuart*, Earl of *Lenox*, and *Margaret Douglas* Neice to *Henry* VIII. by that King's eldeſt Siſter *Margaret*; who after the Death of her Husband *James* IV. married *Archibald Douglas* Earl of *Angus*. Conſequently the Lord *Darly* might lay claim to the Crown of *England* after *Mary*, becauſe his Birth gave him Place before the Daughters of the Queen (Ducheſs of *Suffolk*) though *Henry* VIII's Will had ſettled the Succeſſion otherwiſe. 'Tis clear therefore, that by this Marriage *Mary* united the Claims and Intereſts of the two Branches that deſcended from *Margaret*, *Henry* VIII's eldeſt Siſter. The Earl of *Lenox* having declar'd for this Prince when he made War upon *Scotland*, was baniſh'd the Kingdom, and retired with his Wife to *England*, where *Henry* had given them Lands in compenſation for thoſe they had loſt in their own Country. They were there ſtill, when *Mary* reſolved to marry Lord *Darly*, their eldeſt Son. She found means to draw both the Father and Son into *Scotland*, with the Conſent of *Elizabeth*, who imagined that it would be always in her power to obſtruct the Marriage, and only meant to amuſe the Queen of *Scotland*, but was at laſt deceived; for *Mary* actually married the Popiſh Lord *Darly*, *Riccio* having taken a great deal of pains to bring it about, for fear leſt *Elizabeth* ſhould find out a Husband for her that was a Proteſtant: and indeed ſhe had ſtrenuouſly ſollicited her to marry *Robert Dudley*, Son to the late Duke of *Northumberland*, to whom ſhe had given the Title of Earl of *Leiceſter*.

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Queen of Scots *marries him, after* Elizabeth *had recommended the Earl of* Leiceſter *to her.*

An Account of Lord Darly's Pedigree.

Mary's Marriage was not approved by all the *Scots* Nobility: The Earls of *Argyle*, *Murray*, and ſome others, took * Arms to hinder it, but were forced to fly to *England*, where they were well received. *Riccio* made uſe of this opportunity to compleat the Ruin of the Noblemen who were fled; and who being the Heads of the Proteſtant Party, he therefore called an Aſſembly of the Eſtates in order to get their Lands confiſcated, and their Names ſtruck out of the Peerage. During this, the Queen had conceived ſuch a Diſguſt at the King her Husband, that ſhe could hide it no longer; ſhe made him ſuffer the moſt cruel Mortifications in private, and treated him with the utmoſt Indignity in publick. The King aſcribed all this baſe Treatment to *Riccio*, who governed the Queen; and, as 'tis ſaid, was too familiar with her †: Therefore the King privately recall'd the Noblemen who were fled to *England*, that he might have their Credit and Support; and two Days before they arriv'd, he cauſed *Riccio* to be aſſaſſinated in the very Chamber

Scots *Nobility take Arms upon it.*

Her ill Uſage of her Huſband.

Murder of Riccio.

common nor commendable. But as *Buchanan* may naturally be ſuſpected to have aggravated this Matter, Mr. *Rapin* is for adhering ſtrictly to what *Melvil* ſays about it, who cannot be charged with any Deſign to blacken the Queen's Character, becauſe upon all occaſions he diſcovers a great Veneration for her, yet without concealing her Errors and Defects. This Author ſays, "That *Rizzo*'s Pride and Inſolence rendered him hateful to all the Nobility, that "when the great Men went to confer with the Queen about Affairs of Government, they always found *Rizzo* in her "Chamber; that he often affected to whiſper her in the Ear when ſhe was in Conference with them, or in a full "Aſſembly of the States; and that he was extremely covetous and ſelfiſh. *Melvil* adds, That when he himſelf took "the liberty to repreſent to the Queen how much ſhe already did and might hereafter ſuffer by the Favours which "ſhe heap'd on that Foreigner, ſhe told him, that ſhe was not to be directed by her Subjects in the Diſpenſation "of her Favours."

Barneſtaple, one of the ſixteen Writers concerning *Mary* Queen of *Scots*, collected in two Volumes by Mr. *Jebb*, gives *Rizzo* the Character of a Man of great Judgment, Wiſdom, and Sagacity, as ready to praiſe and promote the Counſels of the Good, as he was quick at diſcerning and baffling thoſe of the Wicked; only he had this Fault, that he ſung too ſoft for a Man, and too often for a Cabinet-Counſellor to the Queen.

Two others of thoſe Writers, *viz.* Counſellor *Blackwood* and *George Coney*, both *Scots-men*, ſay, that this *David* was an old, crabbed, and deformed Fellow; and that 'twas his Loyalty and Sagacity which made him ſo dear to the Queen. *Thuanus* too ſays, that notwithſtanding his mean Original, the Queen made him ſit at Table with her every Day.

* Mr. *Rapin*, in his Hiſtory, obſerves a notorious Contradiction here betwixt *Buchanan* and *Camden*. The former ſays the Nobility did not take Arms till after the Marriage, when they ſaw the Court had a Deſign to oppreſs them. The latter will have it, that the Queen was obliged to march againſt the Confederate Lords, to hinder them from diſturbing the Marriage-Ceremony; and that ſhe forced them to fly to *England*: which, if true, is an Argument that ſhe ſurprized them before they had duly concerted their Meaſures. *Melvil* firſt gives an Account of the Inſurrection, and then of the Marriage.

† *Camden*, whoſe Aim was to juſtify Queen *Mary* upon all occaſions, and for which reaſon he ſcarce makes mention of *Riccio*, accuſes the Earl of *Murray*, then in *England*, of having made miſchief between the Queen and her Husband, both by Letters and his Friends; and he takes notice of the Queen's putting the King's Name after her own, in the publick Acts and Coin, as a Reaſon of the Queen's Diſguſt; which, as Mr. *Rapin* obſerves, was only an Effect of it. Our Author is inclined to think, that what *Buchanan* has ſaid of the Queen's Diſguſt with the one, and her Familiarities with the other, is very much aggravated; though he agrees that the King was jealous: but whether the Queen gave cauſe for it, according to *Buchanan*; or the Earl of *Murray*, according to *Camden*; is the Queſtion to be decided. *Melvil*, whoſe Authority can hardly be ſuſpected in this Matter, manifeſtly ſuppoſes the King's Jealouſy, though he ſays nothing of the Cauſe of it; and we may be ſure, as it were, that if he had thought the Queen innocent, he would not have fail'd to have clear'd her.

But we will leave the curious Reader to his own Reflections, after he has conſulted *N. Cauſin*, M. *de Caſtelnaud*, and *Adam Blackwood*, three of the Authors whoſe Memoirs of this Queen are collected by Mr. *Jebb*, and who have done all they can to acquit her of the Imputation of Adultery.

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ber of the Queen, who was six Months gone with Child, and then put her under Arrest, ordering her Guard to keep her always in sight*. Nevertheless, she found means to make her Escape, and to retire to *Dunbar*, where she resumed her Authority; the Earl of *Murray* her Brother having done her signal Service upon this Occasion, by refusing to join with the Men of that Party who had assassinated *Riccio*. From that time the Queen reposed all her Favour and Confidence in the Earl of *Bothwel*, *Murray*'s capital Enemy; and retained such a pique against the King, that she could never forgive him. She gave such evident Tokens of her Hatred of him, at the Baptism of the Prince of whom she was brought to bed, that the *English* Ambassador who came to be Surety at the Font, in the name of *Elizabeth*, could not help sending her word that he thought her Conduct scandalous: He pressed her also to ratify the Treaty of *Edinburgh*, but could obtain nothing.

Arrest of the Queen, and her Escape.

Her Advancement of Bothwel.

AT length the King finding himself so unworthily treated, was resolved to retire to his Father the Earl of *Lenox* at *Glascow*. A League from *Edinburgh* he fell sick of a poisonous Dose which had been given him before he set out; but the Strength of his Constitution saved him from this Danger for another that was greater; for this Stroke failing, the Queen found means to draw the King to *Edinburgh*, where he was lodged in a House near the Walls of the City. Being not yet well recovered, the Queen frequently visited him, and seemed to be heartily reconciled to him: But one Night as he was asleep, the House was blown up by the means of some Barrels of Powder placed under the Chamber where he lay, and he was found dead in the Garden, and no Wound appeared on the Body: All Mankind accused the Queen and Earl *Bothwel* of the Murder. No Credit ought to be given to the Stories which *Camden* tells about it in his *Annals of Elizabeth*, in order to bring the Earl of *Murray* under a Suspicion of that Murder. If there was room for it here, I could shew the Falshood of his Narrative by undeniable Proofs. After the King's Death, the Earl of *Murray* retir'd to *France* with the Queen's leave, for fear that *Bothwel* should play him a scurvy Trick.

An Attempt to poison the King of Scotland; *but his Constitution being stronger than the Dose, he is blown up in his Bed.*

Earl of Murray *retires to* France.

AT last, the Queen being blinded by her Passion, caused herself to be carried off by Earl *Bothwel*, and married that hateful Man, who was not only suspected, but had even been publickly accused of having put the King to death. This Action drove the *Scots* Nobility beyond all the Bounds of Patience. They made a League together to punish the Murderers of the late King, took Arms, and obliged the Queen to retire with *Bothwel* her new Husband to *Dunbar*, where she raised Troops. When they were ready, she marched against the Confederates, who made haste on their part to meet her: But perceiving that her Army did not serve her chearfully, her Courage fail'd her; and while the two Armies as it were faced each other, she entered into a Treaty with the Confederates, and surrendered herself into their hands. A Promise was made to obey her, provided that she would abandon *Bothwel*, who was fled to *Dunbar*; and upon this condition she was carried to *Edinburgh*. But on the very Day that she arrived there, she brib'd one of her Guards, and wrote an excessively tender Letter to *Bothwel*, wherein she promised never to forsake him. But this Letter falling into the hands of the Confederates, they would trust her no longer, and sent her Prisoner to *Lochlevin:* and some days after, they obliged her by Menaces to resign the Crown to the Prince her Son, and to appoint the Earl of *Murray* Regent of the Kingdom during the King's Minority.

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Confederacy of the Scots *to punish the Murderers of the late King.*

Surrendred herself into the hands of the Confederate Lords.

She is sent Prisoner to Lochlevin.

Yields the Crown to her Son.

E. of Murray *is Regent.*

THE Earl of *Murray* arriving from *France*, caused pursuit to be made after *Bothwel*, who was put to Sea, and turn'd Pirate. He narrowly miss'd of being taken; but finding means to escape, he retired to *Denmark*, where he was committed to Prison, and about ten Years after he died. Mean time a Party was formed in *Scotland* for the Queen; and as soon as they had gathered Numbers and Strength, she escaped from Prison, and went to put herself at the head of an Army which was formed ready for her. The Regent, tho' he was surprized, and by much inferior in number of Troops, did nevertheless march to meet her. A Battle ensued, and the Queen's Troops being routed, she resolved to fly to *England*, since she could no longer stay in *Scotland* with safety. *Elizabeth* being informed of her Arrival, caused her to be received with Honour, but refused to see her till she had acquitted herself of the Crime laid to her charge, in having married the Murderer of the King her Husband, and having been herself an Accomplice in the Murder. This was the result, in short, of the irregular Conduct of *Mary*; a Conduct which made her fall into the hands of *Elizabeth*, from whence it was not possible for her to extricate her self but by a shameful Death. There was a Necessity of making this known, for the better

Bothwel's Flight, Imprisonment and Death.

Queen of Scots *escapes from Prison, and heads an Army.*

Her Overthrow, and Flight to England.

Her Reception by Q. Eliz.

Reflection on her Conduct.

Queen of Scots *runs away with Earl* Bothwel, *and marries him.*

* *Buchanan* says, that upon this there was a great Tumult in *Edinburgh*, and that the Citizens took Arms; but *Melvil* makes the Tumult inconsiderable. Because the Earl of *Murray* return'd to *Scotland* so soon after the Murder, *Camden* will needs have it, that it was committed in that Earl's favour, and by his privity. But Mr. *Rapin* makes it appear from *Melvil*'s Memoirs, that his Consequence is very unjust; that the Friends of the other Lords, and not those of the Earl, were the Authors of the Murder. And he observes upon the whole, that by such Strokes, and by a perpetual Raving against *Murray*, *Camden* has disfigured not only the History of *Scotland*, but that part of the *English* History which is connected with it.

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better understanding of what follows hereafter.

Elizabeth's artful dealing with her.

FROM the time that *Mary* arriv'd in *England*, she was really a Prisoner, tho' *Elizabeth* pretended it was only a Point of Decorum which did not allow her to see her till she had clear'd her self, of which she made her believe she had no manner of doubt. The better to play her Game, she feign'd to be in a very great Passion with the *Scots* for having dethron'd their Queen. She declar'd that by so doing, they had signally affronted and extremely prejudic'd all other Sovereigns, who were all concern'd to support the Rights of this depos'd Queen. At the same time, she gave *Mary* to understand that she was convinc'd of her Innocence; but that nevertheless it was necessary the same should be made publick to the whole World, in order to give Authority for the Succours she intended to furnish for replacing her on the Throne. *Mary* fell into the Snare, and imagining that *Elizabeth* really design'd to serve her, and that she only wanted a Pretext to salve Appearances, she consented to have the Cause try'd by *English* Commissioners. As soon as she had given her consent to this fatal Examination, *Elizabeth* wrote to the Earl of *Murray*, that she was resolv'd to make a thorow Inquiry into the Proceeding of the *Scots*; and that if they could not prove what they had alledg'd against their Queen, she would assist her with all her Forces: That she desir'd him therefore to send some Deputies to *York*, to which she would dispatch Commissioners on her part, and that he would furnish them with such Proofs as he had in hand; to the end that after a proper Examination she might know what to determine: That if the *Scots* refus'd to consent to such Examination, she would look upon their Refusal as a Conviction of the Injustice of their Rebellion. The Regent being intimidated by these Menaces, resolv'd to go himself into *England* in company with some others of the Nobility, and several Civilians, in order to impeach the Queen his Sister there, and to justify the Conduct of the Estates of *Scotland*. This was the very thing that *Elizabeth* desir'd: for she only engag'd to support her *good Sister* in case she was found innocent; but at the same time she put it in the power of the *Scots* to prove her Crimes.

Her Letter to the Regent of Scotland.

Meeting of the Commissioners at York upon the Affair of Mary Queen of Scots.

THE *English* Commissioners with the Duke of *Norfolk* at their head, going to *York*, the Regent of *Scotland* and the Agents of Queen *Mary* repair'd thither also; but the Duke of *Norfolk*, who was a secret Friend to the Queen of *Scotland*, perceiving what was *Elizabeth*'s Design, made use of Methods too tedious to mention, which hinder'd the Conference from having any Success. Yet *Elizabeth*, unwilling to to lose the Fruit of her Artifice, found means to bring the Regent of *Scotland* to *London*, and caus'd a second Conference to be held at *Hampton-Court* in presence of other *English* Commissioners, who were not such Friends to the Queen of *Scotland* as was the Duke of *Norfolk*. *Mary* perceiving, or being inform'd of the Artifice of *Elizabeth*, revok'd the Power which she had given to her Agents; but this did not prove a Hindrance to the Examination of her Affair. The Earl of *Murray* produc'd his Proofs against the Queen his Sister, to which no answer was made; and those Proofs which were committed to Writing were put into the hands of the Queen, who feign'd nevertheless that she gave no Credit to them; and she actually rav'd against the Regent and the *Scots* Commissioners, and treated them as Rebels. But all this was only a Copy of her Countenance, that there might be an Opportunity for saying that this Affair did not seem in her Opinion to be clearly discuss'd, and that it wanted fuller Explanation. It was on this pretence that she detain'd the Queen of *Scotland* for the space of eighteen Years without giving her the Assistance, which she had at first put her in hopes of, and without convicting her of the Crime of which she was accus'd, by starting fresh Pretences every Day for deferring that Explanation which she seem'd to wish for.

Q. ELIZ. Another at Hampton-Court.

WHEN *Mary* once perceiv'd the *Artifices* of *Elizabeth* to detain her in Prison, she thought her self warranted to make Attempts of every kind to procure her self Liberty. A multitude of Conspiracies were form'd for her, to some of which she consented, and particularly to that for marrying the Duke of *Norfolk* against the Will of Queen *Elizabeth*, tho' *Bothwel* was still alive: It cost that Duke his Life for pursuing that Chimerical Project with too much Zeal. All these several Conspiracies, none of which succeeded, produc'd no other Effect than to convince *Elizabeth* how much she was concern'd to look well to her Prisoner. For since she found Means to get so many Men to act for her while she was in Prison, what would she not have been able to have done, if she sate peaceably upon the Throne of *Scotland*, or if even after her Disgrace she had been permitted to go over to *France?*

Conspiracies for Queen Mary's Liberty.

I have no design to enter into the Particulars of all the Conspiracies that were form'd for *Mary*'s Liberty, and at the same time to place her upon the Throne of *England*. I shall only say in few words, that the Earls of *Northumberland* and *Westmoreland* took Arms in her favour, as well as the Lord *Darcy*; that it cost the former his Life, and that the two others were oblig'd to fly out of the Kingdom: That the Duke of *Norfolk* lost his Head upon a Scaffold:

Fate of the Lords that took Arms for her.

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that the Pope, *Spain*, the Duke of *Alva*, *France*, and the Duke of *Guiſe* ſerv'd *Mary* with all their Power; that they acted with the ſame Zeal in *Scotland* in order to find an Opportunity to attack *Elizabeth* from that Quarter; that the young King of *Scotland* ſeem'd at one time to have been gain'd by the Roman Catholicks to favour thoſe Conſpiracies; and finally, that ſeveral Plots were carried on againſt the Life of *Elizabeth*, and that they came to nothing at all. Moreover, the Biſhop of *Roſs* in *Scotland*, Author of a Hiſtory of that Kingdom, who was at the Court of *Elizabeth* in quality of Ambaſſador from *Mary*, had a hand in all theſe Conſpiracies. He was a Man of a very turbulent fiery Temper, who did the Queen his Miſtreſs more harm by endeavouring to ſerve her, than her Enemies did with all their Contrivances to hurt her.

Leſley, Biſhop of Roſs, his Character.

During all theſe Intrigues, which laſted many Years, *Elizabeth* was continually embarraſs'd; ſhe only kept *Mary* in Priſon, upon a vain Pretext which was already known. This extreme Rigour was the Cauſe, or rather the Pretext of the Conſpiracies I have juſt now mention'd. It ſeems at firſt view that *Elizabeth*, by ſetting *Mary* at liberty, might have deliver'd her ſelf out of all thoſe Troubles; but this Step would have been ſtill more dangerous. *Mary*'s Impriſonment was only a Pretence, as I have already ſaid, for the many Conſpiracies form'd in her favour. The real View of her Friends was to place her on the Throne of *England*; and the ſetting her at liberty would only have made it the more eaſy for them to execute their Deſigns. *Elizabeth* was oblig'd therefore for her own Safety to detain her in Priſon. Indeed *Mary* offer'd to ratify the Treaty of *Edinburgh* in the manner I have already ſaid; that is to ſay, not to lay claim to the Crown of *England* during *Elizabeth*'s Life: but this Offer was made too late, for *Elizabeth* knew the Deſigns of her Enemies too well to accept of ſuch a Propoſal, which ſhe look'd upon as a Snare. Her Jealouſy of her was rais'd to the higheſt pitch; ſhe ſaw that this Affair was come to ſuch a paſs, that ſhe could not deliver *Mary* without expoſing her ſelf to the greateſt Danger; and therefore ſhe reſolv'd to make her Priſoner for Life. The only Difficulty was, what Excuſes to make to *France* and *Scotland*, which ſtrongly ſolicited her Liberty, but by their Importunities only ruin'd the Affairs of the Captive Queen, and confirm'd *Elizabeth* more and more in her Suſpicions and Reſolution. She found no better Pretence than that which had already ſerv'd for her Excuſe, *viz.* to feign that ſhe wiſh'd *Mary* might appear Innocent. Therefore ſhe ſignify'd that ſhe would have this Affair examin'd once more; and the Earl of *Morton* went to *London*, there to accuſe the Queen a ſecond time. But this came to nothing, becauſe *Elizabeth* was reſolv'd that the Affair ſhould never be put into a clear Light: not but ſhe was fully convinc'd by the Proofs ſhe had in her own hands, that *Mary* was guilty. But as ſhe had no Right to condemn her for that Fact, ſo ſhe did not care to try her for it; it was ſufficient for her that ſhe did not appear to be innocent. All this was Artifice in order to amuſe the Ambaſſadors with Hopes that this Affair would ſoon be clear'd up, and that in all probability *Mary* would be fully juſtify'd; and in the mean while ſhe always gain'd time. 'Twas for this ſame reaſon that ſhe feign'd an Inclination to treat with *Mary*, and that ſhe caus'd Propoſals to be made to her of ſuch a Nature, that even tho' *Mary* had granted every one, there would have been inſurmountable Difficulties in the Execution of them. At laſt theſe two Queens continually laid Traps for one another. *Mary* pretended that all ſhe aim'd at was to obtain her Liberty, while her Friends left no Stone unturn'd to place her upon the Throne of *England*, under pretence of working for her Deliverance. And *Elizabeth* on her part acted with equal Diſſimulation: She declar'd that ſhe had nothing more at heart than to ſet *Mary* at liberty on Terms that might be ſafe for *England*; but at the ſame time order'd it ſo, that the Security which ſhe deſir'd could not be granted her.

Q. Eliz.

Elizabeth's Reaſons for detaining the Queen of Scots in Priſon.

The Diſſimulation of the two Queens.

While this paſs'd, Conſpiracies were diſcover'd againſt *Elizabeth*'s Life from time to time. In 1584, there was one in which the Ambaſſador of *Spain* was concern'd: This produc'd a general Aſſociation in *England* for the Safety of the Queen's Perſon, and caus'd double Precautions to be us'd as to the guarding of the Queen of *Scotland*, who was put into the hands of *Drury**.

Plots againſt Elizabeth's Life.

Aſſociation thereupon.

In 1585, a new Conſpiracy, contriv'd by one *Parr*, produc'd an Act of Parliament which confirm'd the Aſſociation, and order'd that twenty four Commiſſioners, to be appointed by the Queen, ſhould make Inquiry and Search after ſuch as had a Deſign upon the Life of the Queen, or ſhould challenge any Right to the Crown of *England*: That the Perſon by or for whom ſuch Attempt ſhould be made, ſhould be thereby render'd incapable of ſucceeding to the Crown, and ſhould be proſecuted to Death, if the 24 Commiſſioners ſhould declare ſuch Perſon attainted and convict.

And a Commiſſion of Enquiry after Traitors.

Probably it was already reſolv'd to put the Queen of *Scotland* to Death upon the firſt Opportunity that preſented; for things were come to ſuch a height, that one of the two Queens muſt neceſſarily periſh. This Opportunity offer'd it ſelf the Year following, *viz.* 1586.

* His Name was *Drugeon Drury*. If ever there was a watchful Man in the World, ſays Mr. *Rapin*, this was one.

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1586. One *Babington* having conſpired againſt the Queen, and held a ſecret Correſpondence with the Queen of *Scotland*, he was put to death with his Accomplices, and care was taken to receive their Confeſſions and Depoſitions in an authentick form.

Queen Mary's Trial.

A Reſolution was thereupon taken to have *Mary* try'd and condemn'd upon the Letter of the Act juſt now mention'd. I cannot here enter into the Particulars of this Trial, which have been given by *Camden*, an Author very much ſuſpected in this Paſſage. It is ſufficient to ſay in a word, that out of 42 Commiſſioners who were appointed her Judges by the Queen, 36 repair'd to *Fotheringhay*, where *Mary* was Priſoner; and

And Condemnation.

that after having examin'd the Accuſations and Defence, they declar'd her attainted and convict of the Crime contain'd in the Act of Parliament above-mention'd; namely, for that an Attempt had been made in her favour upon the Life of Queen *Elizabeth*, and that ſhe was not ignorant of it. Nor ſhall I give an Account of the cunning Stratagems *Elizabeth* made uſe of, in order to be importun'd by ſeveral Lords, and by the Parliament themſelves, to put the Sentence in execution, and to make the Publick believe that the Sentence was executed without her Order; for ſuch a Train of Particulars would carry me too far. 'Tis ſufficient to ſay in a word, that *Mary* was beheaded,

Her Execution.

and that ſhe glory'd at her Death in laying down her Life for the Roman-Catholick Faith, as ſuppoſing that ſhe was only put to death out of ſpite to her Religion.

The Acts of the Remainder of the Fifteenth Volume of the Fœdera, *which relate to* Mary *Queen of* Scotland; are,

Treaty with Francis and Mary, King and Queen of Scots. 513.

I. The Treaty concluded at *Chateau-Cambreſis* betwixt *Elizabeth*, and *Francis* and *Mary* King and Queen of *Scotland*; dated *April* 2, 1559.

The chief Articles *are*,

1. That neither ſide ſhall harbour ſuch as are Rebels to the other.

2. That the Fortifications of *Aymouth* ſhall be demoliſh'd.

3. That the farther Pretenſions of each of the Parties ſhall remain entire.

4. That within the ſpace of 2 Months, a Place be agreed on, to which the 2 Crowns ſhall ſend Plenipotentiaries, in order to regulate ſome Articles which could not be ſettled at *Chateau*.

Ratification, 516.

II. The Ratification of this Treaty by *Francis* and *Mary*; dated [a] the 18th of *April*.

Another, 517.

III. A Commiſſion from *Francis* and *Mary*, to agree about ſome Articles that were left undetermin'd at *Chateau*; dated the 21ſt of *May* following [b].

Treaty with Scotland. 520.

IV. A Treaty betwixt *Scotland* and *England*, concluded at *Upſalington*, concerning the Articles which were left undetermin'd at *Chateau*; dated the 31ſt of the ſame Month.

The Articles of this Treaty are of no great Importance.

Ratification of it. 539.

V. *Francis* and *Mary*'s Ratification of the Treaty of *Upſalington*; dated *Auguſt* the 18th, 1559 [c].

Treaty with the Confederate Lords of Scotland, 569.

VI. Treaty betwixt *Elizabeth* and the Duke of *Chatelherault*, Chief of the Confederates in *Scotland*; dated at *Berwick*, *February* the 27th, 1560.

The chief Articles *of it are theſe*,

1. *Elizabeth* takes into her Protection the Kingdom of *Scotland*, the Duke of *Chatelherault* and his Party, in order to maintain *Scotland* in its Liberties as long as the Marriage of *Mary* with the King of *France* ſubſiſts, and a year longer.

2. She engages to ſend them Succours, and to continue the ſame till the *French* are drove out of the Kingdom.

3. She will make no Agreement with *France* till the *French* and *Scots* are agreed to let the Kingdom of *Scotland* enjoy its full Liberty.

4. She will not abandon the Confederates as long as they own *Mary* for their Queen, and endeavour to maintain the Rights of the Crown.

5. If the *Engliſh* take Places in *Scotland* from *France*, they ſhall be demoliſh'd, or deliver'd to the Duke of *Chatelherault*, at his Choice; and the *Engliſh* ſhall make no Fortifications.

6. The Duke and his Party ſhall join their Forces to thoſe of *England*.

7. The Enemies of *England* ſhall be the Enemies of the *Scots*.

8. They ſhall not ſuffer any other Union betwixt *Scotland* and *France*, than what there is at preſent.

9. If *England* is attack'd by *France*, they ſhall furniſh the Queen with 2000 Foot and 2000 Horſe.

10. If the Invaſion be on the North, they ſhall join all their Forces to thoſe of the Queen at their own expence.

11. If the Earl of *Argyle*, Lord Juſtice of *Scotland*, join the Duke, he ſhall uſe his Efforts to reduce the North of *Ireland* under the Dominion of the Queen of *England*; according to the Treaty which he ſhall agree on with the Lord Lieutenant of *Ireland*.

12. They ſhall give Hoſtages, who ſhall remain in the hands of the Queen of *England*, as long as the Queen of *Scotland*'s Marriage with the King of *France* ſubſiſts.

13. The Confederates proteſt that they will continue Loyal to the Queen of *Scotland*, and to the King her Husband, in every thing that ſhall not tend to the Subverſion of the Laws, *&c.*

VII.

[a] At *Fontainbleau*. [b] At *Sterling*. [c] At *St. Germain en Laye*.

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VII. A Commiſſion from *Francis* and *Mary* to the Biſhop of *Valence*, and others, to treat with *Elizabeth* about the Affairs of *Scotland*; dated *May* the 2d, 1560[a].

French *King's Treaty with* Elizabeth *concerning* Scots *Affairs*. 581. Edinburgh *Treaty*. 593.

VIII. TREATY of *Edinburgh*, concluded the 6th of *July*, 1560. It were needleſs to mention the Articles of it here, having already given them in the Narrative Part of this Article.

Elizabeth's Ratification, 601. *Treaty at* Carliſle, 631.

IX. *Elizabeth*'s Ratification of it; dated [b] *September* the 2d, 1560.

X. TREATY betwixt *Elizabeth* and *Mary*, on Articles of no great importance, at *Carliſle*; dated *September* the 23d, 1563.

Earl of Murray's *Bond for Money borrow'd of* Elizabeth. 677.

XI. THE Earl of *Murray*'s Bond for 5000 *l.* Sterling, borrow'd of *Elizabeth*; dated *January* the 18th, 1570[c].

IT muſt be obſerv'd, that the Queen lent this Sum to the Earl of *Murray*, at the time that *Mary* was in Priſon at *Lochlevin*.

Queen Mary's *Party's Commiſſion to treat with the Duke of* Alva. 687.

XII. A Commiſſion from the Duke of *Chatelherault* and the Earl of *Argyle*, the Heads of *Mary*'s Party, to Lord *Seaton*, in order to go and treat with the Duke of *Alva*, Governor of the *Netherlands*; dated *Auguſt* the 10th, 1570.

AFTER that time, we don't find one Piece in the *Fœdera* relating to the Affairs between *Elizabeth* and *Mary*.

ARTICLE III.

Elizabeth's *other Affairs with* Scotland.

Parties in Scotland.

FROM the Year 1568, that *Mary* retir'd to *England*, to the Year 1573, there were always two Parties in *Scotland*, the one for the *Depoſed Queen*, and the other called *the King's Party*. The Queen's Party was favour'd by the Pope, the King of *France*, the King of *Spain*, and the Duke of *Alva*, as long as he was Governor of the *Netherlands*; and the King's Party was under the Protection of the Queen of *England*. Each of theſe Parties was divided into ſeveral Branches, which had different Views and Intereſts. There was one which pretending to be attach'd to the King, did nevertheleſs ſerve the Queen much more to the purpoſe than they who openly declar'd for her. At the head of this Branch was Lord *Grange*. When he perceiv'd what a vaſt Advantage *Elizabeth*'s Protection gave to the Regent who was at the head of the King's Party, he did what he could to perſuade all Mankind that ſuch a Dependency on *England* was injurious to *Scotland*: and he pretended that it was the Intereſt of the *Scots* to be reconcil'd to one another, in order to ſhake off that Yoke, and act like a free Nation. *Elizabeth* plainly perceiv'd that the Deſign of this Pretext was to weaken the King's Party and her own, and to engage the two Kingdoms in a War, which might be a Colour for ſending for foreign Aids into *Scotland*. For this reaſon ſhe took all poſſible care to hinder this Union, and neglected no Opportunity to foment a Diviſion in *Scotland*, leſt ſhe ſhould be attack'd from that Quarter. Q. ELIZ.

IT was not poſſible for Lord *Grange*'s Party, which at laſt affected a kind of Neutrality, to gain the Earl of *Murray*, any more than the Earl of *Lenox* who ſucceeded him in the Regency: ſo that as long as thoſe two Regents liv'd, the Diviſions continued in *Scotland*, to the great Satisfaction of *Elizabeth*, who had nothing to fear from that Kingdom while it was ſo diſturb'd by a Civil War. She only took care that the King's Party ſhould preſerve a ſort of Superiority, but without giving him the neceſſary Succours to render him Maſter of the other Party. *Earl of* Lenox *Regent.*

THE Earl of *Lenox* being kill'd about the end of the Year 1571, the Regency was confer'd upon the Earl of *Mar*; who entring into the Sentiments of Lord *Grange*, employ'd all his Induſtry to reconcile the two Parties; but he acted ſecretly, being very ſenſible that if this Deſign came to be known, no Obſtruction would be wanting to the Execution of it. He took ſuch effectual pains, that he engag'd the chief Men of the Queen's Party to conſent to a Reconciliation upon Terms which were very much to their advantage. He had actually ſworn privately to obſerve the Conventions he had made with them: But going to ſee the Earl of *Morton* at *Dalkeith*, in order to obtain his Conſent, he there fell ſick of a Diſtemper, of which in a few days he died; and it was ſuſpected that he was poiſon'd[d]. *Earl of* Mar *Regent. His Negotiation with the Queen's Party.*

THE Earl of *Morton*, who was a Creature of *Elizabeth*, was choſe Regent in the room of the Earl of *Mar*, whoſe Project vaniſh'd with his Life. Till then, *Elizabeth* contented her ſelf with fomenting the Troubles in *Scotland*; but being apprehenſive at laſt that there would be a Reconciliation between the two Parties in ſpite of her, ſhe thought fit to make uſe of the Earl of *Morton*, who depended on her, entirely to ruin the Queen's Party, and to put them out of a condition of calling foreign Aids into *Scotland*. Beſides, a very fair opportunity preſented, becauſe the Duke of *Norfolk*, on whoſe Projects the Queen's Party founded all their Hopes, was juſt beheaded. Conſequently, by *Elizabeth*'s Direction, the Regent *Earl of* Morton *Regent.*

[a] At *Chenonceau*. [b] At *Windſor-Caſtle*. [c] At *Weſtminſter*.

[d] *Melvil* inſinuates, that the Regent was only induced to this Accommodation, to deliver *Scotland* from the Yoke of the *Engliſh*. But the Memoirs of *Walſingham* ſhew us that *Melvil* was not rightly inform'd, becauſe the Accommodation was brought about by *Elizabeth*'s Approbation, and that there were Articles actually ſign'd, of which Mr. Secretary *Smith* ſent a Copy to *Walſingham* at *Paris*. *Camden*, who ſays that this Regent was a Man of a very mild Nature, and very affectionate to his Country, reports that after he had ſtruggled 13 Months, as much with the turbulent Counſels of his own Party, as with the Inſolence of his Adverſaries, he died for Grief.

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Regent offer'd very advantageous Terms to the chief Men of the contrary Party, who ſeeing they had no Remedy left, accepted them; and thereby the Queen's Party was depriv'd of their greateſt ſupport. None but the Lord *Grange* Governour of *Edinburgh-Caſtle*, and ſome others that were with him in that Caſtle, refus'd what was offer'd them, or at leaſt endeavour'd to gain time by various Artifices, till the arrival of the Succours they were made to expect from *France* and the *Netherlands*. But the Earl of *Morton*, who was better inform'd of their Affairs than they imagin'd, was too cunning to be caught in their Snare. He made a Treaty with *Elizabeth*, who ſent him Troops, Artillery, and Ammunition, with which he beſieg'd the Caſtle of *Edinburgh*. *Grange* defended it a long time, but being at laſt oblig'd to ſurrender it, was condemn'd to be hang'd. Thus ended the Civil-War of *Scotland* in the Year 1573. *Elizabeth* not finding it her Intereſt to ſupport it any longer.

Concluſion of the Civil War in Scotland.

From that time to the Year 1578, the Earl of *Morton* ſtill continued to govern *Scotland*, in quality of Regent, without any jealouſy from *Elizabeth*, becauſe ſhe was very ſure of him. But at laſt *Morton* having unwiſely diſoblig'd the young King's Governour and Preceptors, they made a League againſt him to ruin him; and having brought the Earls of *Argyle* and *Athol* into the Plot, they perſuaded the King, who was but twelve Years of Age, to turn off the Regent, and to take the Reins of the Government into his own hands. This Project was executed with ſuch Diſpatch, that it was not poſſible for the Earl of *Morton* to be quick enough for his Enemies. The States of the Kingdom confirm'd what the King had done, and appointed him a Council conſiſting of twelve Perſons. *Morton* diſſembling his Reſentment, retir'd to his Houſe at *Dalkeith*, where he ſeem'd to employ himſelf in nothing but the Cultivation of his Gardens. But it was not long e'er he found means to make himſelf Maſter of the King's Perſon, and to reſume his former Poſt.

Earl of Morton remov'd from the Regency.

Reſumes it.

He was made uneaſy in the Regency ſoon after he had recover'd it. For, in the following Year, 1577, the King entertain'd an extravagant Affection for two young Men both of the *Stuart* Family, tho' of diſſerent Branches. The one was *James Stuart* of *Oghiltry*, and the other *Eſme Stuart* Baron of *Aubigny*, lately come from *France*, where that Branch had been ſettled ever ſince the Reign of *Charles* VII. 'Tis ſaid that the latter was ſent into *Scotland* by the Duke of *Guiſe*, to endeavour the Ruin of the Earl of *Morton*, and to incenſe the young King againſt *Elizabeth*, and that the other was alſo brib'd for the ſame purpoſe. Be this as it will, thoſe two Favourites, of whom the firſt was created Earl of *Arran*, and the ſecond Duke of *Lenox*, gain'd ſuch an Aſcendant over the King, that he ſaw nothing but with their Eyes. *Elizabeth* was quickly ſenſible how much the King was alter'd by the Counſels of thoſe Men; for this Prince began to conſider her in no other Light than as an Enemy. 'Tis ſaid alſo that he was inſpir'd with Sentiments favourable to the Roman Catholick Religion, that there was a Deſign of marrying him to a *French* Woman, and then to engage him to appoint the Duke of *Guiſe* his Lieutenant General in *Scotland*. The Advice which *Elizabeth* receiv'd of all theſe Projects giving her uneaſineſs, ſhe ſent *Bowes* into *Scotland*, with Orders to accuſe the Duke of *Lenox* in full Council, for doing his utmoſt to alienate the King's Affection from the Intereſts of *England*. This Envoy was very ill receiv'd, had no ſatisfaction given him, and as it were to inſult *Elizabeth*, the Earl of *Morton* the Regent was accus'd of High Treaſon and arreſted.

He is ſupplanted by the King's two Favourites;

And accus'd of High Treaſon.

Elizabeth then repented of having departed from her Favourite Maxim, which ſhe had obſerv'd a long time, of keeping up the Diviſions in *Scotland*, and was reſolv'd to put it again in practice. For this purpoſe ſhe ſent *Randolph* into that Country, under ſome pretence, and order'd him to uſe his Endeavours to excite new Troubles there. *Randolph* diſcharg'd his Commiſſion as far as lay in his power, by caballing among the great Men; but being diſcover'd, was oblig'd to retire without taking his Leave. It coſt the Earl of *Morton* his Life, who was condemn'd to be beheaded. He own'd at his Execution that his Deſign was to carry the King into *England*. Nothing can be a better Proof of his entire Correſpondence with *Elizabeth*.

Elizabeth *ſends* Randolph *to foment new Troubles in* Scotland.

Earl of Morton *beheaded.*

Things growing worſe and worſe every Day on that ſide, and the Queen having ſecret Intelligence that the Duke of *Guiſe* had a Deſign to attack her by the way of *Scotland*; ſhe was oblig'd to have recourſe to violent Remedies in order to prevent it. I am very ſenſible that perhaps it can't be clearly prov'd that ſhe was concern'd in the Deſign I juſt now mention'd, but at leaſt it cannot be deny'd that the ſame is highly probable. However, in the Year 1582, the King going to make a Viſit to Earl *Gowry*, at a Seat in the Country, was there taken into Cuſtody, his two Favourites being at that time abſent. The Earl of *Arran*, who was not far off, making an Effort to reſcue the King, was taken and committed to Priſon. As for the Duke of *Lenox*, he retir'd to his Government of *Dunbar*, from whence he afterwards return'd to *France*. The two Favourites being thus put away, they who had ſecured the King's Perſon, ſet him at liberty, and the ſaid young Prince having aſſembled the Nobility, declar'd before them that he approv'd of every thing that had been done,

The King *of* Scotland *ſurpriz'd by the* Gowrys.

The King ſet at liberty.

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done, as tending to his Service. But he afterwards recall'd the Earl of *Arran*, who made uſe of his Credit to perſecute the Party of *Ruthwen*, which was the Name given to the Party who had detain'd the King, becauſe the Earl of *Gowry* was of the *Ruthwen* Family. That was the Subject of a Letter which *Elizabeth* wrote to King *James*, to perſuade him to alter his Conduct. She alſo ſent Secretary *Walſingham* to him, to give him advice, but it was attended with little ſucceſs *.

Perſecution of the Ruthwen *Party.*

Elizabeth *ſends* Daviſon *to* Scotland, *to bribe the Earl of* Arran.

At length *Elizabeth* perceiving that the Earl of *Arran*, who was a Man of no Religion, perverted the King's Heart, and that he alſo held a Correſpondence with the Roman Catholick Powers, found no other way to get rid of his Intrigues than to win him over to her Party by her Bounty; and ſhe ſucceeded accordingly by the Management of *Daviſon*, whom ſhe ſent into *Scotland* for the purpoſe. As there had been ſome Talk of the King's Marriage with a Princeſs of *Denmark*, the Earl of *Arran* promis'd to uſe his Efforts to prevent it. *Elizabeth* wiſh'd that *James* wou'd never marry, or at leaſt that he would marry an *Engliſh* Woman. For this purpoſe ſhe had gain'd the beſt part of the Council of *Scotland*, and by this very Means ſhe got the King to conſent to make an Alliance with her for the common Defence of the two Kingdoms, and of the Proteſtant Religion. After this the Earl of *Arran* did not continue long in favour; *Elizabeth*, who cou'd not ſafely confide in him, having herſelf contributed to his Ruin. But it was not poſſible for her to hinder the King's Marriage with *Anne* of *Denmark*, *James* having abſolutely determin'd to conclude it, notwithſtanding the Oppoſition of his Council.

Elizabeth's *Alliance with the King of* Scotland.

His Marriage.

THE only Piece we find in this XVth Tome of the *Fœdera* relating to *Elizabeth*'s Affairs with the King of *Scotland*, is as follows, *viz.*

Elizabeth's *Treaty with* K. James VI. *P.* 803.

A Treaty of more ſtrict Alliance betwixt *Elizabeth* and *James* VI. dated at *Berwick*, *July* 5, 1586. the Articles of which were as follow.

1. THAT they ſhall uſe their Endeavours to maintain the true and pure Proteſtant and Evangelical Religion in the two Kingdoms.

2. THAT this is a League againſt all Princes who forbid the Exerciſe of the Proteſtant Religion in their Dominions; all former Treaties to the contrary notwithſtanding.

3. THAT they will give no aſſiſtance directly nor indirectly, to ſuch as ſhall attack either of the two Kingdoms.

4. IF *England* is attack'd in any Place remote from *Scotland*, *James* ſhall furniſh 2000 Horſe and 5000 Foot to aſſiſt her.

5. IN the ſame Caſe, *Elizabeth* ſhall furniſh the King with 3000 Horſe, and 6000 Foot. Q. ELIZ.

6. IF *England* is attack'd in any Place, which is not above 60 Miles from *Scotland*, *James* ſhall aſſiſt *Elizabeth* with all his Forces for 30 Days, or in caſe of need, as long as his Vaſſals are oblig'd to ſerve him.

7. HE ſhall hinder the Earl of *Argyle*'s Vaſſals from infeſting *Ireland*.

8. THE King and Queen ſhall give no ſhelter to Rebels.

9. THEY ſhall make no Alliance to the prejudice of the preſent Treaty but by mutual Conſent.

10. THIS Treaty ſhall be ratified in ſix Months.

11. ALL other preceding Treaties ſhall continue in force.

12. *James* ſhall ratify this Treaty, and cauſe it to be approv'd by the Eſtates as ſoon as he attains to the Age of 25.

ARTICLE IV.

Elizabeth's *Affairs with* France.

I have already mention'd the Treaty concluded at *Chateau Cambreſis*, between *Henry* II. and *Elizabeth*, in the Year 1559. But 'tis neceſſary to ſay ſomething more of it here. The only View of this Treaty, properly ſpeaking, was the Reſtitution of *Calais*. *Philip* II. wou'd not have ſign'd the Peace, only that it might appear he had procured the Reſtitution of that place to *England*; and yet 'tis highly probable that he was not much in pain about the Performance of that Article. This Treaty imported,

"THAT the King of *France* ſhould "keep *Calais*, and the other Places in *Picardy*, conquer'd from the *Engliſh*, during eight Years.

"THAT within ſix Months he ſhould "provide ſeven Merchants, who are not "his Subjects, to be Sureties that if he or "his Succeſſors refuſed or delayed to give "up thoſe Places at the Time prefixed, "they ſhould pay *Elizabeth* the Sum of "500,000 Gold Crowns of the Sun, as a "Penalty for the Refuſal or Delay of Reſtitution. That nevertheleſs, whether "the ſaid Sum be paid or not, the King "of *France* and the Dauphin ſhall continue bound to the Reſtitution of thoſe "Places according to their Engagement. "That, beſides, they ſhall give the Queen "certain Hoſtages."

Mezeray ſpeaking of this Treaty, reports it in this manner: "That in eight "Years time *Henry* was to reſtore *Calais*, "and the reconquer'd Countries, or, if he "choſe it, to pay the Sum of 500,000 "Crowns.

Parties in France.

THEN

* *Cambden* turns this whole Affair to the King's advantage, by his paſſing over all the Particulars mention'd by *Melvil* in ſilence.

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THEN he adds, "Which being left to "his Option, it was not to be doubted "but he would keep that Place which "was the Key of his Kingdom."

FATHER *Daniel* ſeems a little more confus'd with reſpect to this Treaty. He ſays indeed the ſame thing as *Mezeray* in ſubſtance, but he gives an Explanation of it, and adds a Clauſe to it, which does not appear in the Treaty. Theſe are his words:

"*Elizabeth* could not make an abſo-"lute Ceſſion of *Calais* to *France* without "diſguſting the *Engliſh*. Beſides, ſhe ſaw "the King determin'd not to reſtore that "Place. Therefore ſhe choſe a Medium, "which was to leave that Prince in poſſeſ-"ſion of *Calais* for eight Years, at the Ex-"piration of which he was engaged to re-"ſtore it on the penalty of paying 500,000 "Crowns to *England*. That notwithſtand-"ing the Payment which ſhould be made "for the Refuſal or Delay of Reſtitution, "the *Engliſh* would have a Right to take "Arms for the Recovery of *Calais*."

I am fully perſuaded that when *Henry* II. ſign'd the Treaty, he never intended to put it in execution; and that he only conſented to this Article, to ſatisfy the deſire of *Philip* II. of *Spain*. But *Henry*'s Breach of Faith could be no Warrant for the two Hiſtorians before mentioned to report the Treaty in a manner quite different from the Tenor of it, and even with Additions of which there is no Trace in the Treaty itſelf. 'Tis eaſy to prove that the Court of *France* did not think they had a Right to keep *Calais* by the ſaid Treaty, after the Expiration of eight Years; becauſe when the Reſtitution of it was demanded of her, ſhe did not urge this Reaſon to ſupport her Refuſal, as may be ſeen in Hiſtory.

'TIS not neceſſary here to repeat what gave occaſion to the Treaty of *Edinburgh*, nor to the Refuſal of *Francis* II. to ratify it, becauſe this Subject was handled in the ſecond Article. *Francis* II. dying at the cloſe of the Year 1560, his Succeſſor *Charles* IX. had no right to meddle with the Affairs of the Kingdom of *Scotland*. Nevertheleſs, he might have found a Pretext to purſue the Project of the King his Brother, as he was an Ally of *Scotland*, Brother-in-Law to *Mary*. But the Queen, *Catherine de Medicis*, Regent of *France*, was not ſo fond of her Daughter-in-Law *Mary*, to engage in an Enterprize ſo difficult as the placing of the Crown of *England* upon her Head. Beſides, the Troubles which happen'd in *France* in this new Reign, found the Court too much Employment for them to take effectual Methods to bring ſuch a Deſign to paſs.

Parties in France.

TWO Parties were form'd in *France* during the Minority of *Charles* IX. *viz.* that of the Prince of *Conde*, and that of the Duke of *Guiſe*. The latter was ſupported by the Roman Catholicks, and the former by the Hugonots, who were by much the ſmalleſt Number. The Regent fomented the Diviſion between the two Parties, and for this end judg'd it proper to ſupport the weakeſt, leſt it ſhould be cruſhed by the ſtrongeſt; becauſe if ſhe had abandon'd the Hugonots, ſhe feared to fall again under the power of the *Lorrain* Princes, which ſhe found inſupportable during the laſt Reign. For this Reaſon ſhe granted the Hugonots that called the *Edict of January*, which was very much in their favour. The Duke of *Guiſe*, and the Cardinal of *Lorrain* his Brother, well-knowing what was the Regent's Deſign, did their utmoſt to render themſelves ſuperior. With this View they made an Offer to the King of *Navarre*, who was ſtill wavering between the two Parties, of the Queen of *Scotland* their Niece in Marriage, with all her Rights to the Crown of *England*, and the Aſſiſtance of the Pope and the King of *Spain* to back them. Tho' the King of *Navarre* was married, yet as the Queen his Wife was a Hugonot, there was no difficulty in getting his Marriage diſſolv'd, if he had been willing to have conſented to it. *Elizabeth* being ſenſible by this Project, of which ſhe had Information, that thoſe Princes had not relinquiſhed their Deſigns, thought it neceſſary for her own Safety to keep them employed in *France*, by relieving the Hugonots who had taken Arms in 1562, after the Maſſacre of *Vaſſy*. Therefore ſhe made a Treaty with them, by which ſhe engaged to ſend them 6000 Men, of whom 3000 were to be employed in the Defence of *Diep* and *Roan*; and the other half were deſign'd for garriſoning *Havre de Grace*, which the Hugonots were to put into her hands, as they did accordingly. The *French* Ambaſſador at *London* made great Complaints of theſe Succours, but to very little purpoſe. The Queen publiſhed a Manifeſto, in which ſhe ſaid that ſhe had only ſent her Troops to *France*, to ſecure thoſe Places for the King, and to hinder the *Lorrain* Princes from ſeizing them, that they might from thence with the more eaſe make a Deſcent upon *England*.

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Elizabeth *relieves the Hugonots.*

Treaty with them.

Havre de Grace *put into the hands of* Elizabeth.

Some time after this, *Roan* was beſieg'd by the King's Army, and taken by ſtorm, after the King of *Navarre* had receiv'd a Wound in the Trenches, of which he died. The taking of *Roan* was ſoon followed by the Battle of *Dreux*. The Succeſs of it was pretty equal on both ſides, becauſe the two Generals, *viz.* the Conſtable of *Montmorency*, and the Prince of *Conde* were taken Priſoners. In the Year following, *viz.* 1563, the Hugonots made a Peace without including *England* in it. Soon after, the King cauſed *Havre de Grace* to be beſieg'd, and made himſelf Maſter of it; the very Men who had delivered up that place to the *Engliſh*, having ſhewed a world of

Roan *taken.*

Battle of Dreux.

Ingratitude of the Hugonots, and the Siege of Havre de Grace.

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Zeal to take it from them. The taking of *Havre* was followed by a Truce, and a Peace betwixt *France* and *England* was concluded at *Troyes* in 1564.

Peace of Troyes.

AFTER that time it ſeem'd that the Court of *France* was deſirous, coſt what it would, to purchaſe the Good-will of *Elizabeth*, and that they neglected the Intereſts of the Queen of *Scotland* more and more. In 1566, *Charles* IX. ſent two Collars of the Order of St. *Michael* to *Elizabeth*, to make a preſent thereof to any two *Engliſh* Noblemen whom ſhe thought fit. But this Mark of Affection was far from being ſincere. Nor did *Elizabeth* put too much ſtreſs upon it. She knew that in an Interview at *Bayonne* betwixt the two Courts of *France* and *Spain*, the Ruin of the Proteſtants was reſolv'd upon, and ſhe could not doubt there was a Deſign to ſurprize them; yet ſhe diſſembled her Thoughts, and anſwered the Marks of Eſteem which *Charles* IX. gave her, by outward Tokens of reciprocal Affection.

Charles's pretence of Friendſhip for Elizabeth.

THE next Year ſhe had occaſion to be confirmed in her ſuſpicions by *Charles* IXth's Refuſal to reſtore *Calais* to her; a Refuſal which M. *l'Hopital* the Chancellor did not think fit to found upon the Treaty of *Chateau Cambreſis*, but upon other general Reaſons altogether inſufficient, and eſpecially on the Omiſſion of that Reſtitution in the Treaty of *Troyes*. *Elizabeth* being in no condition to recover the Place by force of Arms, took care to conceal her Reſentment at the Refuſal.

Charles IX. *refuſes to reſtore* Calais *to* Elizabeth.

THE Civil War breaking out again this Year in *France*, *Elizabeth* gave the King to underſtand in plain Terms, that ſhe would not ſit ſtill and ſee the Hugonots oppreſs'd. This Declaration in favour of the Hugonots, their own Reſolution, and the Succours they received from *Germany*, procured a Peace for them; but it was of no long Duration. *Charles* having made an attempt to carry off the Prince of *Conde*, gave occaſion by ſuch a Proceeding for renewing the War. *Elizabeth* who was by Intereſt obliged to ſupport the Hugonots, ſent them 100,000 Crowns of Gold, with a Train of Artillery. The War laſted till 1570, when it was concluded by a fallacious Peace, which the King granted to the Hugonots. It was probably at that very time that the Project was contrived for the Maſſacre, which was executed two Years after.

Her Relief of the Hugonots.

WHEN *Charles* IX. had formed a Deſign at once to exterminate all the Hugonots out of his Kingdom, he omitted nothing that the deepeſt Diſſimulation could ſuggeſt to him, in order to lull them aſleep. I ſhall here only treat of one ſingle Article which falls in with my Subject, *viz.* the Negotiation which was ſet on foot in the Year 1571, for the Duke of *Anjou*'s Marriage with *Elizabeth*. 'Tis more than probable that neither *Charles* nor *Elizabeth* had any great Deſire to ſee that Marriage accompliſhed. Mean time they both had their different Reaſons to feign that they wiſh'd it. But the Diſſimulation of *Charles* proceeded only from the barbarous Deſign he had entertained to extirpate the Hereticks, and to hinder them from ſuſpecting it, by pretending an Inclination to marry the Prince his Brother to a Queen, who was looked upon as the Protectreſs of the Proteſtant Religion.

French *King's Deſign upon the Hugonots.*

A Match propos'd for Elizabeth.

ON the contrary, *Elizabeth*'s Diſſimulation had no other end but to guard againſt the Snares and Attacks of her Enemies; ſhe imagined that when they ſaw ſhe was on the point of uniting with *France* by her Marriage, *Mary*'s Friends would lie ſtill; and that by that Means ſhe ſhould, at leaſt for a time, put a ſtop to the Conſpiracies which were continually on foot to dethrone her. The Match did not go forward. *Elizabeth* found a way to clog the Treaty with Propoſals on the ſcore of Religion, which the Court of *France* could not but think very harſh. Nevertheleſs, *Charles*, underſtanding no doubt what was the Queen's Aim, relaxed the more upon this Article, the more ſhe ſeemed to inſiſt upon it; and thereby he brought the Hugenots the more eaſily into the Snare.

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THE Marriage Treaty being broke off, another Negotiation was ſet on foot for a defenſive Alliance betwixt *France* and *England*; which Treaty met with two great Difficulties. The firſt was *Elizabeth*'s Demand that both Parties ſhould mutually engage to defend each other in caſe they were attack'd, even tho' it were for the Cauſe of Religion. But *Charles* could not diſpenſe with this Article, for fear of offending the Pope and the Catholicks. Nevertheleſs he offered, that without mentioning Religion, it might be ſaid in general, *for any Cauſe whatever*, and to write to the Queen a Letter with his own hand, wherein he would declare that the Cauſe of Religion was included in this general Clauſe, with which *Elizabeth* found herſelf obliged at laſt to be contented.

Her Alliance with France.

THE ſecond Difficulty was *Charles*'s abſolute Demand that the Queen of *Scotland* ſhould be included in the Treaty, to which *Elizabeth* neither would nor could conſent. The Expedient they found to get over this Obſtacle, was to make uſe of an ambiguous Expreſſion, *viz. That the two Crowns ſhall engage to maintain the preſent Laws of* Scotland. By this Queen *Elizabeth* meant every thing that the Eſtates had done againſt *Mary*; and *Charles* ſuppoſing every thing that had been done by the States as null, might pretend that by the *preſent Laws*, thoſe muſt needs be underſtood which had preceded the Troubles of *Scotland*. Upon the whole Matter, this Alliance was patch'd up for no other end but to amuſe the Publick. *Elizabeth* had

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had no Intention to make uſe of the Succours of *France*, if ſhe had been attack'd upon the ſcore of Religion; but it was her Intereſt the World ſhould think otherwiſe. On the other hand, *Charles* made that Difficulty about *Mary*'s Affair only to ſalve Appearances, for fear that if he had been too pliant upon that head, it might have created a ſuſpicion that he had ſome Deſigns which he did not think fit to own. This Alliance was concluded in *April* 1572, at *Blois*.

Maſſacre of St. Bartholomew.

The Maſſacre of St. *Bartholomew* (ſo call'd becauſe it was committed on the Feſtival of that Saint, *viz.* *Auguſt* 24, in this Year) at length diſcover'd the Deſigns which *Charles* had with ſo much Diſſimulation conceal'd. *Elizabeth* was not only touch'd with the Misfortune of the Hugonots, but ſhe was even under ſome dread of what might be her own Fate. *Charles* IX. had juſt given a proof how imprudent it would have been to have rely'd on his *Bona Fide* for the future. The Duke of *Guiſe*, Couſin-German to the Queen of *Scotland*, did what he pleas'd with the Court of *France*, and there was too much reaſon to ſurmiſe that the King of *Spain* was enter'd into this horrid Conſpiracy, and that it would not ſtop there. In this uncertain State of Affairs, *Elizabeth* was reſolv'd to be upon her Guard, without making a noiſe, for fear of giving her Enemies a handle, and to prepare for her Defence in caſe ſhe ſhould be attack'd. On the other hand, *Charles*, who had not extirpated all the Hugonots, as he had propos'd, and who found that thoſe who had eſcap'd the Maſſacre were reſolv'd to ſell their Lives dearly, was afraid that *Elizabeth* would afford them powerful Succours; therefore he palliated what had been done in the beſt manner he could, and declar'd to the *Engliſh* Ambaſſador, a very particular Eſteem and Affection for the Queen, proteſting that it was his Intention religiouſly to obſerve the Treaty. *Elizabeth* pretended to be captivated by thoſe Expreſſions of Friendſhip, and in anſwer return'd the like Proteſtations on her part. It ſeem'd by thoſe external Tokens as if they had a perfect Eſteem and ſincere Affection for one another, tho' their Diffidence of each other was then at the higheſt pitch. Nay, their Diſſimulation went ſo far, that *Charles* having a Daughter born at that very Juncture, deſir'd *Elizabeth* to be Godmother; and ſhe made no ſcruple to conſent to it. The Hugonots did not know what to think of the Queen's Conduct, but ſhe ſuffer'd them to believe what they pleas'd, and conſtantly purſued what her Politicks dictated.

The Diſſimulation both of Charles and Elizabeth.

Montgomery prepares Succours for the Rochellers.

All this did not hinder the Queen from permitting *Montgomery* to prepare Succours in *England* for *Rochel*, which was on the point of being beſieg'd. The Ambaſſador of *France* made a great Clamour about it; but all the Anſwer he had was, that they who made thoſe Preparations, were Perſons unauthoriz'd, and that if they could be taken, they ſhould be puniſh'd.

The Arreſt of the French Envoy ſent to Scotland to foment Troubles there.

On the other hand, the Troubles of *Scotland* being juſt brought to a period by the Siege of *Edinburgh-Caſtle*, *Charles* ſent *Virac** into *Scotland* to foment them, and to encourage the Garriſon to hold out in hopes of ſpeedy Succour. But *Virac* being oblig'd by a Storm to put in at *Scarborough*, was there apprehended and carry'd to *London*, under pretence of a general Prohibition to let any body go without a Paſſport. By that means, *France* was diſappointed in her Deſign, becauſe her Envoy was detain'd at *London* till the War in *Scotland* was determin'd.

The Ambaſſador of *France* complain'd again of this Proceeding, but was told that the Queen having had no Advice of the ſending of *Virac* into *Scotland*, could not poſſibly prevent the Execution of the general Order ſhe had given for the Government of the Frontiers.

Siege of Rochel.

Mean while, the King of *France* caus'd *Rochel* to be beſieg'd, and at the ſame time ſet a Treaty of Marriage on foot at *London*, between his ſecond Brother the Duke of *Alençon* and *Elizabeth*, who receiv'd the Propoſal calmly, and made it believ'd that ſhe had an Inclination to marry, tho' till then ſhe had declar'd the contrary.

Another Match propos'd for Elizabeth.

Duke of Anjou choſe King of Poland.

Not long after, the Duke of *Anjou*, who commanded at the Siege of *Rochel*, having receiv'd the News that he had been choſe King of *Poland*, rais'd the Siege, and a Peace was granted to the Hugonots.

The King of *Poland*, ſet out for his Kingdom, notwithſtanding all that the Queen-Mother could do to retain him. 'Tis ſaid that ſhe knew beforehand that it could not be long e'er *Charles* IX. would infallibly die. 'Twas for this Reaſon that ſhe was not willing that the King of *Poland*, who was the deareſt to her of all her Children, ſhould by his Abſence venture the Loſs of the Crown of *France*, which the King his Brother was going to leave to him. But *Charles* was ſo jealous of the King his Brother, that he abſolutely inſiſted on his Departure, ſo much did he dread the Intrigues of his Mother.

Death of Charles IX.

Not long after, *Charles* IX. by the Advice of his Mother, put a guard upon the Duke of *Alençon*. *Catherine* was afraid this young Prince would ſupplant the King of *Poland* his elder Brother, after the Death of the King which actually happen'd on

* Tho' the *Engliſh* and *Scots* Writers call him *Virac*, and ſpeak of him as an Envoy from the King of *France*, yet *Thuanus* calls him *Verac*, and mentions him as an Envoy from the *Guiſes*.

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on the 30th of *May* 1574*. *Henry* his Brother, who was already in *Poland*, having receiv'd the News, ſtole away from the *Poles* and return'd to *France*, where he ſucceeded the King his Brother by the Name of *Henry* III. Immediately after his Arrival in *France*, he made War upon the *Hugonots*, tho' they had given him no Provocation. *Elizabeth* not daring to declare her ſelf openly for them, ſecretly furniſh'd the Prince of *Conde* with ſome Money to pay the Troops which *Caſimir* the Couut Palatine rais'd for him in *Germany*. This War held but a Year, and was follow'd by a Peace, which was the more willingly granted to the *Hugonots*, becauſe they had at their head the Duke of *Alençon* the King's Brother, and ſome good *German* Troops. It was during this Peace, that the Duke of *Guiſe* began to form the famous Catholick League which occaſion'd ſo much miſchief in *France*, and oblig'd the *Hugonots* to unite ſtrictly together for their common Defence under the Conduct of the King of *Navarre*, the chief Prince of the Blood-Royal next to the Duke of *Alençon*.

Henry III. *his Succeſſor. His War and Peace with the* Hugonots.

The beginning of the Catholick League, and the Proteſtants Counter-League.

IN 1578. this Duke, who had taken the Title of Duke of *Anjou*, was choſe *Protector of the Belgick Liberties*, and immediately after, he ſent a Gentleman to *England* nam'd *Baqueville*, in order to treat of his Marriage with *Elizabeth*. This Envoy was very well receiv'd, and the Queen did not appear very averſe to the Propoſal. The Negotiation was continued with warmth in the Year 1579. the Queen ſeeming always diſpoſed to conclude it, provided they could agree as to the Article of Religion. The Duke himſelf went over to pay her a Viſit incognito; but he made a very ſhort ſtay in *England*. At length in 1581, the Marriage-Articles were agreed on to the Queen's Satisfaction; but the Articles were ſcarce ſign'd, when *Elizabeth* ſtarted a Difficulty, by demanding that *France* ſhould conclude an Offenſive Alliance with her, to which the King would not conſent before the Marriage was conſummated. Mean time the Duke of *Anjou* repairing to *England*, was receiv'd by the Queen with great Demonſtrations of Kindneſs and Reſpect; and one Day ſhe even gave him a Ring from her Finger. Every body then thought the Marriage was on the point of being ſolemniz'd: But all on a ſudden the Queen chang'd her Mind; and the reaſon ſhe pretended for it was the Oppoſition made to it by ſeveral Lords of her Council, whom ſhe had herſelf in all appearance excited to murmur againſt her Marriage. The Duke ſet out in the beginnig of the Year 1582, loaded with Honours and Preſents, tho' not a little mortify'd that he had not ſucceeded in the Affair which carry'd him to *England*. He went to *Bruſſels*, where he was crown'd Duke of *Brabant*.

Another Marriage propos'd to Elizabeth.

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FROM that time *Elizabeth* had very little to do with *Henry* III. except in the Year 1585, when this Prince having been compell'd by the League to make War upon the *Hugonots*, the Queen lent 50,000 Crowns to the Prince of *Conde*, and ten Ships, with which he rais'd the Blockade of *Rochel*.

She ſends Ships and Money to the Prince of Conde, *who rais'd the Blockade of* Rochel.

The Acts relating to Elizabeth's *Affairs with* France *in this* 15th *Tome are very few.*

1. THE Treaty of Peace between *France* and *England*, concluded *April* 2, 1559. at *Chateau-Cambreſis*, on the following Conditions:

Treaty with France. P. 505.

THAT *Henry* II. ſhall keep *Calais* for the Term of eight Years, after which he ſhall be oblig'd to reſtore the Place to *England*.

THAT he ſhall find ſeven ſufficient Merchants for Sureties, who are not his Subjects.

Qui Mercatores ſe obligabunt meliore modo & forma quibus id fieri poſſit——ſe ſoluturos ſummam quingentorum millium Coronarum aurearum de Sole dictæ ſereniſſimæ Reginæ Angliæ, aut ejus Hæredibus & Succeſſoribus in Regno Angliæ. Quæ quidem ſumma erit loco & vice Pœnæ, caſu quo dictus Chriſtianiſſimus Rex, ejus Hæredes & Succeſſores, Reſtitutiones Præmiſſorum, virtute hujus Tractatus, prædictæ Sereniſſimæ Reginæ aut ejus Succeſſoribus faciendas adimplere recuſaverint, aut plus juſto diſtulerint. Quæ quidem Pœna petita, ſive ſoluta fuerit, ſive non ſoluta, remanebunt nihilominus Rex Chriſtianiſſimus & Delphinus, eorumque Hæredes & Succeſſores obligati addictam Reſtitutionem faciendam, ſecundum fidem datam & pacta hoc Tractatu comprehenſa.

i. e. WHICH Merchants ſhall oblige themſelves, in the beſt Manner and Form poſſible, to pay the Sum of 500,000 Gold Crowns of the Sun, to the ſaid moſt Serene Queen of *England*, or her Heirs and Succeſſors in the Kingdom of *England*; which ſaid Sum ſhall be in lieu of a Penalty, in caſe the ſaid moſt Chriſtian King, his Heirs and Succeſſors ſhall refuſe, or unjuſtly delay to make Reſtitution of the Premiſes by virtue of this Treaty, to the ſaid moſt ſerene Queen or her Succeſſors; which ſaid Penalty, whether paid or not, the moſt Chriſtian King and the Dauphin, and their Heirs and Succeſſors, ſhall nevertheleſs remain bound to make the ſaid Reſtitution, according to the Faith and Covenants in this Treaty comprehended.

IT appears from thence, that it was not at the Option of *France*, either to reſtore *Calais* or to pay the 500,000 Crowns, and that this Sum was only a Penalty for the Refuſal

* Mr. *Rapin* in his large Hiſtory takes notice of the extraordinary manner of his Death, which not only the Proteſtants, but even the Papiſts remark'd as an Inſtance of God's Revenge for the horrid Maſſacre which had been committed by his Order; for he bled violently at all the Paſſages, and even ſweated Blood as it were thro' the Pores of his Body.

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Refusal or Delay; *France* being nevertheless oblig'd to restore *Calais*.

Francis's Commission to treat with Elizabeth's Commissioners, P. 581.

2. A Commission from *Francis* II. and *Mary* to *John de Monluc* Bishop of *Valence*, *Nicholas de Pelue* Bishop of *Amiens*, *James de la Baosse*, *Henry Clentin* Lord of *Oysel*, *Charles de la Rochefoucault* Lord of *Randan*, to treat upon the Frontiers of *Scotland*, with the Commissioners of *Elizabeth*; dated *May* 2, 1560[a].

Leith demolish'd. P. 592.

3. Conventions for the Demolition of *Leith*, for the embarking of the *French* Troops, and the departure of the *English*; dated *July* 5, 1560.

Edinburgh Treaty. P. 593.

4. The Treaty of *Edinburgh*; dated the 6th, *ditto*.

I have elsewhere taken notice of the Articles of this Treaty.

Earl of Warwick's Commission for Normandy. P. 625.

5. A Commission to *Ambrose Dudley*, Earl of *Warwick*, to command the Succours design'd for *Normandy*; dated *Oct.* 1, 1562[b].

Treaty of Troyes. P. 640.

6. Treaty of *Troyes* betwixt *France* and *England*; dated *April* 11, 1564.

This Treaty only contains a Peace in general Terms, each Party reserving their Rights and Pretensions.

Another. P. 644.

7. Another concluded at *Troyes* the next Day.

It imported that the Hostages of *France* which are in *England* shall be releas'd, and that the King of *France* shall cause 60,000 Crowns to be paid to *Elizabeth* in six Weeks, and 60,000 Crowns more in six Weeks after.

That *Throckmorton* the *English* Ambassador shall be set at liberty.

8. *Charles* IX's Ratification, dated the 1st of *May*[c].

Piracies. P. 770.

9. A Commission for inquiring into the Piracies committed by the *English* against the *French*; dated *March* 11, 1577[d].

Duke of Anjou's Bond to Elizabeth for one hundred thousand Crowns lent. P. 792.

10. A Bond from *Francis* Duke of *Anjou*, for the Payment of 100,000 Gold Crowns of the Sun, each Crown Piece amounting to 60 Sous, which *Elizabeth* lent him, *viz.* 50,000 Crowns on the 5th of *September* in ready Money, and 50,000 Crowns more on the 7th of *October*, part in Cash, and part in Ingots of Gold. The Obligation is dated at *St. Valery*, the 13th of *October* 1581.

Article V.

Elizabeth's *Affairs with* Spain.

I have already taken notice, that immediately after Queen *Mary*'s Death, *Philip* II. courted *Elizabeth*, and undertook to get a Dispensation from the Pope for the Marriage. *Elizabeth* was very much at a loss, not whether she should accept or refuse the Suit, having already resolv'd on that Point, but which way she should come off: For as she had not only determin'd in appearance before-hand not to share her Throne with a Husband, so she consider'd that in the Marriage which was propos'd to her, there was a Difficulty which she could not get over; namely, that by her Compliance she would have expressly condemn'd the Conduct of the King her Father towards *Catherine* of *Arragon*, and every thing in consequence thereof. For if with a Dispensation from the Pope she could have marry'd her Brother-in-law *Philip* II. *Henry* might with the like Dispensation have marry'd *Catherine* of *Arragon*; from whence it would necessarily follow, that his second Marriage with *Anne* of *Boleyne* was illegal, and that by consequence *Elizabeth* was a Bastard; therefore by accepting *Philip*'s Proposal, she must needs have been oblig'd to the Pope for her Legitimation, and she must have been forc'd to own that she only held the Crown by his favour. But nothing was farther from her Thoughts; for, on the contrary, she had taken a firm Resolution to re-establish the Reformation in *England*, and to cause those Laws to be confirm'd, which had been made against the Pope in the Reigns of *Henry* VIII. and *Edward* VI. but on the other hand she was in a very unhappy Condition when she came to the Crown. She was actually at war with *France*, and had no Ally in the World but *Philip* II. Indeed there was a Peace negotiating at *Chateau Cambresis*, but it was not yet concluded. *Philip* might abandon her, and in that Case she would be expos'd to bear the Burden of a very heavy War upon her own shoulders; which could not but break her Measures with respect to Religion, and might expose her Crown to the Danger of being disputed by the King of *France*, under colour of the Rights of the Queen of *Scots* his Sister-in-Law. It was necessary therefore to carry it fair to the King of *Spain*, and not to provoke him by an absolute Denial. In order to extricate her self out of this Difficulty, she made haste to re-establish the Reformation in *England*, and that was Demonstration enough to *Philip* that his Courtship would come to nothing. After that time he carry'd it very coldly to *Elizabeth*; and if he seem'd to do any thing for her in the Treaty of Peace, it was only to save his own Honour.

She determines to re-establish the Reformation.

Her Embassy to Philip II.

This Coldness still increas'd: *Elizabeth* having sent an Ambassador to him to consult him upon her Transactions with *France* in regard to *Scotland*, whither she had already sent Troops; he did not seem to interest himself in the Affair, otherwise than by advising her to stipulate the Restitution of *Calais* when she made a Peace with *France*. At the same time he took that opportunity to return the Order of the Garter into the Ambassador's hands. *Elizabeth* on her part refus'd him a Favour which he desir'd, *viz.* that the Family of his Ambassador who marry'd in *England* might be permitted to keep their Estates in that Kingdom, and go and live at *Brussels*. All these things, one after another, occasion'd so wide a Breach betwixt them, that *Elizabeth* could not but suspect that *Philip* was

He returns her the Order of the Garter. She refuses him a Favour.

Elizabeth's Reasons for her Carriage to Philip II. when he courted her.

[a] At *Chenonceau*. [b] At *Hampton-Court*. [c] At *Bar le Duc*. [d] At *Gorhambury*.

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was entered into the Projects of the Duke of *Guiſe* in favour of the Queen of *Scots*.

English *Exports to the* Netherlands *prohibited.*

THE Trade betwixt *England* and the *Netherlands*, which if we may believe *Camden*, amounted yearly to above twelve Millions of Gold-Ducats, was almoſt entirely ſunk in 1564, by the artifice of Cardinal *Granville*, who had perſuaded the Governeſs of the *Netherlands* to prohibit the Importation of *Engliſh* Cloth; for which reaſon the *Engliſh* ſettled a Cloth-Staple at *Emden* in *Eaſt-Friezeland*. But a new Ambaſſador from *Spain* arriving in *England*, found means to reconcile the two Nations: And it was agreed that the Treaty of Commerce called *Intercurſus Magnus*, made in the time of *Maximilian* I. ſhould be obſerved on both ſides.

Reſtoration of the Trade.

IN 1568, *Philip*, I know not upon what occaſion, baniſhed the Ambaſſador of *England* to a Village near *Madrid*. The ſame year, as one *Hawkins* an *Engliſh* Merchant, was going to trade to *America*, purſuant to a Treaty concluded between *Charles* V. and *Henry* VIII. a *Spaniſh* Squadron in thoſe parts ſeized his Ships, and took out his Merchandize; for which the Queen could not get ſatisfaction.

Spaniards *ſeize our Merchant-Ships.*

ANOTHER Accident which happened in 1569, increaſed the miſunderſtanding betwixt *Elizabeth* and *Philip*. The *Genoeſe* Merchants having cauſed a Sum of Money to be put on board a Ship in one of the Harbours of *Spain* with the King's permiſſion, in order to ſend it to the *Netherlands*, the Ship which carried the Money was purſued by Pirates, and obliged to put into *England*: The *Spaniſh* Ambaſſador having told the Queen that the Money belonged to the King his Maſter, ſhe cauſed it to be taken out and carried by Land to ſome Port that was neareſt to the *Low-Countries*, from whence there would be leſs danger in the Paſſage. But while this was doing, ſhe was informed that the Money belonged to private Men, and that the Duke of *Alva* intended to ſeize it for defraying the Expences of the War. This was the reaſon that ſhe ſtopped the Money by way of Loan, and gave Security for the payment of it. The Duke of *Alva* made a great clamour againſt it, and cauſed the Effects of the *Engliſh* Merchants to be ſeized. The Queen did the ſame with reſpect to the *Flemiſh* Merchants, and put a Guard upon the Ambaſſador of *Spain*, who had the inſolence to ſcatter Libels on this ſubject, which were very injurious to the Queen; but the Guard was taken off from him two days after. She demanded of *Philip* to puniſh his Ambaſſador, but could not obtain it. On the contrary, *Philip* cauſed the Effects of the *Engliſh* in *Spain* to be ſeized; but the *Engliſh* revenged themſelves by the Repriſals they made upon the *Spaniards*; which were carried to ſuch a degree, that the Queen was obliged to ſtop them by a Proclamation, for fear of engaging herſelf in a War with *Spain*.

Other Broils with Spain.

Q. ELIZ.

IT appeared plainly next year, that *Philip* intereſted himſelf very much in the Affairs of the Queen of *Scots*, becauſe his Ambaſſador joined the Ambaſſador of *France*, in vigorouſly demanding that Queen's Liberty. Soon after, *Elizabeth* was informed, that *Mary* thinking herſelf entirely abandon'd by *France*, on account of the Marriage which was actually treating betwixt *Elizabeth* and the Duke of *Anjou*, was quite tack'd about to *Spain*, and that ſhe laid a ſcheme to marry Don *John* of *Auſtria*, natural Brother to *Philip* II. This convinced *Elizabeth* that ſhe ought to be upon her guard againſt *Spain* and the *Netherlands*.

Philip eſpouſes *the Intereſt of* Mary Q. of Scots.

IN 1577, the Prince of *Orange* acquainted her that Don *John* of *Auſtria*, who was arrived in the *Netherlands*, had formed a Project not only to ſubdue thoſe Provinces, but after that to attack *England*, and to marry the Queen of *Scots*. This Intelligence had ſuch an effect upon her, that after the States had declared War againſt Don *John*, ſhe made no ſcruple to lend them 100,000 *l. Sterling* *, in order to keep the ſaid Prince employed in that Country. Now to palliate this proceeding, ſhe wrote to *Philip* that ſhe had only lent that Money to the States to ſecure the *Low-Countries* for him, which were in danger of falling a prey to *France*; but *Philip* ſaw thro' this pretence.

The Deſigns of Don John of Auſtria.

Elizabeth *lends the States Money to go to war with him.*

IN 1580, ſeven hundred *Spaniards*, under the name of the Pope's Troops, made a Deſcent on *Ireland*, where they propoſed to fortify themſelves; but were almoſt all of them put to the ſword.

Spaniards *Deſcent on* Ireland.

NOT long after this, the *Spaniſh* Ambaſſador complained that *Drake*, who was juſt come home from his Voyage round the World, had robbed the Subjects of the King his Maſter in the *Indies*. After he had waited ſome time for ſatisfaction, the Queen cauſed part of the Booty which *Drake* had brought to be reſtored to him.

Their Complaint againſt Drake.

NOTWITHSTANDING the reaſons which both *Philip* and *Elizabeth* had to complain of one another, yet to outward appearance they carried on a fair Correſpondence. Trade, which their Subjects could not well be without, was the reaſon that the Differences betwixt the two Crowns were

* *Camden* ſpeaks here of a Treaty, by which the Queen engaged to ſend the States a thouſand Horſemen well mounted, and five thouſand Foot, on condition that the Commander or General thereof ſhould be admitted into the Debates of the Council of State, and that no Reſolution ſhould paſs without his Conſent. But *Grotius* does not ſpeak of this Treaty in his *Annals of the Netherlands*; and only ſays, that at this Juncture, *Elizabeth* intereſted her ſelf ſo much in the Affairs of the *United-Provinces*, that ſhe would not ſuffer the States to take any important Reſolution, without giving her advice of it: Yet in 1585, we find there was a Treaty with the States, wherein there was ſuch a Stipulation as *Camden* mentions in this. And it will appear by and by from the *Fœdera*, that even in the Year 1578, there was a Treaty with the States, wherein they bound themſelves to do nothing of Importance with reſpect to War or Peace, without the Conſent of the Queen or her Miniſters.

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were not yet arrived to an entire Rupture. Beſides, *Philip* found his account more in ſupporting *Elizabeth*'s Enemies underhand, than in attacking her himſelf with open force: therefore he always kept an Ambaſſador at *London*, who let no opportunity ſlip for doing the Queen a prejudice.

Mendoza *the Spaniſh Ambaſſador diſcovered in a Conſpiracy.*

Mendoza, who was Ambaſſador in 1584, entered very far into a Conſpiracy which *Throckmorton* and ſome others had formed to deliver the Queen of *Scotland* by means of a foreign Army. He was diſcovered by *Throckmorton*'s Confeſſion, and was called before the Council, where he was inform'd of what had been depoſed againſt him.

His bad Defence.

Inſtead of defending himſelf from the charge, he recriminated, complained upon account of the Money which the Queen with-held from the King of *Spain*, and accuſed the Miniſters of uſing means of all ſorts to foment a Diviſion betwixt the King his Maſter and the Queen.

The Queen ſends him away.

Upon this, he was ordered to depart the Kingdom, and it was very happy for him that he got off ſo cheap. Immediately after this, the Queen ſent [a] *Waad* to *Philip* to complain of his Ambaſſador, and to tell the King that ſhe would be glad to receive another in his room; but it was not poſſible for the Envoy to obtain Audience of the King.

Philip *denies her Envoy Audience.*

This ground of quarrel was accompanied with another much more conſiderable. After the Aſſaſſination of the Prince of *Orange*, the States of the *United Provinces*, who were in a very dangerous ſituation, offered the Sovereignty of their Country to *Elizabeth*.

She refuſes the Sovereignty of the Netherlands offered her by the States.

She refuſed the offer, being very ſenſible that if ſhe accepted it ſhe ſhould engage herſelf in a War of very great expence, which it would not be in her power to moderate when and how ſhe pleaſed. Therefore ſhe choſe rather to make a Treaty with the States, which was every way more agreeable to her political Maxims.

Her Treaty with the States.

By this Treaty ſhe was willing to engage herſelf to furniſh the States with 5000 Foot and 1000 Horſe, and to pay them herſelf during the War, on condition that the Sum ſhe advanced ſhould be repaid to her after the concluſion of the Peace. The States put into her hands for ſecurity the Town of *Brill* in *Holland*, together with the Town of *Fluſhing* and Fort *Ramekens* in *Zealand*. It was alſo agreed that the General who commanded the *Engliſh* Troops, and two other Perſons named by the Queen, ſhould have a Seat in the Council of State; and that no Peace or Truce ſhould be made without mutual conſent.

Her General, and Manifeſto.

Elizabeth made choice of the Earl of *Leiceſter* to command her Troops in the *Netherlands*; and at the ſame time, ſhe publiſhed a Manifeſto, wherein among other reaſons for her ſending Succours to the *United Provinces*, ſhe laid down this, *viz.* that the Alliance made heretofore with the Houſe of *Burgundy* was not ſo much between the Sovereigns of two Dominions as between the Dominions themſelves. But being very ſenſible that the King of *Spain* would not be ſatisfied with ſuch a reaſon, and that he would look upon thoſe Succours as a Declaration of War, ſhe was reſolved to get the ſtart of him. For this end ſhe cauſed a Fleet to be fitted out, and commanded by the Earl of *Carliſle*, who had under him the famous Sir *Francis Drake*. This Fleet made great Ravages among the *Spaniards* in *America*, at *Cape Verde*, *St. Domingo*, *Carthagena*, *Florida*, and returned to *England* with a Booty of 60,000 *l. Sterling*.

She ſends a Fleet againſt the Spaniards *in* America.

The Earl of *Leiceſter* repairing to *Holland* in 1586, the States made him Captain General, and gave him a Power which was almoſt abſolute. The Queen thought it a piece of mere complaiſance to engage her, whether ſhe would or no, to accept of the Sovereignty which had been offered to her; and complained to the States of this artifice. Nevertheleſs, after ſhe had been informed of their reaſons, ſhe ſuffered the Earl of *Leiceſter*'s Patent to ſtand; but told them very frankly, that ſhe was only engaged to ſupport them according to the terms of the Treaty, or as far as her Affairs would permit her. The fifteenth Volume of the *Fœdera* goes no farther.

The Power given by the States to the Earl of Leiceſter.

The chief Acts it mentions relating to Elizabeth's *Affairs with* Spain, *are*,

1. A Commiſſion to examine the Complaints of the King of *Spain*'s Subjects againſt the *Engliſh*; dated *April* 25, 1564 [b]. *Commiſſion to examine the Complaints of the* Spaniards. 639. *And the Records.* 653.

2. An Order to ſearch the Records concerning the Diſputes with *Spain*, on account of certain difficulties that aroſe in the Negotiation of *Bruges* [c].

3. A Commiſſion to enquire what *Engliſh* Merchandize has been ſtopped in *Spain*, in order to make the Proprietors Satisfaction out of the Goods of the *Spaniards* ſeized in *England*; dated *Feb.* 17, 1572 [d]. *Inquiry into the Seizure of Goods by the* Spaniards *and the* Engliſh. 701, 720.

4. Another to enquire what Merchandize of the *Spaniards* has been ſeized ſince the 3d of *January* 1568; dated *April* 21, 1573 [e].

5. A Treaty betwixt the Queen and the States-General of the *United Provinces*; dated *Jan.* 7, 1578, at *Bruſſels*, with theſe Conditions: *Treaty with the* Dutch. 784.

That the Treaties between *England* and the Houſe of *Burgundy* ſhall continue in full force.

That the States ſhall do nothing of importance with reſpect to War or Peace, without the Conſent of the Queen, or her Miniſters by her authorized.

That if *England* be attacked on the ſcore of Religion, or any other pretence, the States ſhall furniſh it with the ſame number of Succours that the Queen is to furniſh them with.

If

[a] This was *William Waad*, Clerk of the Council. See *Camden*. [b] At *Weſtminſter*. [c] Dated *Feb.* 28, 1566, at *Greenwich*. [d] At *Weſtminſter*. [e] Ibid.

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IF a Controverſy ariſe between the States, they ſhall inform the Queen of it, and ſtand by her Arbitration.

IF the Queen equip a Fleet to keep the Sea, the States ſhall ſend her forty Ships, of which the leaſt ſhall be forty Tun; which ſhall join the *Engliſh* Fleet, and obey the *Engliſh* Admiral, but at the Queen's expence.

THE States ſhall entertain no *Engliſh* Rebels, when they are made known to them as ſuch; nor ſhall they make any ſecret Treaty without the Queen's Conſent.

IF they make Peace with the Catholick King, they ſhall take care that the Queen be included in it, upon ſuch Conditions as ſhe ſhall think fit.

Their Petitions to Queen Elizabeth *for her Protection and Aſſiſtance.* 793 *to* 798.

4. COMMISSIONS from the States General, and ſome of the United Provinces in particular to go in their Name to beg *Elizabeth*'s Protection and Aſſiſtance againſt the Tyranny of the King of *Spain* [a].

THE States had already renounc'd their Obedience to the King of *Spain*.

Engliſh General in the Netherlands *his Patents.* 799.

5. A General Patent to the Earl of *Leiceſter*, to command the *Engliſh* Forces in the Low Countries; dated *October* the 2d, 1585 [b].

6. A more particular Patent for the ſame; dated the 22d, *ditto* [c].

Governor of Fluſhing *and* Brill. 801, 802.

7. SIR *Philip Sidney*'s Patent to be Governor of *Fluſhing*; dated *November* the 9th, 1585 [d].

8. SIR *Thomas Cecil*'s Patent to be Governor of *Brill*; of the ſame Date.

ARTICLE VI.

Domeſtick Affairs.

AS I mean by Affairs purely Domeſtick, ſuch as have no relation either to *Scotland*, or *France*, or *Spain*, or the *Netherlands*, or to the Queen of *Scots* in particular; I cannot engage my ſelf to give an Abridgment here of the Affairs of this ſort which have no Connexion together, eſpecially ſuch as are altogether foreign to the Matter treated of under the preceding Articles: Such an Abridgment would be the rather unneceſſary, becauſe I find nothing under this Claſs in the *Fœdera* that is proper to illuſtrate or explain any important Paſſage of *Elizabeth*'s Hiſtory, excepting only the Dates, which are always very uſeful, or rather abſolutely neceſſary. I fancy therefore if we only direct the Reader to the independent Acts of theſe twenty eight Years, he will be able at firſt View to comprehend the Occaſion and Motives of them, without the Trouble of any Explanation. They are,

Summons to Freeholders to be Knighted. 493.

1. AN Order for ſuch as have Lands or Tenements, *&c.* to the value of 40 *l.* a Year to receive the Order of Knighthood; dated *December* 20, 1558 [e].

2. THE Earl of *Arundel*'s Commiſſion to be High Conſtable for the 14th of *January* only; dated *Jan.* 13, 1559 [f]. Q. ELIZ. *High Conſtable for the Queen's Coronation.* 494.

3. HIS Commiſſion alſo to be High Steward for the 15th of *January*, the Day ſo the Coronation; dated as above.

4. THE Patent creating *Thomas Howard* [g], Viſcount of *Bindon*; dated *Jan.* 13, 1559 [h]. *Viſcount Bindon's Patent.* 495.

5. THAT for reſtoring *William Parr* to his old Titles of Marquis of *Northampton*, &c. *quibus Titulis injuriâ adverſorum temporum, regnante ſorore noſtrâ Mariâ, privatus fuerat:* i. e. Of which Titles he had been depriv'd thro' the Injuſtice of the unhappy Times in the Reign of our Siſter *Mary*. This Act is dated as the laſt. *Reſtoration of the Marquis of* Northampton. 496.

6. A Power to the Earl of *Arundel* to make Knights of the *Bath* for the Coronation Day; dated *Jan.* 14, 1559 [i]. *Power to create Knights of the* Bath. 497.

7. A Commiſſion to Sir *Nicholas Bacon*, Keeper of the Great Seal, to ſeal all Letters Patent, except thoſe of *Richard* III. which had not the Conſent of Parliament; dated *Jan.* 20, 1559 [k]. *Commiſſion to affix the Great Seal to all the old Patents, &c.* 501.

8. A general Pardon; dated *Jan.* 14, 1559 [l]. *Pardons.* 498, 529.

9. ANOTHER for *Ireland*; dated *June* 8, 1559 [m].

10. THE Patent of the Earl of *Suſſex* to be Lord Deputy of *Ireland*; dated *July* 3, 1559 [n]. *Earl of Suſſex Lord Deputy of* Ireland. 533.

11. THE Naturalization of *Peregrine Bertie*, born at *Weſel*, the Son of *Richard Bertie* Eſq; and of his Wife the Ducheſs of *Suffolk*; dated *Aug.* 2, 1559 [o]. *Naturalization of Peregrine Bertie.* 538.

THIS *Peregrine Bertie*, being the Son of *Frances Brandon*, Daughter of *Mary*, who was *Henry* VIIIth's Siſter, might by virtue of that King's Will have diſputed the Crown with *Mary* Queen of *Scots*.

12. A Licence to the Earl of *Suſſex* to come into *England*, and to appoint Sir *William Fitz-Williams* Lord Juſtice of *Ireland*; dated *Jan.* 18, 1560 [p]. *Licence for the E. of Suſſex to come from his Government of* Ireland. 565.

13. A Patent for the Office of Maſter of the Revels, Plays, Maſques, *&c.* dated as the preceding.

14. GRANT of a Penſion of 375 *l. Sterling* to *Otho* Duke of *Brunſwick*; dated *April* 2, 1560 [q]. *Duke of* Brunſwick's *Penſion.* 578.

15. A Commiſſion to *Norroy* King at Arms, and others, to make a Survey of the Coats of Arms in the *Northern* Counties; dated *June* 27, 1560 [r]. *Commiſſion to ſurvey Coats of Arms.* 614.

16. A Patent granted to *Armigil Wade* Eſq; and *William Herle* Gent. to make Brimſtone, and extract Oil fit for Cloth out of certain Plants and Roots; dated *Jan.* 29, 1565 [s]. *Patent for making Brimſtone and Oil.* 650.

17. A Patent creating Sir *Thomas Smith* Chancellor of the Order of the Garter; dated *April* 25, 1572 [t]. *Chancellor of the Garter.* 706.

18.

[a] Dated *April* 19, *May* 15, and 20, and *June* 6, 1585. [b] At *Weſtminſter*. [c] Ibid [d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] Ibid. [g] He was ſecond Son of the Duke of *Norfolk*. [h] At the *Tower* of *London*. [i] At *Weſtminſter*. [k] Ibid. [l] At *Weſtminſter*. [m] Ibid. [n] At *Weſtminſter*. [o] Ibid. [p] At *Weſtimnſter*. [q] Ibid. [r] At *Weſtminſter*. [s] Ibid. [t] At *Weſtminſter*.

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18. Another appointing *William Cecil*, Baron *Burghley*, Lord High Treasurer; dated *Sept.* 15, 1572[a].

Lord High-Treasurer. P. 716.

19. A Patent creating *George* Earl of *Shrewsbury* Great Marshal for his Life, after the Attainder of the Duke of *Norfolk*; dated *Jan.* 2, 1573[b].

Great Marshal. P. 717.

20. A Pardon for a Magician; dated *Jan.* 23, 1574[c].

Pardon for a Wizard. P. 730.

21. A Commission to enfranchise Bondmen, Natives of the Queen's Dominions upon certain Conditions; dated *April* 3, 1574[d].

Enfranchisement of Slaves. P. 731.

22. Creation of Sir *Henry Sidney*, Lord Deputy of *Ireland*; dated *Aug.* 5, 1575[e].

Sidney made Lord-Deputy of Ireland. P. 746.

23. Creation of *Walter* Earl of *Essex*, Earl Marshal of *Ireland* for Life; dated *May* 9, 1576[f].

P. 760.

24. An Act for the Visitation of the University of *Cambridge*; dated *July* 13, 1576[g].

Cambridge Visitation. P. 762.

25. Another of the like nature for *Oxford*; dated *April* 23, 1577[h].

Oxford. P. 773.

26. A Protection for *William Hearle* going to *Scotland* upon a secret Affair; dated *May* 13, 1577[i]. It has these words, *Sciatis quod Nos ex Prerogativa nostra Regia, quam nolumus esse arguendam*, &c. *i. e.* Know ye that we out of our Royal Prerogative, which we will by no means have disputed.

Protection for a Person sent on private business to Scotland. P. 777.

27. A Pardon for *James Humphrey*, who had maintain'd the Pope's Authority; dated *July* 14, 1581[k].

Pardon for J. Humphrey. P. 789.

Article VII.

Affairs of Religion.

As to this head, 'tis sufficient to say that as soon as *Elizabeth* was upon the Throne, she by means of her Parliament reviv'd the Laws which had been made in the Reign of *Edward* VI. in favour of the Reformation; and that the *English*, who were such staunch Papists but a few Months before, became on a sudden zealous Protestants; at least the Government of *England* became such, tho' probably every one harboured the same Faith in their Hearts that they had before, as was the Practice in other Reigns. It would be very strange indeed that the *English* should voluntarily and without constraint change their Religion four times in less than 30 Years. But no wonder that the Kings and Queens who had different Sentiments on this Article should induce their Parliaments to change so often, because a great number of Examples, both ancient and modern, make it very manifest, that the Kings of *England* are sure, as it were, of the Means to have Parliaments at their devotion, provided they will condescend to make a prudent use of them. *Henry* VIII. by means of a Parliament, established a motley Religion in *England*, which was neither entirely Roman Catholick, nor entirely Protestant, and yet had something of both. That Prince did what he thought fit in this respect. He added, he retrenched, and as if he had been infallible, he had nothing to do but to declare his Sentiments, and the Parliament was sure to approve and give them the Sanction of Law. By the same means the Governors of *Edward* VI. caused such Laws of *Henry* VIII. as they did not like, to be repeal'd, and established the Reformation. *Mary* in her turn made use of the same Method to abolish the Reformation, and to re-establish Religion as it stood before the Disputes between *Henry* VIII. and the Court of *Rome*. Nay, more than this, she got the Parliament to make Laws which gave her a handle to persecute the Protestants with Cruelty. And finally, *Elizabeth* found the same ease to re-establish the Reformation by the Parliament. Shall it be said therefore, that the *English* changed from white to black voluntarily in every Reign, just as it pleased their Kings or Queens? No verily; but the Sentiments of the greatest number of the Deputies of the lower House were chang'd into Statutes, which were deem'd conformable to the Sentiments of the Nation; and by that means such as did not approve them were oblig'd to feign that they did. The Parliament is a fine Name; 'tis what they call the Bulwark, and Support of the Liberties of the People. This is very true upon certain Occasions. Yet for all this, one may venture to affirm, that the Power of the Members of the House of Commons is sometimes too great, because they are not obliged either to receive Orders from those they represent, or to give an account of their Administration. This Power being skilfully managed by an artful Prince, may as well turn to the prejudice of the People as to their advantage, of which there are frequent Instances in the History of *England*. But without departing from my Subject, which way soever we turn, one cannot avoid seeing what I have just now mentioned in some of the four Reigns that I have been treating of, with regard to Religion. The Papists and Protestants had equal reason to complain of the too great Power of the Parliaments in the Reign of *Edward* VI. The Papists were the only Body that felt the Inconveniencies of it in the Reign of *Edward* VI. The Protestants had their turn in the Reign of *Mary*; and at last, in the Reign of *Elizabeth*, the Papists had reason to wish that the Members of Parliament had a more limited Power. Really, 'tis not very strange to find the House of Commons altering their Sentiments and Maxims, because in every new Parliament there

Elizabeth revives the Laws of Edward VI. in favour of the Reformation.

Causes of the frequent Changes of Religion in England within a few Years.

The Ease with which the Kings of England get Parliaments to their mind.

The English People vindicated from being given to change in Religion.

Remark on English Parliaments.

On the Power of the House of Commons.

On their Changeableness.

[a] At *Woodstock*. [b] At *Westminster*. [c] Ibid. [d] At *Gorhambury* in *Hertfordshire*.
[e] At *Gorhambury*. [f] At *Westminster*. [g] Ibid. [h] At *Westminster*.
[i] At *Westminster*. [k] Ibid.

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there are new Members, the Majority of whom are commonly in the Court-Intereſt. But what is moſt ſurpriſing, is, to find the upper Houſe, which is not liable to ſuch Alterations in its Members, ſubject to the ſame Alteration in its Maxims. In the four Reigns laſt mentioned we find, in the ſpace of about 30 Years, the ſame Lords, except a very few who died in that Interval, complying with four ſucceſſive Changes in Religion; according to the Pleaſure of the Kings, the Queens, and the Houſe of Commons. I will not venture to gueſs at the reaſon of ſuch groſs Inconſtancy, but 'tis certain that all theſe Alterations did not proceed from new Light.

THE Acts of theſe 28 Years which relate to Religion, being of no great moment, all that needs be ſaid on this Subject is, that when the Roman Catholicks perceived that *Elizabeth* openly declared for the Reformation, they ſpared no Care, nor Pains, nor Intrigue, nor Expence to favour the Pretenſions of the Queen of *Scotland*. They well knew, that if they could but place her on the Throne of *England*, ſhe would find it no harder a Task than *Elizabeth* did to alter the Religion, becauſe all the Buſineſs would be for her to have a Parliament at her Devotion, which Experience had proved would be very eaſy to obtain. From hence aroſe ſo many Projects for invading *England* with foreign Forces, either by the way of *Scotland*, or ſome other part. They who contrived thoſe Schemes, made not the leaſt doubt that the *Engliſh* Papiſts would join the Foreigners; and the number of the Roman Catholicks at that time in *England*, could not but be greater than they ſeem'd to be in outward appearance, becauſe thoſe Projects, and the Conſpiracies againſt the Queen's Life were inceſſantly carried on during her whole Reign. The Knowledge of theſe Diſpoſitions made *Elizabeth* perpetually uneaſy. She had always an eye upon her Roman Catholick Subjects, and left no Stone unturned to obviate their Deſigns, and to render their Union with the Pope, *France*, *Spain*, the *Netherlands*, the Queen of *Scots* and the Roman Catholicks of that Kingdom, of no effect. From thence proceeded that Severity with which ſhe treated ſome of them who could not live peaceably; but it was a Severity very ſhort of that which *Mary* ſhewed to the Reformed. *Elizabeth* put no Roman Catholick to death upon the ſcore of Religion; and if any were executed in her Reign, it was only for having conſpired againſt the Queen, or for having attempted to ſubvert the Government, and to aboliſh the Religion eſtabliſhed in the Kingdom. If the Queen of *Scots* had not ran headlong, as it were, into Plots of this kind, which under pretence of ſetting her at liberty were only calculated to place her on the Throne of *England*, ſhe would never have ſuffered that Death which has been honoured with the Name of Martyrdom. In thoſe Projects which ſhe was drawn into by her evil Counſellors, there were two things complicated together, which neither ſhe nor her Friends ever ſeparated; for their conſtant aim was to dethrone *Elizabeth*, and to deſtroy the Proteſtant Religion in *England*. Tho' this appears ſo evidently from the Hiſtory of this Reign, yet the greateſt number of the Roman Catholicks have been pleaſed to give no Attention to the Firſt of theſe, to paſs lightly over the Second, and to impute the Tragical Death of *Mary* to no other Cauſe than the Hatred which the Queen and the *Engliſh* bore to her Religion. It were to be wiſh'd that *Elizabeth* had treated the Anabaptiſts, who certainly did not conſpire againſt her Life, or againſt the Government, with the ſame Moderation as ſhe treated the Roman Catholicks, and that ſhe had not been ſo ſevere as to give up ſome of them to the Flames.

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The Efforts of the Papiſts to place Mary *Queen of* Scots *on the Throne of* England.

Queen Elizabeth more ſevere to the Anabaptiſts than the Papiſts.

I ſhall not inſiſt longer on the Affairs of Religion, becauſe the principal Occurrences of this Reign under that Claſs are manifeſtly but Dependencies on thoſe that relate to the Queen of *Scots*, and becauſe moſt of the others, to which the Acts of this Tome relate, are of no Importance, or need not Explanation. Such, for inſtance, are the Changes which were made in the Body of the Clergy, by the Deprivation of ſeveral Biſhops, and of many other beneficed Clergymen, whoſe Places were filled up by the Reformed; a very great number of Preſentations to Benefices; *Conges d'Eſlire* for Biſhopricks; Aſſents of the Queen to Elections; Reſtitutions of Temporalities; Benefices granted *in Commendam*, and ſo many other things of this nature, that it ſeems Mr. *Rymer* intended to make it the principal Subject of this XVth Tome. Such ſort of Inſtruments may be of uſe in an Eccleſiaſtical Hiſtory, or in Annals: But I am of opinion, that nothing more is neceſſary here than barely to hint at Affairs of that kind, without undertaking to ſet down all the particular Acts.

Elizabeth's Vigilance to defeat their Contrivances.

WE proceed now to the XVIth Tome of the *Fœdera*.

MR. *Rymer*, who had prepared Materials for bringing down the Collection of the publick Acts, to the end of the Reign of King *James* I. being taken away by death, Mr. *Robert Sanderſon* undertook to continue this Work according to the Memoirs left by Mr. *Rymer* *. In this XVIth Tome he has given the reſt of the Acts of *Elizabeth*'s Reign, from the 2d of *November* 1586,

* This Gentleman was Aſſiſtant to Mr. *Rymer* in compiling the former Volumes of the *Fœdera*, and therefore upon that account, as well as for his Learning and Judgment, the better qualified to continue them. He was made Uſher of the Rolls in his late Majeſty's Reign, to whom he inſcribed this Volume.

Fœdera Tom. XVI. 1586, to the end of *January* 1603; and those of *James* I's Reign, from the 28th of *March* the ſame Year, to the 4th of *November* 1616. So that this Tome contains the Acts of 30 Years. I ſhall confine my ſelf at preſent to what relates to the Reign of *Elizabeth*.

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THIS Tome is much better ſtor'd than the laſt with ſuch Pieces as are neceſſary for explaining the Hiſtory of *England*. Among them, there are ſome which ſo depend upon one another, and which ſtand in ſuch a Relation to certain particular Circumſtances of Affairs, that 'tis ſcarce poſſible to underſtand them, or at leaſt to apply them to any purpoſe without bearing in mind the principal Events to which they refer. As to theſe, I ſhall follow my uſual Method, by diſtributing them into ſeveral particular Articles, under each of which I will give an Abſtract of the Hiſtory on which thoſe Acts are founded. There are others which don't ſtand in need of any Explanation, either becauſe they are of little importance, or becauſe they were not attended with any material Conſequences. Out of theſe I ſhall ſelect ſome which I ſhall only point to in the cloſe of this Extract. The Acts which require ſeparate Articles are ſuch as relate, 1. To *Elizabeth*'s Affairs with *Spain*. 2. To her Affairs with *France*. 3. To her Affairs with the *United Provinces* of the *Netherlands*. 4. To her Affairs with *Scotland*. 5. To her Affairs with the *Hanſe* Towns, or the Commerce of the *Engliſh*; and 6. To Affairs Domeſtick.

ARTICLE I.

Elizabeth's *Affairs with* Spain *from* 1587, *to* 1603.

IF I had regard only to the Acts of this XVIth Tome which relate directly to *Spain*, I might be excus'd from making a ſeparate Article of them, becauſe they are very few. But as in the firſt part of this Reign, the Quarrel betwixt *Elizabeth* and *Mary* was the grand Affair, tho' we have no Acts in the *Fœdera* upon that Subject; ſo *Elizabeth*'s Tranſactions with *Philip* II. are the chief Subject of this ſecond Part, and the Foundation of all the reſt.

Philip was reſolv'd to dethrone *Elizabeth* if it lay in his power; *Elizabeth* made no doubt of it, and 'twas to defend her ſelf from his open and ſecret Attacks, that ſhe was continually attentive to what paſs'd in *Scotland*, in *France*, in the *Netherlands*, and in her own Kingdom. 'Tis neceſſary therefore juſt to ſhew what were the King of *Spain*'s Pretenſions, and the Efforts he made to enforce them.

The Queen of Scots makes Philip of Spain her Heir to the Crown of England.

THE Queen of *Scots*, juſt before ſhe died, had made a Will, whereby ſhe yielded her Rights to the Crown of *England* to *Philip* II. in caſe that the King of *Scotland* her Son did not embrace the Roman Catholick Religion. This Queen no ſooner thought her ſelf entirely abandon'd by *France*, but ſhe was perſuaded to make over her Rights to the King of *Spain*; and when this very thing was charg'd upon her at her Trial, ſhe did not poſitively deny it. This alſo ſhe put in execution by this Will, which was grounded upon the Maxim, that a Prince or Princeſs who are Hereticks, cannot lawfully wear the Crown. By this Maxim, which it ſeems *Mary* admitted in its utmoſt force, *Elizabeth* was to be depriv'd of the Crown of *England*, and *James* VI. excluded from the Succeſſion. This was a Point that was hardly diſputed by the greateſt part of the Roman Catholicks, as was fully made appear in *France* not long after, by the Efforts uſed to deprive *Henry* IV. of his juſt Rights, upon this ſole Foundation. As to the Choice which *Mary* made of the King of *Spain* to transfer her Right to him in caſe that the King of *Scotland* refus'd to be converted, it was founded on *Philip*'s being deſcended equally from the two Daughters of *John* of *Gaunt* Duke of *Lancaſter*, the 3d Son of *Edward* III. one of which Daughters was marry'd to a King of *Portugal*, and the other to a King of *Caſtile*. On the Suppoſition therefore that *Elizabeth* could not legally fill the Throne of *England*, as well on account of the Illegitimacy of her Birth, as on the account of her Religion, and that the Will of *Henry* VIII. was null and void; it follow'd neceſſarily that the Crown of *England* was devolv'd to *Mary* Queen of *Scots*, as I ſaid before. But as ſhe could not enjoy her Right, becauſe ſhe was at the point of Death, ſhe thought ſhe might and ought to transfer it to *Philip* II. who was the firſt in Rank of all the Roman Catholick Princes that could lay claim to the Succeſſion of the Houſe of *Lancaſter*. This Right would have been indiſputable for the King of *Scotland*, *Mary*'s Son, if he had not been a Heretick. But this ſingle Conſideration oblig'd *Mary* to poſtpone the Rights of Nature to the Intereſts and Advantages of the Roman Catholick Religion. And even tho' *Mary* had not made this Will, as ſome there are who queſtion it; the Pretenſions of *Philip* II. would have been every whit as legal, by the Admiſſion of this Principle, *that a Heretick is not worthy to wear the Crown.*

Philip's Relation to the Crown.

BE this as it will, *Philip* II. had ſo ſtrong an Opinion of this Right, that he thought himſelf thereby authoriz'd to make a vigorous Effort to put himſelf in poſſeſſion of the Throne of *England*. There could not have been a more favourable Conjuncture for him: He had nothing to fear from *France*, that Nation being embroil'd in a Civil War, and the ſtrongeſt Party attach'd to his Intereſts. The Emperor who was at peace with the *Turks*, was in a Condition to curb the

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Proteſtant Princes of *Germany*, in caſe they ſhould offer to give *England* any aſſiſtance. Laſtly, *Philip* had all the reaſon in the World to depend on the King of *Scotland*, who might well be expected to favour his Undertaking, inſtead of giving Aſſiſtance to a Queen who had lately done him ſo mortal an Injury, by cauſing his Mother to be put to death by the hands of a Hangman; and this was what was inculcated to him by many *Scotſmen*. On the other hand, the Pope was fully reſolv'd to contribute every thing in his power to the Succeſs of his Deſigns. He not only approved them, and gave them his Bleſſing, but he even publiſhed a Bull afterwards, which was poſted up in *London*, whereby he releas'd the *Engliſh* from the Oath of Allegiance which they had taken to the Queen, and conſign'd *England* to the firſt Poſſeſſor. This firſt Poſſeſſor could be no other than the King of *Spain*, who made prodigious Preparations in all the Ports of *Spain* and *Portugal*, in order to put himſelf in a condition to attack *England* in ſuch a manner, that there ſhould be no neceſſity for invading it a ſecond time. He cover'd theſe Preparations with various Pretences, for fear it ſhould be known that they were deſign'd againſt *England*. But *Elizabeth*, who had good Spies [a], had undoubted Information that ſhe was the only Perſon againſt whom this great Armament was intended. She reſolv'd therefore not to loſe one moment for preventing the Danger with which ſhe was threatened. Therefore without being dallied with vain Negotiations, ſhe caus'd a ſtrong Fleet to be fitted out, of which ſhe gave the Command to Sir *Francis Drake*, in order to go and burn, or ſink the Ships that were preparing in the Ports of *Spain*. At the ſame time ſhe ſent another Fleet under the Command of — *Cavendiſh*, to make War upon the *Spaniards* in *America*.

Pope's Bull againſt Elizabeth.

Philip's Preparations againſt her.

The Queen ſends Fleets againſt the Spaniards *in* Europe *and* America.

Drake ſail'd directly to the Port of *Gibraltar* [b], where were the greateſt Stores of Ammunition and Proviſions. He there burnt above 100 Ships, which were all laden, beſides a great Galleon called the *Raguſa*, which had a very rich Cargo. After this Expedition he put to Sea again, enter'd the *Tagus*, and burnt all the Ships he found there. From thence he ſailed to the *Azores* Iſlands, where he took a *Carrack* call'd the *St. Philip*, which was return'd with a very rich Lading from the *Eaſt-Indies*. The loſs which *Philip* ſuffer'd upon this occaſion, put him under a neceſſity of deferring the Expedition againſt *England* till next Year [c]. While *Drake* was acting in *Europe*, *Cavendiſh* ſail'd towards the *Streights* of *Magellan*, thro' which he enter'd into the *South-Sea*, and plunder'd the Coaſts of *Chili* and *Peru*, from whence he carried off a great Booty.

NOTWITHSTANDING all this, *Philip* did not deſiſt from purſuing his Project: He continued his Armament with more heat even than he began it, being reſolv'd to make a Conqueſt of *England*, whatever it coſt him. While he was making his Preparations at an incredible Expence, he endeavoured to amuſe *Elizabeth*, and to make her believe that he had no other Deſign but to live at Peace. 'Twas with this View that he cauſed a Treaty to be propos'd to the States of the *United Provinces*, of which he willingly conſented that *Elizabeth* ſhould be Mediator. The Snare was too groſs for *Elizabeth* to be caught by it; yet ſhe pretended not to perceive it, and accepted the Mediation. For this purpoſe ſhe ſent Plenipotentiaries into *France*; and becauſe it was for her advantage to have the Negotiation continued, her Ambaſſadors gave very plain Intimation that ſhe would compel the States to accept of what ſhe thought reaſonable, and that ſhe would make very large Conceſſions with regard to Religion. But all this was only to gain time, and this too was the ſole View of the King of *Spain*; for all that while he haſtened his Preparations as much as poſſible. The Queen on her part left no Stone unturned to put herſelf in a State of Defence. Conſequently the Negotiation was broke off, as it were, before it began, three Months having been waſted in ſettling the Place of Congreſs: and it was now high time to leave off diſſembling, becauſe the

Philip's further Preparations to invade England.

Endeavours to amuſe Elizabeth.

Negotiations for a Peace betwixt Spain *and* Holland.

[a] Biſhop *Burnet* obſerves, that *Walſingham*'s chief Spies were Prieſts; and that he always uſed to ſay, an active but vicious Prieſt was the beſt Spy in the World.

[b] Mr. *Rapin* ſeems to have been miſtaken both here, and in his larger Hiſtory of *England*, Vol. VI. for *Camden*, Sir *William Monſon* in his *Naval Tracts*, *Echard*, and all the *Engliſh* Hiſtorians ſince their Time, ſay, that this Execution was done by Sir *Francis Drake* (not at *Gibraltar* but) at *Cadiz*.

[c] Biſhop *Burnet* in the Hiſtory of his Time, Vol. I. p. 313. gives an account how this Expedition was delay'd; which, if true, is certainly one of the moſt curious Paſſages in all our *Engliſh* Hiſtory. He had it from two Sons of the famous *Boyle* Earl of *Cork*, who had then a great ſhare in the Affairs of *Ireland*; and the Biſhop is of opinion, that it was thought too great a Myſtery of State to be communicated to *Camden*, or to be by him publiſhed, when the Inſtructions were put into his hands for writing the Hiſtory of this Reign. The Story in ſhort is this: When it ſeem'd impoſſible to divert the preſent execution of ſo great a Deſign, and there was no Strength ready to reſiſt it, a Merchant of *London* effected it by this means. Being very well acquainted with the Revenue and Expence of *Spain*, and all that they could raiſe, and knowing that their Funds were ſo ſwallowed up, that it was impoſſible for them to victual and fit out their Fleet, but by their Credit in the Bank of *Genoa*; he undertook to write to all the Places of Trade, and to get ſuch Remittances made on that Bank, that he might have ſo much of the Money in his own hands, that there ſhould be none current there equal to the great occaſion of victualling the *Spaniſh* Fleet. He reckoned the keeping of ſuch a Treaſure dead in his hands till the Seaſon of victualling was over, would be a loſs of 40,000 *l.* He managed the Matter with ſuch Secrecy and Succeſs, that the Fleet could not be ſet out that Year; at ſo ſmall a Price, and with ſo skilful a Management, ſays the Biſhop, was the Nation ſaved at that time.

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the *Spaniſh* Fleet was juſt ready to ſail for invading *England*.

Miſcarriage of the Invincible Armada.

THE Succeſs of this Fleet, which was before-hand call'd by the Name of the *Invincible Armada*, is ſo well known, that to give the Particulars of it here, would be Loſs of Time. 'Tis ſufficient to ſay in a word, that the Fleet being enter'd the Channel, ſuffer'd very great Damage there from the *Engliſh*, who took and deſtroy'd ſeveral Ships; and that at laſt it was oblig'd to make the Tour of *Scotland* in order to return to *Spain* *.

IN 1589, *Elizabeth* caus'd a Fleet to be fitted out, which after being join'd by the *Dutch*, conſiſted of 84 Ships of all ſorts, of which *Drake* was Admiral, and Sir *John Norris* had the Command of the Land-Forces on board. They carry'd with them Don *Antonio*, who ſtyl'd himſelf King of *Portugal*, and the Project was to place him on the Throne of that Kingdom. The King of *Morocco* had promis'd a Supply of Men and Money to Don *Antonio*, who had ſent him one of his Sons as a Security; but he was not ſo good as his word, which was partly the reaſon that the Enterprize miſcarry'd. *Norris* having put his Troops aſhore, march'd as far as the Gates of *Lisbon* without Oppoſition; but for want of Artillery and Ammunition he was oblig'd to retire

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Expedition for making Don Antonio *King of* Portugal.

* Since the Printing of the firſt Edition of *Acta Regia*, the Tranſlator has met with a curious Authentick Piece, printed for *Richard Field* at *London* in 1588, which contains many Particulars relating to this Expedition that are not to be found elſewhere.

'Tis intitled "A Copy of a Letter ſent out of *England* to Don *Bernardin Mendoza*, Ambaſſador in *France*, for "the King of *Spain*, declaring the State of *England*, contrary to the Opinion of Don *Bernardin*, and of all his Par- "tizans *Spaniards* and others; of which Letter, Copies were found in the Chamber of one *Richard Leigh* a Semi- "nary Prieſt, who was executed for High Treaſon, committed in the time that the *Spaniſh* Armada was on the "Seas.

"Whereunto are added, certain Advertiſements concerning the Loſſes and Diſtreſſes which happen'd to the *Spaniſh* "Navy, as well in Fight with the *Engliſh* Navy in the narrow Seas of *England*, as alſo by Tempeſts and contrary "Winds upon the Weſt and North Coaſts of *Ireland*, in their return from the Northern Iſles beyond *Scotland*."

The Author ſays, that in the beginning of the Year 1588, upon the firſt Rumor of the readineſs of the *Spaniſh* Armada at *Lisbon*, the Queen's Navy was divided into three Squadrons, the greateſt under the charge of *Charles* Lord *Howard* High Admiral of *England*; another under *Henry Seymour*, 2d Son to the Duke of *Somerſet*, who was Protector in King *Edward*'s time; which two Companies continued for a time in the narrow Seas betwixt *England* and *Flanders*, under the charge of the ſaid High Admiral, to guard againſt the Motions of the Duke of *Parma*; and the third Squadron was arm'd in the Weſt-part of *England* towards *Spain*, under the Conduct of Sir *Francis Drake*.

When it was known that the Armada was juſt ready to come out of *Lisbon*, the Lord Admiral was commanded to ſail with the greateſt Ships to the Weſt of *England* to join *Drake*, whom he made Vice-Admiral, and to continue in the Channel to ſtop the Landing of the Armada. And with the Lord Admiral went the Lord *Thomas Howard*, 2d Son to the Duke of *Norfolk*, and Lord *Sheffield* Son to the Admiral's Siſter. At the ſame time the Lord *Henry Seymour* was left with a good number of Ships in the narrow Seas, on the Coaſt of *Flanders*, to attend on the Duke of *Parma*.

When the Armada came upon the Coaſt of *England*, the Lord Admiral and *Drake* with only 50 Ships out of *Plymouth* Haven, attack'd the whole Armada, conſiſting of 160 Ships; which after being cannonaded one whole day, fled; and when the *Engliſh* Navy was increas'd to 100 great and ſmall, they renew'd the Fight, and chas'd the *Spaniards* for 9 days together, in which they deſtroy'd, ſunk, and took ſeveral of the biggeſt Ships without the Loſs of one *Engliſh* Ship, Boat, or Maſt; which made the *Spaniſh* Priſoners, who were taken, ſay, that in all the Engagments *Chriſt ſhew'd himſelf a Lutheran*.

Beſides the Army encamp'd (to oppoſe the *Spaniards* Landing) at *Tilbury* in *Eſſex*, which was commanded by the Earl of *Leiceſter*, and which was honour'd, and not a little animated, by the Preſence of the Queen, who review'd it, having the Sword born before her by the Earl of *Ormond*; there was another Army of 40,000 Foot and 6000 Horſe under the Charge of the Lord *Hunſdon*, Lord Chamberlain, rais'd from the Inland Parts of the Realm without diſarming the maritime Counties, to be conſtantly about the Queen's Perſon.

The firſt Nobleman that came in to her Aſſiſtance, was the Lord Viſcount *Mountague*, who, tho' very ſickly and advanc'd in Years, was reſolv'd to defend his Queen and Country againſt all Invaders at the hazard of his Life, his Children, his Lands and Goods; and therefore he preſented himſelf before the Queen with a Band of near 200 Horſe, led by his own Sons, and with them a young Child the eldeſt Son of his Son and Heir.

The other Noblemen that came to Town with their Bands, amounting to ſeveral thouſand Horſe and Foot, were the Earl of *Lincoln*, Lord *Windſor*, the Lord Chancellor *Hatton*, the Earl of *Warwick*, the Lord Treaſurer *Burghley*, the Lord *Compton*, the Earl of *Leiceſter*, the Lord *Rich*, Sir *Walter Mildmay*, Sir *Henry Cromwell*, Sir *John Pointz*, and the Earl of *Eſſex* Maſter of the Horſe to the Queen, the Earl of *Worceſter*, the Earl of *Hertford*, Lord *Audley*, Lord *Morley*, Lord *Dacres*, Lord *Lumley*, Lord *Mountjoy*, Lord *Stourton*, Lord *Darcy*, Lord *Sandes*, Lord *Mordaunt*.

Thoſe who rais'd great Bodies in the remoter Counties were the Marquiſs of *Wincheſter*, Lord Lieutenant of *Hampſhire*, the Earl of *Suſſex* Governour of *Portſmouth* and Lord Lieutenant of *Dorſet*, the Earl of *Shrewsbury*, Earl Marſhal of *England*, and Lord Lieutenant of many Counties, with his Son the Lord *Talbot*; the Earl of *Derby* and his Son the Lord *Strange*, Lord Lieutenant of *Lancaſhire* and *Cheſhire*; the Earl of *Bath*, Lord Lieutenant of *Devonſhire*, the Earl of *Pembroke* Lord Lieutenant of *Somerſet* and *Wilts*, and Lord Preſident of all *Wales*, and the Earls of *Northumberland* and *Cumberland*. The two latter went on board the Queen's Navy, and ſerv'd in the Attack of the Armada before *Calais*; as did alſo Mr. *Henry Brooke* Son and Heir to the Lord *Cobham*, Sir *Thomas Cecil* Son and Heir to the Lord Treaſurer, Sir *Will Hatton* Heir to the Lord Chancellor, Sir *Horatio Palavicino* a Knight of *Genoa*, Mr. *Robert Cary* Son to the Lord *Hunſdon*, Sir *Charles Blunt* Brother to Lord *Mountjoy*, Sir *Thomas Gerard* and Mr. *William Hervey*, the Earl of *Oxford*, Mr. *Robert Cecil* 2d Son to the Lord Treaſurer, the Lord *Dudley*, Sir *Walter Raleigh* a Gentleman of the Queen's Privy Chamber, *William Cecil* the Heir of Sir *Thomas Cecil*, Mr. *Edward Darcy*, Mr. *Arthur Gorge*. Beſides theſe, the Earl of *Huntington* Lieutenant-General in the North rais'd 40,000 Foot and near 10,000 Horſe; who were join'd by other Forces rais'd by Lord *Scroop*, Lord *Darcy* and Lord *Ewers*. Other Lords who rais'd Forces at their own Charge, were the Earl of *Kent* Lieutenant of *Bedfordſhire*, the Lord *Hunſdon* Lord Chamberlain and Lieutenant of *Norfolk* and *Suffolk*, the Lord *Cobham* Lieutenant of *Kent*, the Lord *Gray* of *Buckinghamſhire*, the Lord *North* of *Cambridgeſhire*, Lord *Chandos* of *Glouceſterſhire*, Lord *St. John* of *Huntingtonſhire*, Lord *Buckhurſt* of *Suſſex*.

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retire, and to go on board *Drake*'s Fleet again, which ſtaid at the Mouth of the *Tagus*, and took *Caſcais*. While the Fleet was in the *Tagus*, they took ſixty Ships laden with Corn, belonging to the *Hanſe Towns*. This Affair was attended with Conſequences, of which I ſhall treat hereafter. The *Engliſh* Fleet in its Return took and burnt *Vigo*.

Caſcais and Vigo taken by the Engliſh Fleet, with 60 Ships of the Hanſe Towns.

L.d Howard's Expedition againſt the Spaniſh Flota.

IN 1591, the Queen ſent ſix Men of War to the *Azores Iſlands*, under Command of the Lord *Howard*, there to wait for the *Spaniſh* Fleet, which was returning from the *Indies*. But the *Engliſh* Admiral was himſelf ſurpriz'd by a numerous Fleet of the Enemy, which he had much ado to eſcape from, with the loſs of one of his Ships, that was not ſo nimble as the reſt.

Sir Walter Raleigh's.

THE Year following, Sir *Walter Raleigh* carried 15 Sail to *America*, and took a large Carrack from the *Spaniards* laden with rich Merchandize; but the contrary Winds hinder'd him from making very great Progreſs in that Country.

Conſpiracy againſt the Queen's Life by the Spaniards in the Netherlands.

THE Duke of *Parma*, Governour of the *Netherlands*, dying in 1593, the Count *de Fuentes* and Don *Diego d'Ibarra* took care of the Affairs of that Country, till the Arrival of a new Governour. During their Adminiſtration, they form'd the Project to ſend a *Spaniſh* Army into *Scotland*, and at the ſame time to diſpatch *Elizabeth* either by Dagger or Poiſon; for which purpoſe they had bribed *Lopez* a Jew, one of the Queen's Phyſicians, an *Iriſh* Fencing-Maſter, and ſome other Ruffians. Their Conſpiracy having been defeated, the Queen complain'd of it to the Archduke *Erneſt*, who was lately appointed Governour of the *Netherlands*; but ſhe could not obtain any ſatisfaction. On the contrary, ſome of the Accomplices who made their Eſcape, were well receiv'd at *Bruſſels* and *Madrid*.

IN 1594, all poſſible Endeavours were us'd to engage the King of *Scotland* to join the King of *Spain*, in order to dethrone *Elizabeth*; and he ſeem'd for ſome time to give hopes that he would enter into the Deſign. But at laſt being made more ſenſible of his true Intereſt, he turn'd a deaf Ear to all thoſe Temptations, and appear'd to be ſtrongly attach'd to the Queen's Cauſe. Upon the Miſcarriage of this Deſign, *Philip* took it into his head to procure the Crown of *England* for the Infanta *Iſabella* his Daughter, by transferring all his Rights to her. For this purpoſe he caus'd a Genealogy to be publiſh'd, whereby it manifeſtly appeared that he was deſcended from the two Daughters of *John* of *Gaunt* Duke of *Lancaſter*. Notwithſtanding the Diſaſter which had attended his invincible Armada, he was in hopes of better ſucceſs this time, by avoiding certain Miſtakes which had render'd his former Expedition abortive. The Preparations which were making in *Spain*, occaſion'd a Rebellion in *Ireland* by the Earl of *Tyrone*, to whom *Philip* had promis'd Aſſiſtance. This Rebellion made the Queen very uneaſy, becauſe from that time to the day of her death, ſhe was always oblig'd to maintain a good Body of Troops in *Ireland*. Q. ELIZ.

Philip transfers his Rights to the Crown of England to his Daughter.

Tyrone's Rebellion.

IN the Year 1595, the *Spaniards* obtain'd great Advantages over *Henry* IV. who had declar'd War againſt them; and at the ſame time *Philip* continued his Preparations with Zeal for attacking *England*. But *Elizabeth* prevented him once more, by ſending to the Coaſt of *Spain*, (in 1596) a numerous Fleet, to which the *Dutch* furniſh'd 22 Ships. The Lord *Howard* was Admiral of it, and the Earl of *Eſſex* commanded the 7000 Men that were put on board it. This Fleet arriv'd at *Cadiz* perfectly unexpected, and burnt in the Harbour ſeveral Ships laden, and took two Galleons with above 100 braſs Guns. Beſides thoſe two Galleons which were richly laden, the King of *Spain* loſt upon that occaſion thirteen Men of War, eleven Ships outward bound for the *Indies*, and thirteen others; not reckoning the Stores which were amaſs'd there, to be employ'd againſt *England*. Moreover, the Earl of *Eſſex* having landed his Troops, took *Cadiz*; but it was not thought convenient to keep it, and the Fleet return'd for *England* with a very great Booty. The loſs which the King of *Spain* ſuſtain'd upon this occaſion, was eſtimated at twenty Millions of Ducats.

Another Expedition of the Engliſh Fleet.

THIS did not hinder *Philip* from perſiſting in his Deſign to conquer *England*. As the *Engliſh* Fleet had done him damage but in one of thoſe Places only where he made his Preparations, he caus'd all the reſt to rendezvous at *Liſbon*, and diſpatch'd his Fleet from that Harbour at the time that *Elizabeth* leaſt of all expected to be attack'd, and had nothing in readineſs for her Defence. But by a good Providence both for the Queen and her Kingdom, a violent Storm overtook the *Spaniſh* Fleet when it was under ſail, and fruſtrated the Expedition.

Another Expedition of the Spaniards fruſtrated by a Storm.

SO many Misfortunes one upon the neck of another, put *Philip* at laſt out of a Capacity of executing his vaſt Deſigns. This Prince died in 1598, after having ſign'd the Peace of *Vervins* with *France*. *Philip* III. his Son, who ſucceeded him, did not think fit to purſue the Project of the King his Father for the Conqueſt of *England*; only in 1601, he ſent Succours to the Earl of *Tyrone*, in order to raiſe Troubles in *Ireland* againſt *Elizabeth*. Don *John d' Aquila* who commanded thoſe Succours, arriving at the Port of *Kinſale*, preſently took the Town of that Name, but was immediately beſieg'd in it by the Viceroy of *Ireland*. The Earl of *Tyrone* attempted to relieve the Place, and loſt a Battle; after which the *Spaniards* capitulated, and return'd to their own Country.

Philip's Treaty with France, and his Death.

His Son ſupports the Iriſh Rebels.

Kinſale taken and retaken.

Defeat of the Rebels.

IN

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A rich Spanish Carrack taken.

In 1602, *Elizabeth* put eight Men of War to Sea, which took a *Spaniſh* Carrack worth a Million of Crowns, in a Harbour of *Portugal*, where it was ſupported by 11 Galleys commanded by *Spinola*, a *Genoeſe*.

That was the laſt Expedition made againſt the *Spaniards* in this Reign; for in the following Year 1603, *Elizabeth* died.

In this part of the XVIth Volume of the *Fœdera*, there are but three or four Acts that relate directly to the Affairs betwixt *England* and *Spain*.

Order to ſearch after Spaniſh Goods conceal'd in London. P. 82.

The firſt is an Order to the Lord-Mayor of *London* to ſearch after ſome Effects belonging to the *Spaniards*, which lie conceal'd in the City; dated *Auguſt* 14. 1590[a].

Emperor of Morocco's Letter to the Queen. P. 155.

2. A Letter from the Emperor of *Morocco* to the Queen. "He makes an excuſe "for not returning an Anſwer ſooner to the "Queen's Letter, wherein ſhe requir'd him to "ſend home the Son of Don *Antonio*, King "of *Portugal*, ſince he would not lend the "Money for which he was ſent him as an "Hoſtage. He gives no poſitive Anſwer "upon this Head, but ſays, that if the "Queen will furniſh the Aid which ſhe "has promis'd, and content him, he does "not doubt but to go thro' with it."

The other Inſtruments are only Commiſſions to act againſt *Spain* by Land and Sea.

Article II.

Elizabeth's *Affairs with* France.

Parties in France.

In 1587, the Year that *Elizabeth* caus'd Sentence of Death to paſs upon the Queen of *Scotland*, *France* was divided into two Parties, *viz.* that of King *Henry* III. and that of the League. The latter had the Duke of *Guiſe* indeed for their Chief, and was ſtrongly ſupported by the King of *Spain*. The Duke was become ſo powerful, that the King had every thing to fear from his Ambition. On the one hand, the Duke could not attain to the end he propos'd to himſelf of uſurping the Crown of *France*, but by the Death or Depoſition of the King; and on the other hand, it was ſcarce poſſible for the King to deliver himſelf from the danger he was in, but by reſtraining the exorbitant Power of the Duke of *Guiſe*, which was no eaſy thing to do. Therefore there were two very oppoſite Intereſts in *France*, tho' the two Leaders conceal'd their Deſigns with all the Artifice they could. Theſe two contrary Intereſts appear'd manifeſtly, when the Queen of *Scots* was condemn'd to die in *England*. There being an Interval of ſome Months between the Sentence and the Execution, *Henry* III. had time to ſend the Preſident *Bellievre* to ſollicit *Elizabeth* in *Mary*'s favour. The Intereſt of Religion, that of Sovereigns in general, *Mary*'s Relation as Siſter-in-Law to the King, and her being Queen Dowager of *France*, ſeem'd to demand this Office from *Henry* III. But then this ſame Queen was Couſin-German to the Duke of *Guiſe*; and if ſhe ſurviv'd *Elizabeth*, whoſe Death her Friends continually aim'd at, ſhe might aſcend the Throne of *England*; and in that caſe the Duke of *Guiſe*'s Party would be ſo ſtrengthen'd, that it would be impoſſible for the King to ſtand againſt him. Conſequently the King's private Intereſt demanded that the ſaid Queen of *Scots* ſhould be cut off. And *Du Maurier* tells us in the Preface to his Memoirs, that he had heard his Father ſay, that the Preſident *de Bellievre*, tho' ſent in appearance to ſollicit favour for *Mary*, had a ſecret order to haſten her Execution as much as poſſible[b]. On the other hand, Lord *Aubeſpine*, who was Ambaſſador in ordinary from *France* at *London*, and who was a Creature of the Duke of *Guiſe*, did all that Man could do to prevent the Execution. It even appeared that he had hir'd a couple of Aſſaſſins to kill *Elizabeth*, and that one of them diſcovered it. *Camden*, from whom we have this Circumſtance, adds, that the Ambaſſador being ſummoned to appear before the Council, made a very bad defence, and that he only intrench'd himſelf in the Privileges of Ambaſſadors, who were not obliged to give an account of their Actions to any but their own Maſters. I am tempted to think, that as *Elizabeth* made uſe of all the means poſſible at that time to convince the People of the neceſſity of putting *Mary* out of her way, theſe two Men were detach'd to the Ambaſſador to enſnare him, and conſequently to animate the People from a conſideration of the Queen's being perpetually in danger. But I own this is mere Conjecture. I will only obſerve, that the *French* Tranſlator of *Camden*'s Annals, has thought fit in his Tranſlation to ſuppreſs every Tittle of what I have mentioned touching *l'Aubeſpine*.

Q. Eliz.

A Conſpiracy to murder Elizabeth.

As *Elizabeth* did not begin to intereſt herſelf very much in the Affairs of *France* till the Year 1591, I ſhall but juſt mention what paſs'd in that Kingdom in the mean time; which gave occaſion to the Queen to ſend conſiderable Succours to the Party, which the League ſought to oppreſs.

Henry IIId's Interceſſion for the Queen of Scots.

The Duke of *Guiſe* growing every day more potent, enter'd *Paris* in the Month of *May* 1588, and compell'd the King to leave the City, after having ſeen the People in a Fury, hanging Chains a-croſs the Streets, and puſhing the Barricadoes as far as the Gates of the *Louvre*. He was in ſo weak a Condition to puniſh this Inſolence, that in order to ſupport himſelf, he was oblig'd to accommodate matters with the League, or rather with the Duke of *Guiſe*, and to put ſeveral Places into his hands. But in the Month of *December* following, having entic'd the Duke of *Guiſe*, and his Brother the Cardinal

[a] At *Otelands*. [b] This was not kept ſo ſecret, but that after the Death of the Duke of *Guiſe*, *Henry* was accus'd by the Leaguers of having contributed to the Queen of *Scotland*'s Death.

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Cardinal to *Blois*, where he had assembled the States, he caus'd them to be assassinated on the Spot.

THIS Action lost him all the Affection of his Roman Catholick Subjects, most of whom were engag'd in the League; so that he was oblig'd to make Levies in *Swisserland*, and to call to his assistance the King of *Navarre*, his presumptive Heir, who was at the Head of the Hugonots*. With these Forces he undertook to block up *Paris*, and he had like to have made himself Master of it; when he was assassinated at *St. Cloud*, where he quarter'd, by *James Clement* a *Jacobin* Friar.

Henry III. of France assassinated.

AFTER the Death of *Henry* III. the last Prince of the House of *Valois*, *Henry* of *Bourbon* King of *Navarre* assum'd the Title of King of *France*, by the Name of *Henry* IV. But as he was a Hugonot, the Leaguers refus'd to own him. The very Roman Catholicks who had serv'd the late King against the League, wou'd not engage to obey him, but on condition that he should put himself under Instruction; that is to say, in the sense they put on the Term, that he should embrace the Roman Catholick Religion. Nevertheless he evaded his pretended Conversion for some Years, on pretence that he did not refuse to be instructed, but that such Instruction did not necessarily import an Alteration of Religion.

His Successor Henry IV.

IN 1590, this Prince found himself embaras'd to the last degree. He was without Allies, and without Cash. The League Party which was against him, was very powerful, and supported by the King of *Spain*. The Hugonots who were devoted to him were weak; and the Roman Catholicks that serv'd him threaten'd to abandon him, if he did not perform his Promise in the sense which they put on it. Nevertheless he struggled against the Difficulties, and gave a great deal of trouble to the Duke of *Mayenne*, Brother to the late Duke of *Guise*, who was at the head of the League. He defeated him at the Battle of *Ivry*, and immediately went and block'd up *Paris*; but the Duke of *Parma* arriving with an Army from the *Netherlands*, compell'd him to retire. Not long after the Duke of *Mercœur*, of the *Lorrain* Family, made himself Master of a great part of *Bretagne* by the Assistance of the *Spaniards*, who at the same time fortify'd themselves in *Hennebond* and *Blavet*, two Sea-port Towns of that Province.

Duke of Mercœur *seizes* Bretagne.

TILL the Year 1591, *Elizabeth* was a very quiet Spectator of the Troubles in *France*, because she thought them rather of advantage to her than otherwise. But when she saw the *Spaniards* had cast Anchor in *Bretagne*, a Province so near to *England*, that they might easily attack her from thence; and when she was inform'd that *Philip*'s Design was to place his Daughter the Infanta *Isabella* upon the Throne of *France*, on pretence that she was Grandaughter to *Henry* II. she thought it her Interest to support *Henry* IV. for fear he should be unable to stand his Ground against Enemies so numerous and so powerful. *Henry* IV. on his part could not stand it without foreign Assistance, and this Assistance could only come to him from the Protestants of *Germany*, or of *England*. But how much soever *Elizabeth* and the *German* Princes were concern'd to hinder *France* from falling into the Hands of the House of *Austria*, which was already but too powerful, there were such Difficulties to reconcile the several Interests, as it was not easy to surmount. The *Germans* were willing to furnish *France* with Troops, but there was an absolute necessity for the King's Engagement to pay them; and he had no Money, because the League being dispers'd over all the Kingdom, he could only raise Taxes in such of the Provinces as were affected to him. As to *Elizabeth*, he might hope indeed that she would furnish him with Troops, and that she would undertake to pay them, in expectation of being reimburs'd what she advanc'd, when he came to be Master of the Kingdom; but on the other hand, she propos'd to reap a present Advantage from the Succours which she was inclin'd to furnish him with, and that those Succours should serve to drive out the Leaguers and the *Spaniards* from the Maritime Provinces next to *England*, as *Bretagne*, *Normandy*, and *Picardy*. But that was not for the King's Interest, whose View was to expel his Enemies from the Heart of the Kingdom, and to push them towards the Frontiers. These Difficulties were enough to have defeated the Hopes that he might have expected from those foreign Succours, if he had been so obstinate as to dispute those Points with the Powers that offer'd him Troops. But considering the unhappy State of his Affairs, he accepted of the Succours which the Elector of *Brandendurgh* and the Count *Palatine* offer'd him; and he propos'd to engage for the Pay of those Troops, tho' he was not sure where he should have the Money to fulfil his Engagement. He did the very same thing with *Elizabeth*. He made a Treaty with her, whereby she engag'd to furnish him with 3000 Men, to prevent the *Spaniards* from making any farther Progress in *Bretagne* and *Picardy*, and to pay those Troops, on condition of being repay'd the Money she advanc'd in a Year's time. The 3000 *English* arriv'd in *France* not long after, part of them in *Bretagne* under the Command of *Norris*,

Q. ELIZ.

Elizabeth's Treaty to support Henry V.

* Mr. *Rapin* has a Remark on this Passage, which is so just, as well as pertinent, that we cannot omit it, *viz.* That this Prince, who had taken a solemn Oath to extirpate the Hugonots, and as solemnly declar'd that he would never keep his word with them if ever he was oblig'd in necessity to make any Promise to them, scarce found any other Subjects now but these in whom he cou'd confide.

Norris, and the reſt in *Picardy* under the Command of *Roger Williams*.

These 3000 Men, and 11000 more which the Prince of *Anhalt* brought from *Germany*, not ſufficing to give the King the Superiority he wiſh'd for, he had recourſe again to *Elizabeth*; and in order to obtain freſh Succours with the more eaſe, he gave her to underſtand, that if ſhe would but ſend him 4000 Men more, he ſhould be in a condition to beſiege *Roan*, and poſitively promiſed to lay aſide every other Affair for the ſake of that Siege. The Queen's great deſire to ſee *Roan* out of the Power of that League, put her upon making a new Treaty with *Henry*, whereby ſhe engaged to ſend him another Supply of 4000 Men to be employed in the Siege of *Roan*, and to pay them for two Months, in hopes that would be time enough to take the City. She put the Earl of *Eſſex* at the head of this freſh Supply, which was to be join'd by the Troops under *Williams*. But the Earl arriving in *France*, found that the Siege of *Roan* was not ſo much as thought of, that the King was beſieging *Noyon*, and that he intended to make the *Engliſh* ſerve in *Champagne*. *Elizabeth* very much reſented this Proceeding, and ſent the King word that ſhe did not intend to be his Dupe, and that ſhe would immediately call home every Soldier ſhe had in *France*. This Declaration put *Henry* into the greater Confuſion, becauſe he had juſt receiv'd certain Advice that the Duke of *Parma* was preparing to return to *France* to ſupport the League. Tho' in his Treaty with *Elizabeth*, he had no Intention to beſiege *Roan*, yet he was forc'd to cauſe the Town to be inveſted; and he went to the Siege himſelf in hopes of carrying the Place before the Arrival of the Duke of *Parma*, who march'd about the end of *November*. While he was employ'd in this Siege, he made another attempt to obtain 5000 Men more of the Queen, and actually ſent *Du Pleſſis Mornay* to preſs her on that Head. But in the ſhort Audience which *Du Pleſſis* obtain'd of the Queen, ſhe told him in plain Terms that the King his Maſter had ſerv'd her ill; that inſtead of beſieging *Roan*, according to his Promiſe, he had ſpent time at the Siege of *Noyon*, and that he had made War in *Champagne*; that he had thereby given the Duke of *Parma* four Months time to make Preparations; that if his Affairs went ill, he had no body to blame but himſelf, and that ſhe was not in a Temper to be his Bubble. Not long after this, the Duke of *Parma* arrived, and cauſed the Siege of *Roan* to be rais'd.

She ſends him a freſh Supply under the E. of Eſſex.

The Queen complains of Henry's Proceeding.

He beſieges Roan to ſatisfy her.

And deſires freſh Succours of her.

Siege rais'd by the D. of Parma.

In 1592, *Henry* knowing perfectly well how much *Elizabeth* wiſh'd to be deliver'd from the Neighbourhood of the *Spaniards*, made uſe again of this Method to amuſe her. He pretended to ſet himſelf in good earneſt to expel the Duke of *Mertœur* and the *Spaniards* from *Bretagne*. Tho' Experience had already convinc'd *Elizabeth* that ſhe could not rely very much on his Promiſes, yet ſhe made a freſh Treaty with him, whereby ſhe engaged to furniſh him with 4000 Men more, together with Artillery and Ammunition, to carry on the War in *Bretagne*, on condition that he ſhould join to thoſe Troops 4000 *French* Foot Soldiers, and 1000 Horſe, and that what ſhe advanc'd ſhould be reimburs'd her in a Year. This Treaty was no better executed than the former. *Henry*, inſtead of ſending his Forces into *Bretagne*, made the *Engliſh* Troops ſerve in *Normandy*, either becauſe he was more preſs'd on that ſide, or becauſe it was his Intention to leave *Bretagne* to the laſt, in order to keep *Elizabeth* always in dread of the *Spaniards*. She was in ſuch a Paſſion to ſee her ſelf deceiv'd, that ſhe was juſt going to call home her Troops; but the Information ſhe had, that the Duke of *Parma* was preparing to return into *France* a third time, made her ſacrifice her Reſentment to the Intereſts of *Henry*, or rather to her own, becauſe *France* could not fall into the hands of *Philip* without great danger to *England*.

Elizabeth *makes another Treaty with* Henry.

He deceives Elizabeth.

In 1593, *Henry* in order to pacify *Elizabeth*, who was provoked to the laſt degree, poſitively promis'd her that he would think ſeriouſly of *Bretagne*. But the Efforts he made on that ſide were very mean, all he deſign'd being to make uſe of the *Engliſh* who were in that Province, to check the *Spaniards*, and to hinder them from making a greater Progreſs there; for he was very certain that the Queen would not eaſily reſolve to abandon *Bretagne*.

This ſame Year *Henry* chang'd his Religion, and in order to juſtify the Alteration, he told the Ambaſſador of *England* that he had delay'd it as long as poſſible, but that he was at laſt convinc'd he ſhould never be at reſt upon the Throne of *France*, as long as he continued a Proteſtant. The Queen wrote a very ſharp Letter to him upon this Head, but it produced no effect, for the thing was already done *. Nevertheleſs ſhe complain'd bitterly that he had not perform'd the Treaty with regard to *Bretagne*, and that he had not allow'd the *Engliſh* in that Province a maritime place for their Retreat, as he had thereby engaged. *Henry* vindicated himſelf the beſt he could, but his Reaſons would perhaps have produced an effect quite contrary to that which he expected from it, if the Queen had not heard that the King of *Spain* was going to make a grand Effort to ſupport the League, which droop'd very much after *Henry* turn'd Roman Catholick. This was the Reaſon that for her own Intereſt ſhe made an offenſive and defenſive League with *Henry*

He changes his Religion.

Elizabeth *makes another Treaty with him.*

* She alſo ſent *Tho. Wilkes* to try if he could diſſuade him from turning Papiſt. The Reader will ſee the King's Diſcourſe upon this Head to *Wilkes*, in *Camden*'s Annals; and what it was that gave the advantage to his Crown in the ballance againſt his Conſcience.

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Henry, in which there was the uſual Clauſe that no Peace ſhould be made without the mutual Conſent of both.

SOME time after, *viz.* in 1594, *Henry* made himſelf Maſter of *Paris*, and then order'd the Marſhal *d'Aumont* to go and make War upon the Duke of *Mercœur* in *Bretagne*. The Marſhal made ſome Conqueſts in that Province, with the aſſiſtance of the *Engliſh* Troops under the Command of Sir *John Norris*. But inſtead of gratifying thoſe Troops, he ſhew'd them that it was not his Intention to make good the King's Promiſe to them. He beſieg'd the City of *Morlaix*, which had been promis'd them for a Place of Retreat, and granted a Capitulation to the Beſieged, wherein he got a Clauſe cunningly foiſted in, that none but Roman Catholicks ſhould ſerve in the Garriſon of the Town. *Elizabeth* offended at this Proceeding, recall'd *Norris* with his Troops, and ſent them to ſerve in *Ireland*.

War in Bretagne.

Henry perceiving his Affairs to mend, had declar'd War againſt the King of *Spain*, who prepar'd on his part to make powerful Efforts to ſupport the tottering League. *Henry*, who ſaw that he was not very well able to continue the War, becauſe *France* was exhauſted both of Men and Money, addreſs'd himſelf once more to *Elizabeth*. He complain'd in 1595, that ſhe had recall'd *Norris* at a Time when he was moſt neceſſary to him, and he deſir'd freſh Succours. The Queen complain'd in her Turn of the Non-performance of all the Treaties, and deny'd his requeſt: For ſhe had no longer that Eſteem for him which ſhe had before; and yet her Fear that he would ſink, kept her from quite deſerting his Intereſt.

Henry *declares War with* Spain.

Deſires a freſh Supply of Elizabeth, *but is deny'd.*

THE Progreſs which the *Spaniards* made not long after, put *Henry* under freſh Difficulties. The Conſtable of *Caſtile* repairing with an Army into the *Franche Comte*, and threatning the Duchy of *Burgundy* with an Invaſion, *Henry* was oblig'd to go in Perſon to the relief of that Province. During this the Count *de Fuentes* enter'd *Picardy*, where he took *Catelet* and *Dourlans*, and beat the *French* as they were attempting to relieve the latter. This ill News oblig'd *Henry* to deſire Succours of *Elizabeth* for the defence of *Picardy*, according to the Treaty of the League. The Queen anſwer'd, that ſhe would ſend a Body of Troops into *Picardy* as ſoon as poſſible, for the Security of *Calais*, *Diep*, and *Boulogne*, according to the Aim of the Treaty, which was to hinder the *Spaniards* from making themſelves Maſters of the Sea-port Towns of that Province. But the King had no Intention to commit thoſe Places to the Protection of the *Engliſh*. He was afraid he ſhould have enough to do to get them out, if once they were in; and pretended that the Queen was obliged to help him not only to defend the Maritime Places, but the whole Province likewiſe. At the ſame time, the Deputies of *Bretagne* repair'd to *London*, to deſire Succours of the Queen, without ſpecifying what number of Troops they wanted, or for what end they deſign'd to employ them, without offering the *Engliſh* any place of Retreat; and in fine, without being authoriz'd by the King. So that their Demand was rejected.

Labours under great Difficulties.

Again deſires Succours of Elizabeth.

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DURING this, the *Spaniards* laid Siege to *Cambray*. *Henry* not knowing how to ſave the Place, ſent *de Lomenie* to the Queen, to deſire ſpeedy Succours, but ſhe deny'd him; which put the Envoy ſo much out of Temper, that he ſpoke very pertly to the Queeen, accuſing her of being the Cauſe of the Loſs of *Cambray*, and threatning her that the King would make Peace without her. *Elizabeth* being offended at the Inſolence with which he talk'd to her, ſent him home without granting him a ſecond Audience. For ſome time paſt ſhe had look'd very coldly upon *Henry*, and really ſhe had no great reaſon to be pleas'd with his manner of dealing with her. Pretending that it was her Intereſt to ſupport him, he took it very ill that ſhe would not do every thing that he thought fit. But ſhe was too cunning to be ignorant that *Henry* had nothing leſs at heart than the Intereſt of *England*.

Spaniards *Progreſs in* France.

Henry *ſends* Lomenie *into* England, *who threatens the Queen.*

Elizabeth's *Coldneſs for* Henry.

IT ſeem'd as if *Elizabeth* had form'd a Reſolution not to concern herſelf any more with the Affairs of the King of *France*, but new Events made her take new Meaſures. The Archduke *Albert* who had ſucceeded *Erneſt* his Brother in the Government of the *Netherlands*, advancing in 1596 towards *La Fere*, which was beſieg'd by the *French*, threw ſome Succours into the place, and then went and laid Siege to *Calais*. *Henry* as uſual had recourſe to *Elizabeth*. Firſt he ſent *M. de Sancy* to her, and then the Marſhal *de Bouillon*, to deſire ſpeedy Succours. The Queen did not refuſe it, but ſhe demanded that if ſhe caus'd the Siege of *Calais* to be rais'd, the Place ſhould be put into her hands, ſince *France* could hold it no longer. The Ambaſſadors evaded the Demand, by ſaying that they had no Inſtruction upon this head. Notwithſtanding this, the Queen order'd the Troops to be rais'd with all poſſible Diligence. But before theſe Succours could be ready, *Calais* ſurrender'd, after having held out but 12 Days: And ſoon after, *Ardres* had the ſame Fate.

Farther Progreſs of the Spaniards *againſt* France.

Calais *beſieg'd.* Henry *again demands Succours.*

Calais *and* Ardres *taken.*

The *Spaniards* Progreſs in *Picardy* made *Henry* and the Queen equally apprehenſive of ſome unhappy Alteration in the Affairs of *France*; the rather, becauſe the People were not yet well eſtabliſh'd in their Obedience to the King. This Fear produc'd a new League, by which *Elizabeth* engag'd to furniſh 4000 Men for the Defence of *Normandy* and *Picardy*. *Henry* oblig'd himſelf on his part to ſend 4000 Men to the Queen, in caſe that ſhe was attack'd; tho' if ſuch

Queen makes another League with the French King, *to which the* Dutch *accede.*

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ſuch a thing had happen'd, he would undoubtedly have found himſelf in no very good Condition to have perform'd his Promiſe. The States of the *United Provinces* acceded to this new League, and it was expreſly agreed in the Treaty, that a Peace ſhould not be made but with the Conſent of the three Allies.

French King negotiates privately with the Spaniard.

NOTWITHSTANDING this new Treaty, and all the Succours that *Henry* had received from the Queen on various Occaſions, yet he carry'd on a ſecret Negotiation with the King of *Spain* by the Pope's Mediation, without making the leaſt Communication of it either to the Queen or the States. The Negotiation was already far advanc'd when it was interrupted by the Loſs of *Amiens* which the *Spaniards* took by Surpriſe. This Accident, which retarded the Peace, occaſion'd very great Uneaſineſs to the King, who not caring to leave that Place in the Hands of his Enemies, reſolv'd to retake it coſt what it would. Accordingly he beſieged it the ſame Year, and while he was employ'd in the Siege, he Summon'd *Elizabeth* to ſend him 4000 Men according to their Treaty. The Queen anſwer'd, that ſhe was ready to ſend that number of Troops, provided that the King would ſubſiſt them. But the King being diſpleas'd with this Condition, publickly threaten'd the Queen to make Peace without her, and declar'd that it was in his own Power to make a Peace, ſince an Offer had been made to reſtore all the Places to him except *Calais*. By that he would have her to underſtand that it was only in regard to her that he had refus'd to make a Peace: whereupon ſhe wrote to him, "That ſhe could not believe that ſuch a "Prince as he would violate a ſolemn "Treaty, ſo lately made and confirm'd "by his Oath. That as for her Part, in"ſtead of failing in her Promiſe, ſhe did "more than what ſhe was engag'd to, and "that to convince him of it, ſhe deſir'd "him to caſt his Eyes upon the Treaty, "where he would find this Article, "*The Queen ſhall ſend this Year into* France 4000 *Foot, who ſhall ſerve the King ſix Months. They ſhall ſerve him alſo for the ſame time in the following Years, if the State of the Queen's Affairs will permit it with Conveniency; for which the Queen's Conſcience and Word ſhall be truſted.* Mean time to engage *Henry* to continue the War, ſhe was willing to lend him ſome Money. When ſhe demanded a Security for the Payment, *Henry* offer'd to deliver up *Calais* to her, provided that ſhe would engage to retake it by a certain Time to be agreed on. As 'tis probable that the Time he propos'd was little enough, his View was only to engage the Queen to give the *Spaniards* a powerful Diverſion, that he might have Time to take *Amiens* himſelf, without being diſturb'd in the Siege. The Queen did not ſuffer her ſelf to be enſnar'd by this Offer, yet ſhe lent the Money on the Security of the Marſhal *de Bouillon*, and *M. de Sancy*. Not long after, the King made himſelf Maſter of the Place which he beſieg'd.

Amiens beſieg'd and taken.

Again demands Succours of Elizabeth.

And threatens to make a Peace without her.

She vindicates her Conduct.

AFTER the taking of *Amiens*, *Henry* renew'd the Negotiation with *Spain*, without informing his Allies of it, and at length he concluded it at *Vervins* without their Intervention; for *Philip* II would not ſuffer them to ſend their Plenipotentiaries thither. Before it was ſign'd, *Henry* was ſeverely reproach'd both by the Queen and the States General; but this did not make him alter his Reſolution. He would have them take it even as a Mark of his Condeſcenſion to them, that he gave them a Promiſe, without being ask'd, to ſtay 40 Days before he ratify'd the Treaty of *Vervins*, in order to give them Time to make their Peace with *Spain*. This Term was not ſufficient for them to ſettle Affairs of ſo great Importance with a Prince who was not willing ſo much as to permit their Ambaſſadors to be preſent at the Congreſs. *Mezeray* owns that the Peace was already made, as to the principal Articles, before the Ambaſſadors of the two Crowns met at *Vervins*, and that the Treaty might have been concluded there in leſs than three Weeks, if the King had not ſpent ſo much Time to make the Publick believe that he had not made the Peace without the Knowledge of his Allies.

French King's ſeparate Treaty with Spain at Vervins.

The Complaint of his Allies without Effect.

FROM the Treaty of *Vervins*, to the Death of *Elizabeth*, no Affair of Moment was tranſacted betwixt *France* and *England*.

THE Acts which relate to *France* in this Firſt part of the XVIth Tome of the *Fœdera* are very numerous, and run for moſt Part upon the Queen's Complaints concerning the Non-performance of the Treaties.

THOSE of the moſt important are,

Henry IVth's Oath to the R. Catholick Nobility. 19.

1. *HENRY* IVth's Oath which he took to the Roman Catholick Nobility after the Death of *Henry* III; dated *Aug.* 2, 1589 [x].

HE promiſes to maintain the Roman Catholick Religion at the Peril of his Life, to cauſe himſelf to be inſtructed by a General or National Council, and to conform himſelf to its Deciſions.

Their Oath to the King. 19.

2. THE Oath of the Roman Catholick Nobility to the King; dated as above.

THIS Oath is relative to the King's Oath, and conditional.

Henry's Credentials to Elizabeth. 20.

3. *HENRY* IVth's Credentials to *Elizabeth*; dated *Aug.* 23, 1589 [y].

[x] At the Camp of *Pont* St. *Cloud*.

[y] At the Camp of *Pont. St. Pierre*.

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Letter to his Ambaſſador. 22.

4. *HENRY* IVth's Letter to *M. de Buzenual*, his Ambaſſador to *Elizabeth*; dated *Aug.* 27, 1589, at *Diep*.

He therein acquaints him of ſome Motions he was about to make, and adds this Poſtſcript.

WHEN I came to this Town, I was told the Queen was at Rye. *I cannot expreſs to you how much I was rejoiced at it, for I reſolv'd to go over and ſtay a Week with her, and to take that very Opportunity of kiſſing her Hands.*

Fr. Ambaſſador's Propoſal to the Engliſh *Council.* 23.

5. The Propoſals which *M. de Beauvoir la Nocle* the *French* Ambaſſador made to the Council of *England*, relating to the Succours demanded by *Henry* IV.

He demands, 1. "A good Sum of Money to pay his Troops, both *German* and "*French*.

2. "Sixty-thouſand pound Weight of "Gun-powder, and 2000 Cannon Bullets.

3. "An offenſive and defenſive League, "and that the Queen would exhort the "Proteſtant Powers to come into it.

4. "That the neceſſary Means be con-"ſulted to form ſuch a League.

5. "That the Queen take care that the "King may be reliev'd with a good Army "from *Germany*.

6. "That the Sum which the Queen "ſends may be 100,000 Crowns.

Their Letter to the Treaſurer Burghley *about a League with the Proteſtant Powers.* 24.

6. A Letter from Meſſieurs *de Beauvoir*, and *de Freſnes*, the Ambaſſadors of *France*, to the Lord *Burghley*, High-Treaſurer; dated in *Sept.* 1589 [z].

This Letter contains the *French* King's Propoſals for a League with the Proteſtant Powers.

Henry's *Letter to the Queen.* 29.

7. *HENRY* IVth's Letter to the Queen without a Date.

He tells her that he has ſent to *Beauvoir* the Account of what paſs'd at the Attack of the Suburbs of *Paris*, where the Lord *Willoughby* and the *Engliſh* Troops had behav'd very well.

Decree of the Sorbonne *againſt* Henry III. 32.

8. The Deciſions of the *Sorbonne* againſt *Henry* III; dated *Jan.* 7, 1589 *[a].

It ſeems that this Act which is inſerted among thoſe of 1590, ſhould have been plac'd at the Head of the abovemention'd in the preceding Year, becauſe it bears the Date of it, and that *Henry* III was not alive in 1590.

ELIZABETH. *King of* Spain's *Articles with the* French *League.* 33.

9. Articles agreed betwixt the King of *Spain* and the League; dated *Jan.* 11, 1590.

That *Philip* II be declar'd Protector of the League upon the following Conditions.

That in the enſuing Month of *April* he ſhall ſend into *Picardy* 6000 Foot and 1500 Horſe. Into the *Lyonnois* 5000 Foot and 1000 Horſe, with 20 Field-pieces and 12 battering Pieces. Into *Languedoc* 500 Horſe and 2000 Foot. To *Nantes* 500 Horſe and 3000 Foot, one Ship laden with Ammunition, and 10 with Corn.

That he ſhall lend 500,000 Crowns ready Money to the League, and 20,000 Crowns a Month as long as the War ſhall laſt.

The League engages to repay thoſe Sums in three Years, and to put into his Hands for Security the Towns of *Cambray*, *Abbeville*, and others in *Burgundy*.

That by the End of *April*, the League ſhall be ready with 40,000 Foot, 5000 Horſe, and 100 Cannon for the Battery and Field.

That they ſhall not treat with *Henry* of *Navarre*, but at the Court of the King of *Spain*, or of the Duke of *Savoy*.

That the Governors of the Maritim Places ſhall receive the King of *Spain*'s Ships in their Harbours.

That during the War, the League ſhall be bound to nothing more, even tho' the King ſhould make War againſt *England* or *Scotland*; but that after the end of the War, the *French* ſhall furniſh the King of *Spain* with 3000 Horſe, and 28000 Foot, together with 6000 Pioneers upon all Expeditions.

That in all the publick Acts the King ſhall be ſtyl'd Protector of the Crown of *France*, and that the ſaid Article ſhall be ſworn to by the League, and by the King who ſhall be elected.

That the League ſhall make no Alliance without the Conſent of the King of *Spain*.

Henry IV's *Inſtructions to* la Tour. 36.

10. *HENRY* IVth's Inſtructions to the *Sieur de la Tour* who was to paſs thro' *England* in his way to *Germany*.

He was to repreſent to the Queen, that as the Duke of *Parma* was to come into *France* in the Month of *March*, 'tis neceſſary to haſten the Succours from *Germany*.

* The Accounts of the extravagant Inſolencies of the Leaguers upon this occaſion againſt their Sovereign, were taken from the Files and Regiſters at the re-entrance of *Henry* IV into *Paris*, whereby many of their Villanies were loſt; but if the Reader conſults *Jo. de Buſſieres*, Tom. 4. p. 287, and the Journal *De juſta*, Hen. III. *Abdic.* l. 4. c. 38, he will find that they not only deny'd him the Title of King, and made it Capital to have ſo much as his Picture, unleſs it was in the moſt ridiculous and ſhameful Habits and Poſtures that the Painters were pleas'd to draw him in, but they call'd him Heretick, Tyrant, and what not; threw down his Arms and Statues, which they broke to pieces, and dragg'd along the Streets; while their Prieſts falſly accus'd him of Magick from the Pulpit, perſwading their Auditors to fight againſt that *Belial*, to give no Quarter to him or his Friends, for the Kingdom was ſick, and nothing could cure it but a good Draught of *French* Blood. Some made many wicked and malicious Anagrams to render him odious; others, thinking thereby to haſten his Death, made little Images of him in Wax, which they ſet on the Altars at Maſs, and prick'd to the Heart; and others carry'd lighted Papers up and down, repeating ſuperſtitious Words, and then putting them out: And for Libels and Satyrs they were innumerable, the Preſs as well as the Pen labouring continually with infamous Defamations of their Sovereign.

[z] At *London*. [a] At their College.

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THAT the *Spaniards* are to ſend 3000 Men into *Bretagne*, and that the King not being in a Condition to ſend Succours thither, deſires the Queen to provide Forces againſt them.

THAT he deſires her to take care that the States General do ſend 7 or 8 Ships to guard the Coaſts of *Bretagne* and *Normandy*.

THAT he cannot recal *M. Buzennal* with Honour, but that nevertheleſs he will do it if the Queen abſolutely inſiſts upon it.

French *Ambaſſadors Letter to the Treaſurer.* 40.

11. LETTER from the Ambaſſadors of *France* to the High Treaſurer; dated *Feb.* 8, 1590 [b].

THEY deſire him to haſten the Departure of *Palavicini* for *Germany*.

Henry's *Requeſts to Elizabeth.* 43.

12. A Remembrance of the *French* King's Requeſts made to the Queen; dated *Feb.* 25, 1590 [c].

Theſe are ſome of the Articles.

To diſpatch the Succours with all ſpeed to *Bretagne*.

IF the Duke of *Parma* come into *France* the King deſires the Queen to ſend him 4000 Men for three Months, 'till the Arrival of the Army from *Germany*.

IF the Duke of *Parma* does not come, the King promiſes to repair to *Diep*, and to join the *Engliſh* Troops with 6000 *French* Foot, 4000 *French* Horſe, and 5000 *Switzers*, in order to recover *Roan*, *Havre-de-Grace*, and all the Coaſt of *Normandy*, &c.

His Letter to the Duke of Longueville on the Victory at Mante. 52.

13. *HENRY* IVth's Letter to the Duke of *Longueville*, concerning the Victory at *Mante*; dated at *Raymer*, a League from thence, *March* 14, 1590.

Others to the Engliſh *Ambaſſador.* 53.

14. ANOTHER from the King to the (Earl of *Stafford*) *Engliſh* Ambaſſador; dated *March* 22, 1590 [d].

" HE thanks the Queen for the Care ſhe " takes of his Affairs, and deſires ſhe " would haſten the Succours from *Ger-* " *many.*" From this and ſeveral other Pieces it may be inferred, that *Elizabeth* was properly the chief Perſon that gave Motion to the Succours which came to the King from *Germany*.

51.

15. ANOTHER from *Henry* IV to the Earl of *Stafford*; dated *May* 6, 1590 [e].

" HE gives the Queen Information that " the *Spaniſh* Fleet is ready to ſail from " the *Groyne*, and prays her to ſend a " Fleet to take Care of *Bretagne*.

Drake to the Prince of Dombes. 55.

16. A Letter from Sir *Francis Drake* to the Prince of *Dombes*; dated the Ides of *November*, 1590.

"He deſires that he would let him know " what Progreſs the *Spaniards* have made " in *Bretagne*.

The Anſwer, 86.

17. THE Prince of *Dombes*'s Anſwer to *Drake*.

" He acquaints him that the *Spaniards* " had taken *Blavet*, and were beſieging " *Hennebond*.

Memorial of Sir Roger Williams. 88.

18. A Memorial of Sir *Roger Williams*.

" HE ſhews by the State of the King- " dom of *France*, that the Queen is con- " cern'd in Intereſt to ſave *Bretagne*, and " to ſend 8000 Men into that Province, " or the *Netherlands*, to give a Diverſi- " on to the Duke of *Parma*.

York's *Credentials and Inſtructions.* 89.

19. CREDENTIALS for *Edmund York* ſent into *France*: As alſo his Inſtructions; dated *Jan.* 30, 1591 [f].

THESE Inſtructions relate chiefly to *Bretagne*; and among other things, *York* had Orders to preſent certain Articles to the King, mention'd in the following Anſwer.

Henry IV's *Anſwer.* 92.

20. THE King's Anſwer to the Articles preſented by Mr. *York*; dated *March* 4, 1591 [g].

ARTICLE I. *What Forces will the King join to the* Engliſh? *At what Place are they to join? At what Port ſhall the* Engliſh *land?*

Anſwer. THE King deſires 3000 Men, and propoſes to have as many there himſelf. The Deſcent may be at *Breſt*, *Graveling*, or *Cherburg*, at the Choice of the *Engliſh*.

ARTICLE II. *What Orders ſhall be given to furniſh them with Proviſions, and at what Price?*

Anſwer. The *Engliſh* ſhall be treated in the ſame manner as the *French*. But as to Beer, ſince the Country does not afford any, it will be neceſſary perhaps to ſend for ſome from *England*.

ARTICLE III. *What Port or Harbour ſhall be allowed that is fit to receive Ships of* 200 *Tuns?*

Anſwer. Becauſe the Queen has ſignify'd her Inclination to ſend 25 or 30 large Ships, on Condition of being reimburſed, the King offers the Port of *Breſt*, with the Town and Territory, for the *Engliſh* to retire to, but not the Caſtle, for fear of offending the *Roman* Catholicks. That he thinks the Port of *Relanor* to be very convenient, which he offers to allow if it can be retaken, and conſents that this ſhall be the firſt Enterprize.

ARTICLE IV. *What Security will the King give to reimburſe the Expence of raiſing, tranſporting, and paying the Troops?*

Anſwer. THE King has ſent a full Power to *La Nocle*, his Ambaſſador in *England*,

[b] At *London*. [c] At the Camp before *Chartres*. [d] At *Tours*. [e] At the Camp of *Rozenay*. [f] At *Richmond*. [g] At the Camp before *Chartres*.

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to ſettle this Article, and to ſign all Obligations and Contracts.

Inſtructions to Sir Roger Williams, *ſent with a Reinforcement to* Diep. 94.

21. INSTRUCTIONS to Sir *Roger Williams*, ſent to *Diep* with 600 Men for the Security of that Place.

THE chief Point of theſe Inſtructions is, That *Williams* ſhall not expoſe the *Engliſh* Troops, unleſs the *French* have an equal Share in the Danger, at leaſt out of the Town.

French King's Letters to Elizabeth, *deſiring Succours.* 96, 98.

22. *HENRY* IVth's Letter to *Elizabeth*, deſiring Succours; dated *May* 21, 1591 [h].

23. ANOTHER which he ſent to her with *M. de Reaulx*; dated *June* 3, 1591 [i].

HE gives her an Account of the taking of *Louviers*. He deſires her to leave *Williams* in *France*, and to reinforce his Regiment. He tells her that he did not inſtruct his Ambaſſador to deſire that the Earl of *Eſſex* ſhould command the 4000 Men; but that knowing what a great Eſteem ſhe had for that Lord, he ſhould be very glad if ſhe would pleaſe to make that Choice.

His Treaty with Elizabeth. 102.

24. A Treaty betwixt *Henry* IV and *Elizabeth*; dated at *Greenwich*, *June* 25, 1591.

The ARTICLES.

1. THAT upon the Queen's ſending 3400 Men into *Normandy*, beſides the 600 already there under the Command of *Williams*, the King undertakes to be at all Expence for the raiſing, tranſporting, and paying the Soldiers, Officers, and General, according to the Bill ſigned by the Commiſſioners of *France* and *England*.

2. THAT as to the Pay of thoſe 4000 Men, and of the 3000 that are to be ſent into *Bretagne*, and the other Sums which the King owes to the Queen upon ſundry Bonds, the King conſents that the Queen ſhall enjoy the Revenues of *Roan* and *Havre-de-Grace* when thoſe two Places are retaken, 'till the whole Debt is paid.

3 THE King promiſes to pay the *Engliſh* Troops every Week, after they have ſerv'd two Months, and on Failure thereof they ſhall be at liberty to go back.

4. THE King obliges himſelf to get theſe Articles, touching the Money, ratify'd by the Parliament and the Chamber of Accompts ſitting at *Tours*.

Inſtructions to Sir Henry Unton. 103.

25. INSTRUCTIONS to Sir *Henry Unton*, going Ambaſſador to *France*, together with the Credentials; dated in *July*, 1591 [k].

" THERE is nothing of very great Im- " portance in theſe Inſtructions; only the " laſt Article imports, that the Queen ha- " ving Information that the King of " *France* neglects his Proteſtant Subjects, " and beſtows all the Governments upon " the Catholicks, if the Ambaſſador finds " it true, he ſhall take an Opportunity " to talk to the King about it in her " Name.

26. THE Lord Treaſurer *Burghley's* Letter to Sir *Henry Unton*; dated *Auguſt* 3, 1591 [l]. 109.

" HE tells him, that the Queen having " heard that the King's Troops had quit- " ted *Bretagne*, has given Orders to *Nor-* " *ris* to draw off his Men towards the " Sea-Coaſt, in order to put them on board " Ships which ſhe will ſend him. He " adds, that he ſees no way to hinder it, " unleſs the King ſpeedily ſend Succours " into *Bretagne*.

Elizabeth's *Letter to* Henry IV. 111.

27. *ELIZABETH's* Letter to *Henry* IV, without a Date.

SHE reproaches him with having abus'd her by drawing her into a Treaty, whereby ſhe was to ſend him 4000 Men into *France*, on Pretence of beſieging *Roan*, and that afterwards he trifled away the Time in the Siege of *Noyon*. She tells him frankly, that the Delay of his moſt urgent Affairs has done him more Harm than the Activity of his Enemies, and gives him ſome Inſtances of it. Laſtly, ſhe declares, that for the future ſhe will keep her Troops for a better Purpoſe, and that ſhe is not in a Humour to expoſe them, merely to do a Pleaſure to the common Enemy.

Sir John Norris's *Memorial to the Prince of* Dombes. 112.

28. A Memorial preſented by Sir *John Norris* to the Prince of *Dombes*, containing the Reaſons why he cannot conſent to let the *Engliſh* Troops go out of the Lower *Bretagne* into the Upper; dated *Aug.* 15, 1591.

Treaſurer's Letter to Unton. 114.

29. A Letter from the High-Treaſurer to Sir *Henry Unton*; dated *Auguſt* 18, 1591 [m].

" THIS Letter contains the Complaints " of the Queen for the Non-performance " of the Treaty, and imports her Reſo- " lution to recal her Troops, if the King " does not ſend the Succours into *Bre-* " *tagne*.

Queen's Letter to Henry IV. 116.

30. THE Queen's (Expoſtulatory) Letter to *Henry* IV, without any Date.

" SHE therein tells him, without any " Ceremony, that if the Prince of *Dombes* " leaves *Bretagne*, the *Engliſh* ſhall " not ſtay there an Hour after him; and " that ſhe will not ſacrifice her Troops, if " that Prince does not ſtay in *Bretagne*, " and if he has not a greater Force.

[h] At *Buby*. [i] At *Budely*. [k] At *Greenwich*. [l] At *Eaſt-Horſley*. [m] From the Court at *Cowdrain*.

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31. OTHER Letters from the Queen and the High-Treaſurer, to the Ambaſſador, upon the ſame Subject; dated *Aug.* 22, 1591 [n].

Others from the Queen and the Treaſurer. 117.

32. THE Challenge which Sir *Henry Unton*, the Queen's Ambaſſador, ſent to the Duke of *Guiſe*.

Unton's Challenge to the Duke of Guiſe. 118.

" THE Duke of *Guiſe* having revil'd " Queen *Elizabeth*, *Unton* gives him " the Lye, and challenges him to a Duel, " either on Foot or on Horſeback, with " what Arms he ſhall think fit He tells him " that he is deſcended of as good a Fa- " mily as himſelf; that he had already " ſent him two ſuch Challenges before, " but never had any Anſwer; and that " if he does not anſwer this, he will pro- " claim him every where for a Pol- " tron.

Treaſurer's Letter to Unton. 119.

33. A Letter from the High-Treaſurer to *Unton*; dated *Sept.* 2, 1591 [o].

" HE tells him that the Queen is very " much diſſatisfy'd with the Earl of *Eſ- " ſex* for leaving the Camp to follow the " King; and that if his Majeſty does not " make it appear which way he ſhall be " able to pay the *Engliſh* Troops, at the " end of the two Months, ſhe will recal " them.

Others. 120, 121.

34. ANOTHER upon the ſame Subject; dated *Sept.* 13, 1591 [p].

35. ANOTHER from the Treaſurer to the Ambaſſador; dated the 20th of the ſame Month [q].

" HE tells him that the Queen is diſ- " pleaſed with him for not having op- " poſed the Journey which the Earl of " *Eſſex* undertook to go and confer with " the Marſhal *de Biron*, when he tra- " vell'd nine Leagues to the Marſhal's " three Leagues, and at a time when the " Marſhal had broke his Word. That in " order to pacify the Queen, there was " an abſolute Neceſſity for the Earl of " *Eſſex* to return to *England*, and leave " *Leighton* to command the 2500 Men " that are to remain in *France*.

Queen's Letter to Unton. 122.

36. THE Queen's Letter to *Unton*; dated *Sept.* 26, 1591 [r].

" SHE acquaints him of her Diſſatiſ- " faction at the Conference which the Earl " of *Eſſex* had with the Marſhal *de Bi- " ron* about the Siege of *Gournay*; that " it was directly contrary to her Orders; " that ſhe diſapproves alſo of the Am- " baſſador's Journey to *Louvieres*, to " make his Compliments to the King at " a Juncture when ſhe has ſo much Cauſe " to complain of him. She orders him " to retire to ſome Place near *Roan*, that " if the King came thither he may go to " him; and that if he behave otherwiſe " ſhe will recal him.

37. THE High-Treaſurer's Letter to *Unton*; dated *Sept.* 24, 1591 [s].

ELIZABETH *Another to him from the Treaſurer.* 123.

" He ſays, that the Queen has not al- " tered her Purpoſe; that ſhe is deter- " min'd to recal her Troops, becauſe the " King has not kept his Word, and given " no Aſſurance how they were to be paid " at the end of two Months; that ſhe " has ordered the Earl of *Eſſex* to re- " turn to *England*; and that all his Friends " ſhould exhort him to Obedience. That " upon Advice that *Unton* intended to go " and wait upon the King at *Louvieres*, " ſhe had ordered Letters to be diſpatch- " ed for his Recal. That if he was al- " ready at *Louvieres*, ſhe commanded " him immediately to leave the Place, " being unwilling that her Ambaſſador " ſhould do Honour to a Prince who " abuſed her. That to heighten the " Queen's Diſpleaſure, the Ambaſſador of " *France* has preſented a Memorial, re- " quiring that the Earl of *Eſſex* with " his Forces might follow the King into " *Champagne*, a Demand which could not " be made at a more unſeaſonable time.

Haqueville's *Letter to the Queen.* 124.

38. A Letter from M. *de Haqueville* to the Queen; dated at the Siege of *Gournay*, *Oct.* 4, 1591.

" HE tells her that the Earl of *Eſſex* " is at the Siege of *Gournay*, where he " performs Wonders; that her Ambaſ- " ſador is there alſo, and that if ſhe will " pleaſe to ſend 2000 Men more, ſuch a " Supply will very much advance the " King's Affairs. That the King is expected " with the Army from *Germany*.

Articles mentioned in Unton's Inſtructions. 125.

39. A Copy of the Articles formerly mentioned in the Inſtructions ſent to Sir " *Henry Unton*.

Treaſurer's Letter to him. 126.

40. A Letter from the High-Treaſurer to *Unton*; dated *October* 12, 1591 [t].

" He tells him that the Earl of *Eſſex* " being juſt ready to embark, the Queen " has given him Leave to return to his " Poſt. That ſhe is ſtill very much diſ- " ſatisfied with the King for having broke " his Promiſe with reſpect to the Siege of " *Roan*, and not offering the leaſt thing to " her in Excuſe; but that ſhe begins to be " in a better Temper upon hearing that the " *French* Ambaſſador is to communicate " the King's Letters to her containing his " Reaſons, which, ſays the Treaſurer, " would have been more welcome at ano- " ther time.

Another. 128.

41. ANOTHER from the Treaſurer to the Ambaſſador; dated *October* 15, 1591.

" HE ſays the Queen does by no means " approve of the King's Reaſons, which " are meer Evaſions; and that to the end " the King may not imagine ſhe will put

[n] From *Chicheſter*. [o] At *Lichfield*. [p] From the Court at Sir *Harry Wallop's* near *Baſing*. [q] At *Odyham*. [r] At *Sutton* near *Guilford*. [s] At *Farnham*. [t] From the Court at *Richmond*.

" up with ſuch Pleas, ſhe has order'd " that the Reaſons of her Diſſatisfaction " be imparted to him. She commands " him to repreſent to the King how " ill he has kept his Word with reſpect to " *Bretagne*.

Sir George Williams's Letter to the Queen. 131.

42. A Letter from Sir *George Williams* to the Queen, without a Date.

" It is an Account of the Audience " which he had of *Henry* IV when, " according to his Inſtructions, he ſignifi- " ed to him the Queen's Complaints for " delaying the Siege of *Roan*; as alſo of " the King's Anſwers, who engages at laſt " to undertake that Siege, and demand cer- " tain things of the Queen.

" It is remarkable, that when *Williams* " ask'd the King which way he deſign'd " to pay the *Engliſh* Troops according " to his Engagement, the King was ob- " liged to own that it was impoſſible for " him to do it, becauſe he had not 500 " Crowns in his Coffers; that if the Queen " recall'd her Troops, the *Germans* would " alſo abandon him, and that it would be " to no Purpoſe to talk any more of the " Siege of *Roan*. He ſays moreover, " that he confeſſed himſelf guilty in ſe- " veral Articles, and that the Queen's Diſ- " ſatisfaction was a very ſenſible Affliction " to him.

Grove's Inſtructions, 137.

43. Inſtructions to *Thomas Grove*, employ'd to guard the Mouth of the *Seine* during the Siege of *Roan*.

Treaſurer's Letter to Unton. 137.

44. Letter from the High-Treaſurer to *Unton*; dated *Dec.* 1, 1591 [u].

" He acquaints him that there have " been ſent to *Diep* 400 Pioneers, 50 Mi- " ners, 25 Laſts of Gunpowder, and 7 " Bands of old Soldiers fetch'd out of the " *Low Countries*.

Queen's to the Prince of Anhalt. 138.

45. The Queen's Letter to the Prince of *Anhalt*; dated *Dec.* 3, 1591 [x].

" She deſires him to wait with Patience " for the Money which the *French* King " had promiſed for the Pay of the *German* " Troops, and that he would continue to " ſerve at the Siege of *Roan*.

Treaſurer's to Unton. 140.

46. A Letter from the High-Treaſurer to *Unton*; dated *Dec.* 4, 1591 [y].

" He tells him the Queen is very well " pleaſed that he did not give the King " nor the Prince of *Anhalt* Hopes of any " more Succours from her.

Another. 141.

47. Another from the Treaſurer to the Ambaſſador; dated *December* 6, 1591 [z].

" He tells him that the Queen will be " at no further Charges for the King; " that he will do well to admoniſh the " King privately not to preſs the Queen " ſo importunately, and to have more " Reſpect for her; that the Queen has " given the Earl of *Eſſex* leave to ſet " out, but with Orders to return if " there be no Hopes of taking *Roan* in a " reaſonable Time.

Letter from Elizabeth to Henry IV. 142.

48. Letter from *Elizabeth* to *Henry* IV, without a Date.

It is a very ſevere Letter, wherein ſhe complains how much he has abuſed her by trifling Promiſes.

The Treaſurer's to Unton. 143.

49. Letter from the High-Treaſurer to *Unton*; dated *Dec.* 15, 1591 [a].

" He tells him that the Queen is vex'd " with him for his having ſo much preſs'd " the Succours deſired by the King of " *France*; that ſhe ſuſpects him to " have a ſecret Underſtanding with the " Earl of *Eſſex*, and the Earl with the " King; that ſhe thinks it very ſtrange " that the King ſhould demand 5000 " Men of her to give Battle to the Duke " of *Parma*, who is to be in a Fortnight " near *Roan*; as if it was poſſible for " 5000 Men to be ready in ſo ſhort a " Space of Time, and in the midſt " of Winter. That ſhe does not care " that the Earl of *Eſſex* ſhould take on " him the Command of ſuch a ſmall Num- " ber of Troops, and that ſhe was upon " the Point of recalling him.

Council's Letter to Unton. 146.

50. Letter from the Council to *Unton*; dated *Dec.* 23, 1591 [b].

" They require him to adviſe the Earl " of *Eſſex* to return ſpeedily to *Eng-* " *land*, and to ſollicit the King to give " him the ſame Advice.

Queen's Reaſons for ſending no more Troops to Normandy. 149.

51. A Memorial containing the Queen's Reaſons for ſending no more Troops into *Normandy*.

" These Reaſons are founded entirely " on the Complaints already mention- " ed.

Convention about Bretagne. 151.

52. New Conventions concerning *Bretagne*.

" The Queen being informed that the " King is treating of Peace with his re- " bellious Subjects, agrees to ſend Suc- " cours into *Bretagne* and *Normandy* as " ſoon as ſhe has Aſſurances,

" That the King will make no Peace, " unleſs his Subjects oblige themſelves to " aſſiſt him to drive the *Spaniards* out of " *France*; or at leaſt not to give them " any Succours.

" That ſhe ſhall be included in the " Peace.

" That after theſe Aſſurances, and af- " ter the King has ſent 2000 Foot and " 1000 Horſe into *Bretagne*, and when " the *United Provinces* are ready to ſend " the Succours thither which they have " promiſed, ſhe will then give Orders that " the Number of *Engliſh* in that Province " be augmented to 4000.

[u] At *Weſtminſter*. [x] At *Weſtminſter*. [y] At *Weſtminſter*. [z] From the Court at *Whitehall*. [a] From the Court at *Weſtminſter*. [b] From the Court at *Whitehall*.

" That

" THAT before the *Engliſh* are tranſ-
" ported, the King ſhall engage to give
" them a Sea-Port and a wall'd Town, for
" the Conveniency of retiring thither, and
" ſending for Recruits.

" THAT the King ſhall have 4000 Foot
" and 1000 Horſe in *Bretagne*.

" THAT 7 Pieces of Cannon with Pow-
" der and Ball, which lie at *Diep*, ſhall be
" tranſported into *Bretagne*.

" THAT within 4 Months the King ſhall
" engage to reimburſe the Queen in a
" Year's time for thoſe 4000 Men and for
" the Cannon and Ammunition.

Queen's Letter to Unton. 154.

53. A Letter from the Queen to *Unton*; dated *Feb.* 19, 1592 [a].

" SHE acquaints him that ſhe has given
" Orders to ſend 1600 Men into *France*,
" and bids him deſire the King in her Name
" to ſpare the *Engliſh* Troops more than he
" has done.

The Treaſurer's to Unton. 156.

54. LETTER from the High-Treaſurer to *Unton*; dated *March* 13, 1592.

" HE ſays that the Queen is very much
" diſpleas'd with the King upon account of
" *Roan*, and *Bretagne*; and that ſhe is
" ſending *Wilkes* into *France* with In-
" ſtructions, which he has Orders to com-
" municate to him the Ambaſſador.

Another from the Queen. 157.

55. A Letter from the Queen to *Unton*; dated *March* 16, 1591 [b].

56. A Memorial preſented to the Queen by an Envoy of the Duke *de Montpenſier*.

" HE demands 5000 Men, and promiſes
" great things. But it does not appear that
" this Memorial was very much regard-
" ed.

Henry IVth's Letter to the Ambaſſador of England. 159.

57. A Letter from *Henry* IV to the Ambaſſador of *England*; dated *March* 28, 1592 [c].

" HE deſires him to ſollicit Succours
" from *England*, conſidering the Duke of
" *Parma*'s Deſigns that were diſcover'd by
" intercepted Letters.

To the Queen. 160.

58. A Letter from *Henry* IV to the Queen, dated from the Camp at *Varycarnille May* 1, 1592.

" He acquaints her of the Advantage
" he gain'd over the Enemies at *Yvetot*, and
" ſays that they cannot avoid a Battle.

Inſtructions to Burnham. 161.

59. INSTRUCTIONS to *Burnham* who is to conduct 2000 *Engliſh* Foot, and 100 Horſe from the *Low Countries* to *France*.

Letter from the Prince of Dombes *to the Treaſurer.* 164.

60. A Letter from the Prince of *Dombes* to the High-Treaſurer; dated *May* 26, 1592 [d].

" HE tells him that he has been defeated
" by the Duke of *Mercœur*, and demands
" a freſh Supply.

From the Treaſurer to Unton. 165.

61. A Letter from the High-Treaſurer to *Unton*; dated *May* 29, 1592.

" 'TIS relating to the ill News which
" came from *Bretagne*. He tells him that
" he had rather *Paris* and *Roan* were ne-
" ver recovered than that *Bretagne* ſhould
" be loſt.

Another. 166.

62. ANOTHER from the Treaſurer to the Ambaſſador; dated *June* 6, 1592.

" HE tells him that the Queen is ſend-
" ing Arms and Money into *Bretagne*,
" and orders him to inſiſt upon the De-
" mand of a Sea-Port.

The Queen's Anſwer to the French *Ambaſſador's Memorial.* 167.

63. THE Queen's Anſwer to the Memorial preſented by *M. de Sancy*, the Ambaſſador of *France*.

" THAT ſhe hears the King is treating
" with his Rebellious Subjects, and that he
" is willing to reſtore them all their Gover-
" nours. That if, as it is affirm'd, they
" demand that the King of *Spain* be in-
" cluded in the Treaty, ſhe does not con-
" ceive for what Reaſon ſhe ought not to
" be included in it likewiſe.

" As to the Demand of 6000 Men, and
" 100 Horſe for the Service of the Artil-
" lery of *Bretagne*, and of 1200 Men to
" follow the King into the *Iſle* of *France*,
" of 8 or 10 Men of War to ſerve in the
" *Garonne*, and all this at the Queen's
" Expence, ſhe thinks it ſo ſtrange that
" ſhe could not have believed it came
" from the King, if *M. de Sancy* was
" not ſufficiently authoriz'd to make it.

Engliſh Commiſſioners Anſwer. 168.

64. THE Anſwer of the *Engliſh* Commiſſioners to the Memorial of the Ambaſſador of *France*.

" THIS Anſwer contains the Conditions
" upon which the Queen offers to ſend
" 4000 Men into *Bretagne*, which are al-
" moſt the ſame with thoſe in the Conven-
" tions concerning *Bretagne* in p. 151 of
" this Tome of the *Fœdera*.

Sir John Norris's *Inſtructions.* 173.

65. INSTRUCTIONS for Sir *John Norris*.

" SIR *John Norris* having propos'd to
" the Queen to ſend 1000 Men more to
" *Bretagne*, beſides the 4000, on Condi-
" tion whereof he engag'd to make himſelf
" Maſter of a certain Sea-Port, and offer-
" ing to engage for the Pay of the ſaid
" thouſand Men for two Months, the
" Queen agrees to it, and orders her Ships
" to favour the Undertaking. She alſo en-
" joins him to take Care that after the Ex-
" piration of the two Months, the King take
" upon him to pay the ſaid thouſand Men.

His Memorial of the State of France. 174.

66. A Memorial from Sir *John Norris* concerning the State of *France*.

" HE ſays that the Duke of *Parma* did
" not go from *Roan* with a Deſign to aban-
" don the beſieged, but to meet his Rey-
" ſters *, and gives his Reaſons for it.

" HE doubts whether the King is in a
" Condition to take *Roan*, and ſhews the
" ſad Paſs to which he will be reduc'd, if
" he is compelled to raiſe the Siege, or if
" he cannot force the Duke of *Parma* to
" a Battle.

" THAT tho' the King promiſe, yet 'tis

[a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] From the Camp before *Roan*. [d] At *Vittre*.

* THIS was the old Word for the *German* Cavalry.

" not

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not possible for him to send Succours into *Bretagne*, and that the Preservation of the said Province absolutely depends on the Queen's Assistance.

Reasons for sending no more Succours to the French *King.* 194.

67. THE Reasons given by the Queen's Privy Council to the Ambassadors of *France*; why she desires to be excused, for the future, from giving any Succours to the King of *France*; dated in 1593.

"As this Piece is very long, I shall abridge it as much as possible. 'Tis necessary to take notice of it, because it contains a brief Summary of what the Queen had done for the King of *France*, and how she was all along requited for it.

"IN *September* 1589, Messieurs *de Beauvoir* and *de Fresnes* were bound for the King, to pay to the Queen 20,000 *l. Sterling*, besides 2000 *l.* more, and 383 *l.* for Ammunition, amounting in the whole to 22,383 *l.* which is still due.

"IN *October* following, the same Gentlemen engag'd for the Sum of 15,700 *l. Sterling*.

"IN the Month of *May*, 1590, there was another Obligation of Messieurs *de Beavoir*, and *de Saldagne*, to pay in *November* following to the Lord Mayor of *London* 2100 *l.* which is still unpaid.

"IN *Sept.* 1590, there was another from *M. de Beavoir* for 10,000 *l.* payable in *June* following.

"MOREOVER, the Queen has sent Ammunition and Artillery into *Normandy* to the value of 2600 *l.*

"'TIS pretended that the King is insolvent, but he has punctually paid the other Foreigners in his Service.

"THE *English* have never had any Place of Retreat in *France*, tho' it has been often promis'd, which has occasion'd the Destruction of great Numbers of her People.

"THE King engag'd himself to pay the 4000 *English* two Months after their Arrival in *France*, which he has not perform'd; and those Troops are still left to be paid by the Queen.

"IT ought to be remember'd how long the Earl of *Essex* and his Troops remain'd in the Neighbourhood of *Diep*, without being employ'd, tho' the King had promis'd to begin the Siege of *Roan* immediately after their Arrival. By that means the Duke of *Parma* had Time to march into *France*, and to cause the Siege of *Roan* to be rais'd.

"IN the Month of *June*, 1592, new Conventions were made, and the Queen was pleas'd to engage her self to send 4000 Foot, and 1000 Horse into *Bretagne*, as soon as she should be inform'd that the King had sent 2000 Foot, and 1000 Horse thither, and that the States of the *United Provinces* had sent thither the Quota they had promis'd; but it was on Condition that the King should pay those Troops, and allow them a wall'd Town to retire to. But the Queen having sent her Troops before the King had made good his Promise, she could never since obtain the Place of Retreat as promis'd her, tho' the King had it in his Power.

"THE Queen having sent fresh Troops since that Time, as well from *England* as from the *Netherlands*, to serve in *Bretagne*, they have been forc'd to reside in *Normandy*, *Anjou*, and *Maine*. The Duke *d' Aumont* did not go into *Bretagne* with 4000 Foot, and 1000 Horse, nor did the *Sieur de St. Luc* repair thither as was promis'd. By that means the *English* Forces were oblig'd to quit *Bretagne*, and to retire to the neighbouring Countries, to wait for Orders from the Duke *d' Aumont*. Consequently, all this Expence has prov'd to no purpose.

"THE Ambassador of *France* having nothing to alledge against these Facts, he is desir'd that for the future, Care be taken either to make no Promises at all, or else to see them better observ'd.

French Ambassador's Letter to his Master. 199.

68. The *French* Ambassador's Letter to *Henry* IV, dated *March* 18, 1593 [e].

"HE acquaints him that the Queen being inform'd that the King's Design was only to block up *Roan*, she has given Orders to *York*, at the Peril of his Life, not to put his Troops ashore 'till he is certain that *Roan* is besieg'd.

Duke of Main's to Guyonelle. 179.

69. LETTER from the Duke of *Main* to *Guyonelle*; dated *March* 21, 1593, from the Camp at *Noyon* on the Sea.

"HE commands him to come and join him with all the Troops under his Obedience, in order to give Battle.

Conference about the Hugonots. 210.

A Narrative of a Conference between *Henry* IV and some Princes, *&c.* about the Hugonots.

"THE King in this Conference espous'd the part of the Hugonots, and spoke sharply to the Cardinal *de Bourbon* on that Head.

"AFTER this, we meet with no other important Act in this Period relating to *France*. 'Tis surprising that we don't find the offensive and defensive Alliances concluded in 1595, and 1596.

[e] At *London*.

ARTI-

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ARTICLE III.

Elizabeth's *Affairs with the* United Provinces.

Earl of Leiceſter complain'd of by the States, and recalled by the Queen.

THE Earl of *Leiceſter*, to whom the States of the *United Provinces* had given more Power than the Queen wiſh'd, ſoon abus'd that exorbitant Grant. He aim'd to make himſelf abſolute Lord of the Country, by ſeizing the greateſt Towns all at once, as the Duke of *Anjou* had done before him. This View of his being timely diſcover'd, was the Reaſon that, upon the Complaint of the States, the Queen recall'd him, and appointed *Peregrine Bertie*, Baron of *Willoughby*, to ſucceed him. But he was not truſted with ſo large a Power as the Earl of *Leiceſter* had *.

Her Union with the States.

FROM that time to the Year 1595, nothing conſiderable occur'd in the Tranſactions betwixt the Queen and the States, who maintain'd a good Union with each other; the States having always a great deal of Reſpect and Complaiſance for the Queen, tho' at the ſame time they conſtantly maintain'd their Prerogatives and their Liberty with Vigour, as often as the Queen's Ambaſſadors, or her Commiſſioners, who had admittance to the Council of State, offer'd to exceed the Limits of their Commiſſion. This good Underſtanding was a little diſturb'd in the Year 1595. *Henry* IV having complain'd ſharply of the States, who, as he ſaid, had occaſion'd the Loſs of *Cambray*, and threatning to make a Peace without them, they thought it neceſſary to pacify him, by ſending him two Regiments, and a great quantity of Corn, and by lending him ſome Money. Upon this the Queen demanded the Money due to her from the States, and ſaid, that ſince they had Treaſure enough to lend to the King of *France*, ſurely they had enough to pay their Debts. The States alledg'd in their behalf the Treaty they had made with her, by which they were not oblig'd to pay her 'till after the end of the War. She made anſwer, that this Article was only inſerted in the Treaty, becauſe it was not ſuppoſed they would be able to pay her during the War; but that ſince they were rich enough to make Payments before the Peace, ſhe would be paid now. This Affair bred ill Blood; but at laſt it was accommodated for the preſent, by an Engagement which the States enter'd into to pay the *Engliſh* Troops for the future, and to eaſe the Queen of that Burden.

K. of France complains of them, who find him Men, Proviſions, and Money.

The Queen demands her Debt of them.

An Accommodation for the preſent.

The Queen again demands Payment of her Debt.

NEVERTHELESS in 1596, the Queen renewed her Demand with more Earneſtneſs; but having received Advice that the King of *Spain* was preparing to make a great Effort againſt *England*, ſhe by degrees dropp'd it.

They are admitted into the Treaty betwixt England *and* France.

IT was in this Year that the Queen made a new Offenſive and Defenſive Alliance with *Henry* IV, into which the States enter'd, though it was not without difficulty. The Queen inſiſted that they ought not to be included in it, as Sovereigns, but as aſſociate Towns under her Protection; and it was only owing to the preſſing Inſtances of the King of *France*, that ſhe relax'd upon this Article.

The Queen's Reaſons for continuing the War with Spain.

THE Peace of *Vervins*, which was concluded in 1598, without the Participation of the Queen or the States, oblig'd this Princeſs to take new Meaſures. The Point in Debate was, whether ſhe ought to make a ſeparate Peace with *Spain*, or to continue the War in Conjunction with the States. The firſt of theſe two Reſolutions would have been eaſy to form, and put in Execution. *Philip* would undoubtedly have left the Queen a *Chart Blanche*, if ſhe had been inclined to have abandoned the States: But the Conſequences of ſuch a Peace might have been fatal to *England*; for thereby the States would have been forc'd to ſubmit to *Spain*, and the Queen would have been left without Friends, and without Allies, and expoſed to ſtand ſingly upon her own Defence, the firſt time that *Philip* ſhould be inclin'd to pick a Quarrel with her. She judg'd therefore, without Heſitation, that it was her Intereſt to carry on the War, and to unite more ſtrictly with the States. But ſhe took care not to let them know her full Reſolution: On the contrary, ſhe cauſed a Repreſentation to be made to the States, that ſhe was not able to ſupport ſo heavy a War, and that ſhe had a ſtrong Inclination to a Peace. The States being alarm'd at this Declaration, made all poſſible Efforts to incline her to carry on the War. They were not in a Condition to diſſemble as ſhe did, becauſe their All was at Stake, and that if they ſhould be abandoned by *England*, they could not avoid relapſing under the Dominion of *Spain*. *Elizabeth* did not deny that they were in great Danger, but this very Plea ſhe made uſe of to convince them that their Intereſt, and not hers, was the Point in queſtion. Conſequently, ſhe made them own, that if the War ſhould be continued, it would be only to maintain them in their Liberty. From thence ſhe inferr'd, that there was a Neceſſity for a new Treaty upon this Principle; and it was not poſſible for the States to get off on't. Therefore a new Treaty was concluded, wherein all the Advantage was on the Queen's ſide, which was the whole

Her Treaty with the Dutch.

* Mr. *Rapin* obſerves, in his large Hiſtory, that he had no other Commiſſion than to command the *Engliſh* Troops.

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that she had in View from this Negotiation.

THE Death of *Philip* II, which happened about a Month after the signing of this Treaty, gave the Allies some Respite; and even the Court of *Spain* seem'd to wish for a Peace, because the Archduke *Albert* caus'd it to be propos'd immediately after his return from *Spain*; but it appear'd afterwards that it was only a Snare to divide the Allies; and the Conference which there was at *Bruges* on this Subject, was to no purpose, or rather broke off as soon as it began. For the *Spaniards* having felt the Pulse of the *English* Plenipotentiaries relating to a separate Peace, and finding there was no room to expect it, insisted firmly on the Article of Precedency which *Spain* claim'd of *England*, and the Conference was quash'd before they were able to hold an Assembly for it.

THE Acts in this XVIth Tome of the *Foedera*, which relate to the *United Provinces*, are these;

Patents for the Governments in the Netherlands. 23 4. 5.

1. THREE Patents for conferring, 1. The Government of *Flushing* and *Rammekins*, vacant by the Death of Sir *Philip Sidney*, upon Sir *William Russel*. 2. That of the *Brill*, vacant by the Surrender of Sir *Thomas Cecil*, upon *Thomas* Lord *Burghe*. And, 3. The Post of Treasurer of the *English* Army in the *Netherlands* on Sir *Thomas Shirley*. They are dated the 1st, and 6th, and 27th of *February*, 1587 [a].

Prince of Friesland's *Letter to the Queen.* 6.

2. A Letter from the Count of *East-Friesland* to *Elizabeth*; dated *June* 15, 1587 [b].

"HE complains in very strong Terms, "that he is persecuted by the *Dutch*, "who disturb the Commerce of his Subjects, and plunder them, on pretence "that he favours the *Spaniards*; which "he disowns, and accuses them in his "Turn of furnishing *Spain* with such Merchandize as it wants. He prays the "Queen to protect him, *&c.*

Order for Protections in the Netherlands. 9.

3. AN Order to the Lord Chancellor to dispatch all the necessary Protections for those who serve in the *Netherlands* under the Earl of *Leicester*; dated *June* 26, 1587 [c].

Lord Willoughby's *Patent.* 13.

4. THE Patent for conferring the Command of the *English* Troops in the *Netherlands* upon *Peregrine Bertie*, Baron of *Willoughby*, after the recal of the Earl of *Leicester*; dated *Nov.* 10, 1587 [d].

"The Queen says, that she has re-"call'd the Earl of *Leicester*, that he "may be near her Person, and assist her "with his Counsels.

ELIZABETH. *A Muster of the* English *Forces in the* Netherlands. 31.

5. AN Order of Council to ——, to make a general Muster of the *English* Troops in the *United Provinces*, and to require the States to appoint Commissioners to assist therein; dated *January* 4, 1590 [e].

"THE Council sends him certain In-"structions, which he is to communicate "to the Council of State, to the end that "if they shall see Cause, they may add "to them.

The States Answer to the Queen's Counsellor Bodley. 33.

6. THE Answer of the States-General to *Bodley*, the Queen's Counsellor there; dated as above [f].

"THEY tell him they are extremely "surpriz'd at his Memorial, because it is "notorious that all their Resolutions tend "to the Welfare of the Country. That "they did not expect such a Memorial "from him, who has bound himself to "them by an Oath. That the College "of the States-General is the chief Col-"lege of the Republick, and that he "ought to treat them with more Respect. "Finally, they declare to him, by way "of Advertisement, that they act by "virtue of the Power they derive from "their Principals, and that they are not "oblig'd to give an Account to any "body of their Power, or of their Affairs.

Letter to the Queen from the Ministers of West-Friesland. 34.

7. A Letter from the Ministers of God's Word in *West-Friesland* to the Queen; dated in the Month of *January*, 1590.

"THEY congratulate her upon the De-"struction of the *Spanish* Fleet.

The Ministers Oath. 39.

8. THE Form of the Oath to be taken by the Reformed Ministers in the several Towns.

9. THE Council of State's Remonstrance to the States General; dated *February* 20, 1590.

"IT relates to the Projects of the ensu-"ing Campaign.

Memorial concerning the Government of the United Provinces. 44.

10. A Memorial concerning the Government of the *United Provinces*; dated *Feb.* 28, 1590 [g].

IT is probable that this Memorial was penn'd by *Bodley*, who was very much incens'd against the States-General.

"HE endeavours to shew that the Go-"vernment of the *United Provinces*, such "as it was after the Departure of the Earl "of *Leicester*, is contrary to the Treaty "made with the Queen. He demonstrates "the Inconveniencies of it, and the Pre-"judice which both the Queen and the "Country thereby sustain; and that the "States-General usurp all the Authority "He insinuates, that the best way to reme-"dy the whole, would be to re-establish "the Authority of Lieutenant-General,

[a] At *Westminster*. [b] At *Aurich*. [c] At *Westminster*. [d] At *Westminster*. [e] From the Court at *Richmond*. [f] At the *Hague*. [g] At the *Hague*.

"which

" which the Earl of *Leiceſter* had, unleſs the Queen would pleaſe, according " to the Deſire of all good People, to accept of the Sovereignty of the *United* " *Provinces*.

Letter from the States-General to the Queen's Council. 50.

11. A Letter from the States-General to the Queen's Council; dated *February* 28, 1590 [h].

" THEY complain of a Letter writtenby " the Council to the Magiſtrates of *Fluſhing*, commanding them to permit certain " *Engliſh* Merchants to ſend Cloths, *&c.* " to be diſtributed, as well in the Cautionary Towns as in the others, without " paying any Duty; to which the States ſay " they cannot conſent, and they give their " Reaſons for it. They complain alſo of " an Order ſent to the Governor of the " *Brille*, to detain, during a whole Tide, " all Ships that paſs by; againſt which " they pray the Council to provide a Remedy, conſidering the Damage that the " Merchants receive from it.

Another to the Queen. 54.

12. A Letter from the States-General to the Queen; dated *March* 24, 1590 [i].

" They remonſtrate to her, that a Year " is already expir'd ſince they ſent Ambaſſadors to her to complain of the In- " juries done to their Subjects by the *Engliſh*, to the Value of 600,000 Florins; " and that though the Queen promiſed to " ſend ſome Perſon of Diſtinction to them, " in order to ſettle that Affair with them, " no body has come ever ſince that time; " that the Merchandize has not been reſtor'd, and that the Depredations con- " tinue, for which they demand Satisfaction.

Letter from the Engliſh *Council about* Oſtend. 55.

13. LETTER from the Council of *England* to ——; dated *April* 7, 1590 [k].

" THEY order him to requeſt the States " to draw no more Companies from the " Garriſon of *Oſtend*.

States Letter to the Council. 57.

14. LETTER from the States-General to the Council of *England*; dated *April* 30, 1590 [l].

" THIS is an Apology from the States. " 'Tis very apparent that *Bodley*, or ſome " body elſe, endeavour'd to ſow Diſcord " betwixt the Queen and the States. They " wonder they have not ſeen any body " from the Queen to regulate the Affairs " of which they complain'd.

The Council's Letter to Bodley. 61.

15. LETTER from the Council of *England* to *Bodley*, touching the Complaints of the States-General; dated *May* 8, 1590 [m].

" THE Council returns nothing poſi- " tive in Anſwer, but refer to the Perſon " whom the Queen is to ſend. They " ſay that the Death of Secretary *Wal-* " *ſingham* is the Cauſe of the Delay, " becauſe he had kept the States Letters, " without imparting them to the Coun- " cil.

The Queen's Letter about the Union of Groningen. 63.

16. A Letter from the Queen, authorizing *N*—— to promiſe her Protection to the City of *Groningen*, if the Citizens will ſhake off the Yoke of *Spain*, and join to the *United Provinces*; dated *May* 12, 1590 [n].

Philip of Spain's *Negotiation of a Peace with the* Dutch. 64.

17. *PHILIP* IId's Inſtructions to *Don Guillen de St. Clement*, for treating of a Peace with the *United Provinces*, under the Mediation of the Emperor; dated *May* 16, 1590 [o].

" He ſays, for fear the Negotiation " ſhould break off at the beginning, the " Affair of Religion ought to be poſt- " pon'd to the laſt, and that he muſt ac- " quaint the Emperor, that there is no- " thing to be abated on that Article.

Queen's Declaration concerning the United Provinces. 66.

18. A Declaration by the Queen concerning the *United Provinces*; dated *May* 27, 1590 [p].

" She entirely diſavows thoſe who, un- " der Pretence of doing her Service, have " aimed to ſow Diſcord betwixt her and " the States, and declares her Intenti- " on, that as well her Subjects, who " are in the Service of the States, as thoſe " of the States themſelves, ſhall obey the " Government as it is eſtabliſh'd.

Queen's Letter to Bodley *about* Wilkes. 72.

19. THE Queen's Letter to *Thomas Bodley*, authorizing him to join with *Thomas Wilkes*, her Majeſty's Envoy in *Holland*, in the Affairs committed to his Charge; dated *June* 18, 1590 [q].

" PROBABLY this *Wilkes* was the Per- " ſon of Diſtinction ſo long expected.

Another about the States Demand for their Ships. 73.

20. THE Queen's Letter to *Bodley* touching the Demands of the States for forty-four of their Ships, which help'd to ſeize the *Germans* Corn in the *Tagus*; dated *June* 24, 1590 [r].

" THE Queen does not think the Pre- " tenſions of the Sates reaſonable.

The Importance of Groningen. 74.

21. A Diſcourſe upon the Importance of the City of *Groningen*, and how eaſy it would be to take it without much Expence.

Queen's Letter in favour of Sir Edward Norris. 82.

22. THE Queen's Letter to *Bodley* and *Wilkes*; dated *Auguſt* 11, 1590 [s].

" She orders them to recommend Sir " *Edward Norris* to the States to be Go- " vernour of *Oſtend*.

Another. 84.

23. ANOTHER to the ſame Perſons; dated *Sept.* 10, 1590 [t].

" She orders them to preſs the States " to make an Incurſion into *Flanders* " without Delay, while the Duke of *Par-* " *ma* is in *France*.

Her Allowance to Thomas Bodley. 241.

24. AN Allowance under the Privy-Seal of forty Shillings a Day to *Thomas Bodley*, who is again ſent to *Holland*; dated *May* 4, 1594.

[h] At the *Hague*. [i] At the *Hague*. [k] From the Court at *Greenwich*. [l] At the *Hague*. [m] From the Court at *Greenwich*. [n] At *Greenwich*. [o] At *Aranjuez*. [p] At *Greenwich*. [q] At *Greenwich*. [r] From the Court at *Greenwich*. [s] At the Court at *Otelands*. [t] At *Windſor-Caſtle*.

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Her Treaty with the States. 340.

25. A Treaty betwixt the Queen and the States-General; dated *Auguſt* 16, 1598, and the Ratification of it by the latter; dated the 20th of *September* following.

"THEY declare themſelves Debtors to "the Queen in the Sum of 800,000 *l.* "*Sterling*, and promiſe to diſcharge half "of the Sum during the War, by paying "300,00*l. Sterling per Annum*. If a Peace "be made before the entire Payment of the "firſt 400,000 *l.* the Payments to continue "at 20,000 *l. Sterling* only *per Annum*. "And as to the Payment of the other "half, it ſhall be ſettled after the Peace "is made.

THERE are ſome other Conditions with reſpect to the Troops.

ARTICLE IV.

Elizabeth's *Affairs with* Scotland.

ALTHOUGH the XVth Tome of the *Fœdera* extends no farther than the Month of *November*, 1586, and though the Queen of *Scots* was not executed 'till *February*, 1587, yet I mention'd her Death in the laſt Account of *Elizabeth*'s Affairs with *Scotland*, that I might not leave that Article imperfect.

James of Scotland's Reſentment for the Execution of his Mother.

IN 1587, immediately after *Mary*'s Death, *Elizabeth* ſent her Couſin *Carew** to the King of *Scotland* with a Letter, in which ſhe gave him to underſtand that the Sentence upon the Queen his Mother had been executed againſt her Intention. *James* fretted and ſum'd to a degree, and ſeem'd reſolv'd upon the moſt deſperate Meaſures to take Revenge for the Queen his Mother; but his Paſſion was ſoon over; for *Elizabeth* found Means to pacify him, firſt of all, by ſacrificing *Daviſon* the Secretary of State to him, whom ſhe accus'd, contrary to the Truth, of having exceeded her Orders by producing that which ſhe had ſent to him for Execution. It would be too tedious to give all the Particulars of this Affair. 'Tis ſufficient to ſay in a Word, that the Queen drew the Secretary into her Snare, and that afterwards ſhe made him ſuffer dearly for his Obedience. This I take to be the greateſt Blot in *Elizabeth*'s Life. The ſecond Expedient ſhe made uſe of to pacify the King of *Scotland*, was to get a Repreſentation made to him by his own Miniſters, whom ſhe had taken care to ſecure in her Intereſt, that if he fell out with her, he would run a Riſque of being for ever excluded from the Throne of *England*; whereas if ſhe ſaw him in a calm Temper, ſhe would make it her Buſineſs to repair the Wrong ſhe had done to the Queen his Mother, and would ſecure the Succeſſion to him. *James* gave Ear to theſe Arguments, and from that time ſeem'd ſo eaſy, that not a Word more was ſaid of *Mary*'s Death.

ELIZABETH. *He is pacified.*

Elizabeth's Repreſentations to him.

NOTWITHSTANDING this, *Elizabeth* was ſtill miſtruſtful that the King of *Scotland* was ſecretly hatching a Revenge. This Suſpicion was conſiderably confirm'd in 1588, when the *Invincible Armada* was juſt ready to make its Appearance on the Coaſts of *England*. She apprehended that *James* would ſuffer himſelf to be drawn away by the King of *Spain*, and ſhe thought ſhe had the more Reaſon to fear it, becauſe ſhe knew that *Philip* II had a Party in *Scotland*, and that this Party long'd for nothing more than to favour the Deſigns of the *Spaniards*. At this Juncture therefore ſhe ſent an Ambaſſador to the King of *Scotland*, to deſire him not to favour the *Spaniards*, and at the ſame time to aſſure him of her Affection, and of her Deſign to procure the Crown of *England* for him after her Death. This very Ambaſſador actually gave the King Hopes that the Queen would grant him a conſiderable Penſion, but 'tis pretended that he made this Offer without the Queen's Order. One might eaſily judge from the Character of *Elizabeth*, that ſhe had given Orders to her Ambaſſador to offer as it were of his own accord, and without making any poſitive Engagement, whatever he ſhould think proper to hinder the King of *Scotland* from laying hold of this Opportunity to revenge the Death of his Mother. Be this as it will, it appear'd that *James* had enter'd into no Engagement with *Spain*. He aſſured the Ambaſſador of it, and actually wrote a Letter to the Queen upon this Subject, with which ſhe was very well ſatisfy'd.

Elizabeth *ſtill ſuſpects, and therefore careſſes him.*

His Marriage negotiated.

IN the laſt Account I gave of the Affairs of *Scotland*, by a meer Miſtake I was guilty of an Impropriety, in mentioning the Marriage of the King of *Scotland*, which was not concluded 'till 1589. But as I only touch'd it *en paſſant*, what I ſhall now add upon the ſame Subject cannot be reckon'd as an unneceſſary Repetition.

THE King of *Scotland* having a Deſign to marry, in 1585 he caſt his Eyes upon the Princeſs, eldeſt Daughter of *Frederick* II King of *Denmark*. This Prince having had ſome ſecret Intelligence of it, ſent an Embaſſy into *Scotland*, on Pretence of renewing the Alliance betwixt the two Kingdoms, in order to give King *James* an Opportunity of propoſing this Marriage. But at that time the Earl of *Arran*, the King's Favourite, who

* He was related to the Queen by her Mother *Anne Bolleyn*. This was *Robert Carew*, Son to the Lord *Hunſdon*, who was Governour of *Berwick*.

had

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had already been corrupted by *Elizabeth*, together with *Wotton*, Envoy from that Queen, who was become a ſort of Favourite too with the King, did all that was in their Power to ſow a Miſunderſtanding betwixt the two Kings, to the degree even of affronting the *Daniſh* Ambaſſadors. Nevertheleſs *James* being better adviſ'd afterwards, treated the Ambaſſadors with more Civility, but did not mention one word to them about the Marriage. The Earl of *Arran*, and *Wotton*, acted by the Direction of *Elizabeth*, who wiſh'd to hinder the King's Marriage at leaſt with an *Engliſh* Woman. And if we may believe *Melvil*, ſhe had actually form'd a Conſpiracy to have the King of *Scotland* deliver'd up to her, and it was with this Deſign that ſhe ſent *Wotton* to him. Tho' the King had not propos'd his Marriage, yet he ſtill kept it in View. For not long after this, he ſent one of his Chaplains to *Copenhagen*, to thank the King for his Embaſſy, and to aſſure him that he would quickly ſend him the like. The ſecret motive of this Meſſage was, that the Chaplain might ſee the two Princeſſes, Daughters to the King of *Denmark*, and make a Report thereof to his Maſter.

THIS Affair ſpun out ſome time by the Artifices of Queen *Elizabeth*, who after the Fall of the Earl of *Arran*, drew in the Earl of *Maitland* the Great Chancellor, and moſt of the Members of the Council of *Scotland*, to her Party. Mean time as the King was abſolutely reſolv'd on this Marriage, they cou'd not avoid ſending an Embaſſy to *Denmark* to propoſe it. But the Power of the Ambaſſadors was ſo limited, that *Frederick* knew not what Judgment to make of a Propoſal ſo unauthoriz'd. At the ſame Time, one **Du Bard*, a *French* Poet, going to *Edinburgh* on ſome pretence or other, ſpoke to the King about Princeſs *Catherine*, Siſter to the King of *Navarre*. He prais'd her to the Skies, ſignify'd that ſhe would be perfectly agreeable to the King of *Scotland*, and that he did not doubt but it would be eaſy to obtain her of the King her Brother. *James* being ſet on Fire by the Enumeration of *Catherine*'s Fine Qualities, ſent the Lord *Tungland* (*Melvil*'s Brother) to the King of *Navarre*, on pretence of ſome Negotiation with the King, but on purpoſe that he might ſee her, and make his Report to him accordingly. *Melvil* will have it, that *Elizabeth* acquainted the King of *Denmark* of Lord *Tungland*'s being ſent to *France*. 'Tis certain however that the King of *Denmark* not reliſhing ſuch looſe Propoſals as had been made to him on the part of the King of *Scotland*, gave his eldeſt Daughter to the Duke of *Brunſwick*.

THIS did not diſhearten the King of *Scotland*, who, that he might not miſs his Aim a ſecond time, in the Year 1589, made a poſitive Demand on the King of *Denmark* for Princeſs *Anne* his ſecond Daughter. *Frederick* agreed to it, on condition that he would demand her by a ſolemn Embaſſy before the Month of *May*. But that Prince dy'd before the departure of the Embaſſy from *Scotland*, leaving his Crown to his Son *Chriſtian*, who was under Age. Notwithſtanding *Frederick*'s Death, *James* did not deſiſt from his Project. But when he was pleas'd to propoſe to his Council the ſending of an Embaſſy to *Denmark*, it was repreſented to him, that he would provoke *Elizabeth* to the laſt Degree, if he marry'd without acquainting her with the Match. Therefore he was under an abſolute Neceſſity to conſult the Queen, who did not fail, as the Council plainly foreſaw, to oppoſe the Marriage, and to repreſent the various Inconveniencies that attended it. At the ſame time ſhe propos'd the King of *Navarre*'s Siſter as a Match for the King, and offer'd to ſtand his Friend in the Courtſhip. The Queen's Anſwer being read in Council, there was not one of the Members but approved of it. Mean time the King who perceived, no doubt, from whence all theſe Obſtructions came, ſet the Provoſt of *Edinburgh* at work, who rais'd a Sedition in the City, ſo that the Chancellor and Counſellors were threaten'd to be knock'd o'th' Head, if the King's Marriage with the Princeſs of *Denmark* was not forthwith concluded. Theſe Menaces oblig'd the Council to conſent to the King's ſending of Ambaſſadors into *Denmark*. But, by the Artifices of the Chancellor, their Power was ſo limited, that when they ariv'd at *Copenhagen*, they found themſelves oblig'd to ſend the Lord *Donegal* to the King, to deſire his Majeſty either to recall them, or to grant them more ample Powers. This Envoy came to wait on the King at the very time when the Chancellor and moſt of the Miniſters were abſent. Conſequently the King taking hold of the Opportunity, diſpatch'd that Power with his own Hands which his Ambaſſadors deſir'd, and the Marriage was quickly concluded to his great Satisfaction. By this we may learn what an Influence Queen *Elizabeth* had in the King of *Scotland*'s Council.

* THE Name being ſpelt after this manner in *Melvil*'s Memoirs, Mr. *Rapin* did not think fit to vary from his Author; but he is of Opinion that it ſhould have been *Du Bartas*, that celebrated Poet and Stateſman, who was actually ſent into *Scotland* by the King of *Navarre*, tho' 'tis not certain whether it was that ſame Year. *De Thou*. Tom. V. p. 100.

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NOT long after this the new Queen was put into the Hands of the *Scots* Ambaſſadors, but as ſhe was on her Voyage to the King her Husband, a Storm forc'd her to put into one of the Ports of *Norway*. The Wind was contrary ſo long, that *James*, impatient to ſee his new Bride, went on board a little Veſſel with a ſmall Retinue, and ſail'd to *Norway*, and ſtay'd the whole Winter either in that Country or in *Denmark*, without going to *Scotland*, 'till the Month of *May* in the Year following, which was 1590.

The King meets his Bride in Norway.

WHEN the King was return'd, he found his Kingdom as full of Diviſion and Trouble as ever. This Prince being extremely good natur'd, was eaſily wrought upon by thoſe in whom he plac'd his Confidence; and being moreover naturally inconſtant, he frequently chang'd his Miniſters and Favourites, juſt as he was impreſs'd by the different Parties that gain'd his Ear. There had been always two Factions in *Scotland*, that of *Elizabeth*, and that of the King of *Spain*. When the Queen's prevail'd, it kept the King in a State of Bondage, as we have ſeen in the Affair of the Marriage. But it was the King's unhappineſs that he could not get rid of this Yoke, without abandoning himſelf to the *Spaniſh* Party, which was much more dangerous. *Elizabeth*'s Aim was only to prevent ſuch Turns in *Scotland* as might be to her Prejudice; whereas the View of the *Spaniards* was to incenſe the King againſt the *Engliſh*, in order to be able to attack *Elizabeth* by the means of *Scotland*. Conſequently whenever the King diſcover'd any Byaſs for this Party, the Queen, or her Emiſſaries in *Scotland*, never fail'd to excite Troubles and Broils to oblige him to continue in the way from which he diſcover'd an Inclination to depart.

His Character.

Parties in Scotland.

IN the Year 1592, the Chancellor and the other Miniſters being of the *Spaniſh* Faction, Earl *Bothwel*, Son to a Baſtard of *James* V, who had been accus'd of Sorcery, and made his Eſcape from Priſon, undertook to make himſelf Maſter of the King's Perſon, alledging, that his Miniſters kept him Captive in his own Palace; and he narrowly miſs'd of executing his Deſign, for he was advanc'd with his Men as far as the King's Chamber-Door, to which he had ſet Fire, and he endeavour'd to break open the Door of the Queen's Chamber; but the King being timely aſſiſted, he was oblig'd to retire. After his Friends had procur'd him a Pardon for this Crime, he made a ſecond Attempt while the King was at *Falkland*. He had ſo good an Intelligence at Court, that he found means to repair on a ſudden to the Palace, where the King was oblig'd to barricade himſelf in his Chamber 'till Aſſiſtance came to him, when *Bothwel* and his Friends were forc'd to fly, and the Earl eſcap'd to *England*. I ſhould be loth to affirm that this was done by the Direction of *Elizabeth* or her Miniſters, but as the *Scots* Miniſtry at that Juncture was not in her Intereſt, 'tis highly probable that *Bothwel* hop'd to be ſupported either by the Queen herſelf, or by the Party ſhe had in *Scotland*.

Attempts of Earl Bothwel to ſeize the King's Perſon.

ELIZABETH.

ELIZABETH taking Occaſion from thoſe Troubles, ſent an Ambaſſador to the King in 1593, to tell him that ſhe had certain Advice that the *Spaniards* were plotting ſome Miſchief in *Scotland*, in which they had engag'd the Earls of *Angus*, *Huntley* and *Errol*; and that as this was what he could not be ignorant of, ſhe deſir'd him to take ſpecial Care what Perſons he employ'd in his Councils, and to inform her of the Plots that were contriv'd againſt her in *Scotland*. *James* return'd a very ambiguous Anſwer to the Ambaſſador, and ſaid, that ſince 'twas the Queen's Deſire that he ſhould proſecute the Lords whom the Ambaſſador had mention'd, he expected that the Queen ſhould be at the Charge. He demanded alſo the Surrender of *Bothwel* according to their Treaty, and ſoon after ſent an Ambaſſador to her, to demand him in form. The Queen reply'd, that by the Treaty ſhe was not oblig'd to contribute to the Expence of any but a War againſt Foreigners. That as to the Rebels, it was at her Option, according to the ſame Treaty, either to deliver them up, or to baniſh them out of her Dominions. That as *Bothwel* retir'd to *England* without her Knowledge, and as ſhe knew not where he was, all that ſhe could do was to forbid her Subjects to entertain him, which ſhe did afterwards by a Proclamation; and *Bothwel* being unable to ſtay longer in *England*, went and conceal'd himſelf in *Scotland*.

Elizabeth, ſuſpicious of Scotland, ſends an Ambaſſador to the King.

His Anſwer.

Elizabeth refuſes to ſurrender Bothwel.

BUT *Bothwel*'s Party ſoon after increaſed ſo much, by means of the Faction that oppos'd the Miniſters, that he had the Aſſurance to go the King without being call'd, and falling at his Feet, humbly begg'd his Pardon. The King had no Intention to pardon him; but perceiving, to his great Surprize, that the whole Court, except his Miniſters, were of *Bothwel*'s Party, and that it would not be an eaſy matter to arreſt him, he was forc'd to grant him his Pardon, on Condition that he would depart the Kingdom. *Bothwel* accepted the Condition, but he left ſo ſtrong a Party at Court, as well as in the Country, that the King was under an abſolute neceſſity to diſmiſs the High-Chancellor, the High-Treaſurer, and ſome others of his

Bothwel gets a Pardon from the King.

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his Miniſters. This was a ſort of Violence upon the King, but it did not hold long; for he aſſembled the States, and having declar'd to them that he had been forc'd to pardon *Bothwel*'s Crimes, he deſired them to ſupport his Authority, and to deliver him from the Yoke of Slavery which had been laid upon him. The States having declar'd for him, he recall'd his Miniſters, and baniſh'd all thoſe of the oppoſite Party from Court.

The Fall of his Party.

MEAN time in order to give ſome Satisfaction to the People, who were very much uneaſy with the Miniſters, and ſuſpected them to be contriving ſomething in Favour of the *Roman* Catholicks, the States made a Decree for confirming the Eſtabliſhment of the Proteſtant Religion in *Scotland*. But through the Intrigues of the Miniſters, this Decree was thought ſo uncapable of ſecuring the Religion, that it only confirm'd the People in their Suſpicions, who complain'd againſt the uſe of Lenitives at ſuch a Juncture as this, when it manifeſtly appear'd there had been a Deſign to ſubvert the Religion; and that therefore the Authors of thoſe Conſpiracies ought to be proſecuted with Vigour.

Suſpicions of the King's Affection to the Papiſts.

ELIZABETH being well inform'd of what paſs'd in *Scotland*, ſent the Lord *Zouchy* to the King, to ſhew him the Inconveniencies that might attend his Neglect to puniſh, or rather the Protection he granted to thoſe, who aim'd at the Ruin of the Religion. The King anſwer'd at firſt after his uſual manner, that he would do what was beſt for the Intereſts of his Kingdom, and that he would actually proſecute the Lords whom the Queen ſuſpected, provided ſhe would contribute to the Expence of the War. The Ambaſſador not being ſatisfy'd with this Anſwer, and continuing to preſs him to do what the Queen deſir'd, he anſwer'd with ſome Paſſion, that the Queen had nothing to do to preſcribe to him after what manner he ſhould govern his Kingdom. At the ſame time he demanded that ſhe would deliver up *Bothwel*, who was retired to *England*.

Queen ſends him an Ambaſſador.

His Anſwer.

ELIZABETH finding the King obſtinately reſolv'd to ſupport his Miniſters, and the *Spaniſh* Faction, did probably aſſiſt *Bothwel* in his Return to *Scotland*. Be this as it will, he put himſelf at the Head of 400 Men, and took *Leith*, a Place about a Mile from *Edinburgh*, where he publiſhed a Manifeſto, containing the very ſame things which the Lord *Zouchy* had repreſented to the King, *viz.* "That there was a *Spaniſh* Party in the "Kingdom, which aim'd at the Reſtora- "tion of the Catholick Religion, and to "incenſe the *Scots* againſt the *Engliſh*, "in order to excite a War between the "two Kingdoms. That the *Roman* Ca- "tholicks were very much elevated, and "caus'd Maſs to be ſaid in publick: That "the *Spaniards* were on the Point of in- "vading the Kingdom, and that there "was no Poſſibility of avoiding the E- "vils threaten'd, but by delivering the "King out of the Hands of thoſe per- "nicious Miniſters who were the Au- "thors of thoſe dangerous Conſpiracies."

Bothwel's Return to Scotland.

His Manifeſto and Appearance in Arms.

James was at no great Loſs to comprehend the true Cauſe of *Bothwel*'s Inſolence and Confidence. But that he might not ſeem to truckle to thoſe that had a mind to govern him, he rais'd Troops, march'd againſt the Rebel, and obliged him once more to retire to *England*. As ſoon as *Elizabeth* was inform'd of it, ſhe caus'd Proclamation to be made on the Frontiers, ſtrictly forbidding any Reception or Shelter to be given to *Bothwel*. This Proceeding gave the King an Opportunity to be reconcil'd to her. He perceived at laſt how much it was in her Power to make him uneaſy, if he ſhould obſtinately perſiſt to favour her Enemies, and what a Riſque he ran of loſing the Crown of *England*, if he did not alter his Courſe. Being therefore reſolved to pleaſe *Elizabeth*, he chang'd his Miniſters, aſſembled the States, caus'd new Laws to be made in favour of the Proteſtant Religion, and a general Aſſociation was enter'd into in *Scotland* for maintenance of that Religion. Afterwards, the Lords of the *Romiſh* and *Spaniſh* Party were baniſh'd out of the Kingdom. *Elizabeth* was very well ſatisfied with all theſe Proceedings, and *Scotland* continu'd in Peace 'till the Year 1600, when the Sons of the Earl of *Gowry*, who had been beheaded, form'd a Plot againſt the King, from which he only eſcap'd by a Sort of Miracle. But this does not fall in with my Subject, becauſe neither *England*, nor *Elizabeth* had any Concern in it.

James alters his Conduct.

IN the Year 1601, the Earl of *Eſſex* having form'd a Conſpiracy againſt the Queen, wrote word to the King of *Scotland*, that the Queen's Miniſters, of whom *Cecil* the High-Treaſurer was the Chief, had a Project on foot to exclude him from the Succeſſion to the Crown of *England*. He told him that it was Time that he ſhould demand by a ſolemn Embaſſy to be declar'd Preſumptive Heir and Succeſſor to *Elizabeth*, and that his Ambaſſadors ſhould be ſeconded. 'Tis not very clear whether the Deſign of the Earl of *Eſſex* was to place the King of *Scotland* upon the Throne of *England* before the Death of *Elizabeth*, but 'tis very probable that *James* thought ſo for theſe three Reaſons: Firſt,

Earl of Eſſex's Plot againſt the Queen.

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First, because *Camden*, who wrote the Annals of *Elizabeth* by that Prince's Order, has not decided this Point clearly, though he might easily have known it. *Secondly*, King *James* when he came to the Crown of *England*, call'd the Earl of *Essex* his Martyr. *Thirdly*, The Embassy which the Earl had desir'd from *Scotland* arrived in *England*. But the Ambassadors being inform'd upon the Road that the Earl of *Essex* had miss'd his Blow, and that he was a Prisoner, took care not to say one Word about the Succession. The Queen, though very well inform'd, feigned as if she knew nothing of the matter, and the two Courts liv'd in a good Understanding 'till 1603, when the Queen on her Death-bed nam'd the King of *Scotland* for her Successor.

The Acts relating to Scotland.

King James's Letter to Elizabeth. 18.

1. A Letter from *James* VI to *Elizabeth*; dated *August* 4, 1588 [a].

"He offers her his Forces against the "*Spaniards*. He thanks her for the Offers she caus'd to be made to him by her "Ambassador, and desires her to put "them speedily in Execution. He adds, "that he does not propose to succour the "*English* as a Foreign Prince, but as a "Countryman, and natural Son of *Elizabeth*.

Her Answer. 18.

2. *ELIZABETH*'s Answer.

"She sends a Gentleman to him to declare her Intentions, but does not say "one Word of the Offers. She tells him "that the *Spanish* Fleet having been beaten, was drove by the Wind towards "the Coasts of *Scotland*, where she hopes "that the *Spaniards* will find no Favour; "unless the *Scots* Lords who have promised them Protection in the King's "Name, be protected themselves. She "prays him not to suffer it; adding, that "he will thereby gain the Affection of the "*English*.

Another of his Letters. 27.

3. A Letter from the King of *Scotland*, written probably to the Lord *Hunsdon*, Warden of the Marches of *England*; dated *Octob.* 2, 1589 [b].

"He gives him an Account of a Voyage "he is going to make to *Norway*, and "that he leaves Lord *Hamilton* in Charge "to take Care of the Peace of the Frontiers.

From the Scots Council. 28, 30.

4. A Letter from the Council of *Scotland* to *Elizabeth*; dated *November* 6, 1589 [c].

5. ANOTHER from the Council to the Queen; dated *Jan.* 2, 1590 [d].

"The Tenor of these two Letters is "only to assure the Queen of the Disposition of the Council to see the Peace "maintained upon the Frontiers, according to the King's Orders. ELIZABETH. 36.

6. A Letter from the Council of *Scotland* to the Queen; dated *January* 31, 1590 [e].

"It is to inform her of the Advice "brought by a *Scots* Ship from the *Canaries*, of the great Preparations making in *Spain*.

King of Scotland's Letter to his Council from Norway. 41.

7. A Letter from the King of *Scotland* in *Norway*, to the Lords of his Council; dated *Feb.* 19, 1590 [f].

"This Letter contains some Orders for "his Reception, when he arrives in *Scotland* with the Queen.

Another. 51.

8. ANOTHER to the same, upon the same Subject; dated *March* 4, 1590 [g].

"He orders them moreover to detain in "Prison the three *Spaniards* who were taken with *Colvill* their Pilot.

Proclamation in favour of the Danes. 59.

9. A Proclamation from the King of *Scotland*, in favour of the *Danes* who have accompanied the Queen. It has no Date.

Instructions to his Ambassadors in Germany.

10. THE King of *Scotland*'s Instructions to his Ambassadors who were sent into *Germany*; dated *June* 9, 1590 [h].

"These Instructions tend to the Advancement of the Protestant Religion.

King of Denmark's Answer to the Scots Ambassadors. 81.

11. THE King of *Denmark*'s Answer to the Ambassadors of *Scotland*; dated *July* 29, 1590.

"He says that he approves of the Protestant League, and that he will contribute what he can to the Success of it.

Proclamations against Bothwel. 100.

12. THE King of *Scotland*'s Proclamation against *Francis* Earl of *Bothwel*.

108.

13. ANOTHER commanding the Inhabitants of the Marches to take Arms, and to repair to *Edinburgh*, in order to march against *Hume* and *Bothwel*; dated *Aug.* 2, 1591 [i].

Against Hume. 107.

14. A Proclamation by the King of *Scotland* against *Alexander Hume*; dated *July* 28, 1591 [k].

Association of the Scots Nobility. 109.

15. AN Association of certain of the *Scots* Nobility to remove from the King's Presence Persons of mean Birth that govern him. It has no Date.

"The Names of those Confederated "Lords are not subscribed.

Hudson's Account of Scotland. 148.

16. *JAMES Hudson*'s Relation at his Return from *Scotland*.

"He speaks of the State of the Court of "*Scotland*; of the Queen's Ascendant "over the King her Husband; of the "Designs of *Bothwel* and others; of the "King's Poverty. He gives a very mean "Character of that Prince's Ability.

[a] At *Edinburgh*. [b] At *Leith*. [c] At *Edinburgh*. [d] At *Edinburgh*. [e] At *Edinburgh*. [f] At the Castle of *Tronebrughe*. [g] At *Copenhagen*. [h] At *Holyrood-House*. [i] At *Edinburgh*. [k] At *Edinburgh*.

17. ARTI-

Peace of the Frontiers. 183.

17. ARTICLES propos'd by the Warden of the North Marches of *England*, for maintaining the Peace on the Frontiers.

Bothwel's Apology. 186.

18. A Declaration of the Earl of *Bothwel*, containing his Apology.

Depoſitions againſt Angus *and* Errol. 190 *to* 194.

19. SEVERAL Depoſitions againſt the Earls of *Angus* and *Errol* touching their Correſpondence with *Spain*.

Engliſh Ambaſſador's Inſtructions to his Secretary in Scotland. 219.

20. INSTRUCTIONS from the *Engliſh* Ambaſſador in *Scotland* to *George Nicholſon* his Secretary, when he ſent him to Court.

" THE moſt material thing to be pick'd " out of theſe Inſtructions is, that the Queen " had an Underſtanding with *Bothwel*, " and that ſhe endeavoured to obtain a " Permiſſion for him to ſtay in *Scot-* " *land*.

Petition of the Church of Scotland *touching ſome excommunicated Lords.* 222.

21. A Petition of the General Aſſembly of the Church of *Scotland*, touching the Earls of *Huntley*, *Angus* and *Errol*, under Excommunication.

22. THE King's Anſwer to ſeveral Articles of the Petition; dated *October* 20, 1593 [l].

" IT appears by this Anſwer that the " King favour'd the three Earls.

Lord Zouchy's *Inſtructions.* 225.

23. INSTRUCTIONS to the Lord *Zouchy*, who is going Ambaſſador to *Scotland* in 1593.

" The King of *Scotland* being govern'd " at that time by the *Spaniſh* Faction, " had got the States to paſs a Decree, " whereby the Earls of *Huntley*, *Angus*, " and *Errol*, had liberty to depart the " Kingdom, on Condition of enjoying " their Eſtates. The Queen thinking this " Decree too favourable to the three Earls, " and tending to introduce the *Spaniards* " into *Scotland*, orders her Ambaſſador to " impart the Reaſons of her Diſſatisfacti- " on with it to the King. Theſe Reaſons " ſhew how diffident the Queen was of " the King and his Council.

" IF the King return an equivocal An- " ſwer, the Queen orders *Robert Bowes*, " her Ambaſſador in Ordinary, to addreſs " himſelf to the Council, and there to ex- " hibit the Reaſons ſhe has to complain of " the King and his Miniſters, and of the " Indulgence he gives on account of Re- " ligion. The Lord *Zouchy* is to add, " that it muſt not be imagin'd that the " Queen ſo little underſtands her own In- " tereſts as to ſuffer any Intrigues to be " carried on in *Scotland*, for the bringing " in of the *Spaniards* in order to attack " *England* from that Country, and that " ſhe will employ the Means which " God has put into her Hands to prevent " it.

" IF the King alledge that the Queen " her ſelf made Sollicitation in favour of " the three Earls, the Ambaſſador is to " make Anſwer, that Sir *Robert Melvil* " has miſreported her Words; that ſhe " only ſaid that the King might pardon " them if they acknowleg'd their Fault, " and gave Sureties for their Behaviour in " time to come; but not at the bare In- " terceſſion of their Friends.

229.

24. OTHER Inſtructions to the Lord *Zouchy*.

" HE is order'd to endeavour to form a " Party in *Scotland* againſt the King and " his Miniſters, and to aſſure the Confede- " rate Lords that they ſhall be ſupported " by the Queen.

Lord Zouchy's *Audience of the King of* Scotland. 230.

25. THE Lord *Zouchy*'s Account of his Audience and Conference with the King of *Scotland* in 1594.

" THE Ambaſſador complain'd that the " King trifled with the Queen in the Affair " of the three Earls, and the Chancellor " reproach'd the Queen for protecting *Both-* " *wel*. The King burſt out ſeveral times " into a Paſſion, and ſaid that the Queen " accounted of him no more than if he " was her Lieutenant, and was to learn of " her to govern his Kingdom. The Am- " baſſador intimates that the King and " the Council are very ill diſpos'd towards " the Queen. He gives an Account of " ſome ſecret Practices, and ſays, that the " Lord *Hamilton* has promis'd to keep " *Dumbarton* for the Queen, provided " ſhe ſend him 100 Laſts of Gun-pow- " der.

Proclamation againſt the three Earls. 238.

26. THE King's Proclamation againſt the Earls of *Huntley*, *Angus*, and *Errol*; dated *March* 9, 1594 [m].

" THIS Proclamation is only a Conſe- " quence of the Decree of the States " above-mentioned, and favour'd the " three Earls under Pretence of puniſhing " them.

King of Scotland's *Anſwer to the* Engliſh *Ambaſſador.* 240.

27. THE King of *Scotland*'s Anſwer to the Ambaſſador of *England*.

" HE ſays that he will proſecute the " three Earls, on Condition that the " Queen will deliver up *Bothwel*, or " baniſh him from her Dominions, and " furniſh him with ſome Money.

Inſtructions to R. Bowes. 242.

28. INSTRUCTIONS to *Robert Bowes*, Ambaſſador in *Scotland* in 1594.

" HE is to tell the King, that if the " Queen perceives he acts ſincerely, ſhe " will not refuſe him ſome Money: That " ſhe will not protect *Bothwel*, but that " 'tis her Opinion he ſhould be let alone " while the three Earls are perſecuted, " for fear of giving them a Handle for " their Defence.

Proceedings the Commiſſioners to the General Aſſembly of the Church of Scotland. 244, 247, 248.

29. INSTRUCTIONS for the King's Commiſſioners to the General Aſſembly of the Church of *Scotland* in 1594.

30. PROPOSALS made by the Commiſſioners to the ſaid General Aſſembly.

[l] At *Edinburgh*. [m] At *Edinburgh*.

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31. THE Anſwer of the Synod of *Edinburgh*.

THESE three Acts having no Relation to the Affairs of *England*, I only direct to them.

A menacing Letter from the three Earls to the Magiſtrates of Aberdeen. 256.

32. A Letter from the Earls of *Angus*, *Huntley*, and *Errol*, to the Magiſtrates of *Aberdeen*, threatning them with Fire and Sword, if they don't inſtantly deliver up three foreign Gentlemen of their Party lately come into *Scotland*. 'Tis dated *July* 19, 1594.

Locke's *Inſtructions for his Conference with* Bothwel. 257.

33. A Memorandum of what Mr. *Henry Locke* is to ſay to the Earl of *Bothwel* on the Part of the Queen in 1594.

" HE is to tell him, 1. That the Queen " does not approve of his diſrepectful " Behaviour to the King. 2. That ſhe " approves however of his Offers, and " thoſe of his Companions, to provide for " he Security of the King, by oppoſing " the Popiſh Lords; and that they may de- " pend upon it ſhe will not abandon " them.

Baptiſm of the Prince of Scotland. 259.

34. INSTRUCTIONS to the Earl of *Suſſex*, who is going to *Scotland*, to be Surety in the Queen's Name, at the Baptiſm of the Prince the King's Son, *Anno* 1594.

" 'Twas properly to inform him of what " he ſhould anſwer, in caſe any thing was " ſaid to him of the Affairs of *Bothwel* " and the three Earls.

263. 35. A Memorandum concerning the Celebration of the Baptiſm of the Prince of *Scotland*, on the 30th of *Auguſt*, 1594 [n].

Notification of the King of Spain's *Deſign upon* England. 286.

36. The King of *Scotland*'s Proclamation, informing his Subjects of the King of *Spain*'s Deſign to attack *England*, and commanding them to hold themſelves in a Readineſs to march; dated *January* 2, 1596 [o].

Narrative of Scots *Affairs*. 304.

37. A Narrative of the Affairs of *Scotland* by *Robert Bowes*, Ambaſſador in that Kingdom; dated in 1597.

" He ſpeaks, 1. Of the Baptiſm of the " Princeſs [p] on the 28th of *November*, " 1596. 2. Of the Earls of *Angus* and " *Errol*, and intimates that a Conſpiracy " is on foot to bring in Popery, and the " *Spaniards*, into the Kingdom, and that " the King's Miniſters are in the Plot.

3. " He gives a circumſtantial Account of " the King's Differences with the Church " of *Scotland*.

Proceedings of the Church at Edinburgh. 309, 310.

38. ARTICLES propos'd on the Part of the King to the Synod of *Edinburgh* in 1597.

39. THE Synod's Anſwer.

And Aberdeen. 310.

40. ARTICLES propos'd to the Presbytery of *Aberdeen*.

" THESE three Articles are capable of " giving ſome Light into the Differences " betwixt the King and the Church.

Queen's Letter to Commiſſioner Bowes. 312.

41. THE Queen's Letter to Sir *William Bowes*, one of her Commiſſioners for Border Cauſes in *Scotland*; dated *April* 27, 1597 [q].

" SHE orders him to complain of the " Outrages committed by the *Scots* upon " the Frontiers, and to tell the King that " ſhe will take Meaſures to revenge the In- " jury done to her Subjects.

To Ambaſſador Bowes. 318.

42. ANOTHER to *Robert Bowes*, Eſq; her Ambaſſador in *Scotland*; dated the 7th of *June* following [r].

" She enjoins him to tell the King, that " ſhe will be trifled with no longer.

King of Scotland's *Letter to* Elizabeth. 322.

43. LETTER from the King of *Scotland* to *Elizabeth*, *Anno* 1597.

" IT contains Excuſes for what had " happen'd on the Frontiers.

336. 44. ANOTHER Letter from the King of *Scotland* to *Elizabeth*, in 1598.

" HE returns Thanks to the Queen for " all her Favours, and gives her Intelli- " gence of the great Preparations making " in *Spain*.

338. 45. ANOTHER from the King to the Queen; dated *July* 30, 1598 [s].

" HE vindicates himſelf from certain " Calumnies forg'd againſt him, and prays " the Queen to ſuſpend the Execution of " the Slanderer 'till ſhe hears from him.

Sir William Bowes *to the Queen*. 373.

46. A Letter from Sir *William Bowes*, Ambaſſador Extraordinary in *Scotland*; dated *May* 31, 1599 [t].

" THIS Letter contains a Narrative of " the Audience which the Ambaſſador " had of the King of *Scotland*, 1. Con- " cerning *Valentine Thomas*. We are " able to collect from this Account that " *Valentine Thomas* had inform'd the " Queen of ſome Deſign of the King of " *Scotland* againſt her, and that he had " offer'd to prove it at the Peril of his " Life. The Queen not believing it, or " feigning not to believe it, got him ac- " cus'd of having ſlander'd the King of " *Scotland*, but did not bring him to Tri- " al. It looks as if the King was afraid " of his being brought to a Trial, and " that *Valentine Thomas* would produce " too ſtrong Evidence of what he had " advanc'd. The Queen knew it well, " but ſhe did not think fit to puſh the " Affair, and only detain'd *Valentine* in " Priſon. *James*, at his Arrival in " *London* in 1603, caus'd this Man to " be hang'd.

Story of Valentine Thomas.

2. " THIS Narrative gives a particular " Account of the Complaints made to the " King by the Ambaſſador, and of the " Cauſe which the King had given for " thoſe Complaints by his Conduct.

[n] In the Chapel Royal at *Sterling-Caſtle*. [o] At *Holyrood-Houſe*. [p] At *Holyrood-Houſe*. [q] At *Weſtminſter*. [r] At *Greenwich*. [s] At his Palace of *Falkland*. [t] At *Edinburgh*.

3. " HE

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3. "He mentions the Efforts made by the *Spaniſh* and Popiſh Faction, and ſays that "the honeſt Party is by much the moſt nu- "merous.

Elizabeth to the King of Scotland. 427.

47. A Letter from *Elizabeth* to the King of *Scotland*, *An.* 1602.

"She thanks him for the Intelligence he "gave her of the Preparations of the *Spa-* "*niards*, and for his Offers on that Head.

Credentials of his Ambaſſadors. 427.

48. The King of *Scotland*'s Credentials to the Queen for the Earl of *Mar*, and the Abbot of *Kinlos*, his Ambaſſadors; dated *Feb.* 18, 1602 [v].

"The Execution of the Earl of *Eſſex* "was on the 25th of *February*, which "was probably before the *Scots* Ambaſ- "ſadors Arrival at *London*."

ARTICLE V.

ELIZABETH'S *Tranſactions with the Hanſe-Towns, and others, relating to Commerce.*

Hanſe-Towns.

In the 12th Century, ſeveral good Towns ſituate upon the Sea, and which for that reaſon were call'd *Hanſe-Towns*, had form'd a Society for the Security of their Commerce. They had ſeveral Offices or Warehouſes for the Sale of their Goods, of which one of the chief was at *London*, where a Society of *German* Merchants was form- ed, call'd the *Still-yard Company*, to which *Edward* I had granted great Privileges. This Company was become ſo powerful, that by little and little it engroſs'd almoſt all the Cloth-Trade * In 1552, under the Reign of *Edward* VI it was made appear, that in the preceding Year they had ſent 50,000 Pieces of Cloth out of the Kingdom, and that all the *Engliſh* together had ſhipp'd off but 1100 Pieces. Upon Complaints hereof by the *Engliſh* Merchants, the Parliament revok'd all thoſe Privileges, be- cauſe of the Damage which the *Engliſh* Nation thereby receiv'd. But *Mary*, who aſcended the Throne in the Year following, having taken a Reſolution to marry *Philip*, Son to the Emperor, ſuſpended the Exe- cution of this Act for three Years, and order'd that during that time the *Still-yard* Company ſhould enjoy their ancient Privileges. After that time the Privileges of the ſaid Company were no longer re- garded, either by reaſon of ſome new Sta- tute that was made, or in purſuance of that enacted in the Reign of *Edward* VI. The *Hanſe-Towns* made ſome Efforts to recover what they had loſt, but 'twas to no purpoſe.

Still-yard Company's Hiſtory.

Hanſe-Towns Complaints for the Seizure of their Corn in the Tagus, and the Queen's Anſwer.

† In 1589, in the Reign of *Elizabeth*, an Accident happen'd to the farther Mor- tification of the *Hanſe-Towns*. The *Engliſh* Fleet commanded by Sir *Francis Drake*, entring the *Tagus*, met ſixty Ships there laden with Corn belonging to the *Hanſe-Towns*: He took out the Corn, and return'd the Ships to the Merchants. The *Hanſe-Towns* complain'd of it to the Queen; who made Anſwer, that the Neutrality which they pretended to obſerve, did not warrant them to ſend ſuch Contraband Goods to her Enemy as Proviſions were, the rather becauſe they had been warn'd not to do it: That even tho' they ſhould enjoy all the Privileges which they had heretofore obtain'd from *Edward* I, the very Original Patent expreſly forbad them to carry Merchandize to the declar'd Ene- mies of *England*.

Engliſh *Merchants forbidden to trade in* Ger- many.

Those Towns not being able to obtain the Reſtitution of their Corn, carry'd their Complaints to the Diet of the Empire; and the Queen ſent an Ambaſſador thither to declare her Reaſons. The King of *Po- land* intereſted himſelf likewiſe in this Af- fair, becauſe the City of *Dantzick* was under his Protection. At laſt the Empe- ror excluded the *Engliſh* Company of Merchant Adventurers, who had conſide- rable Factories at *Stade*, *Emden*, *Bremen*, *Hamburgh*, and *Elbing*, from all Trade in the Empire. The Queen ſtrove hard to preſerve the Commerce of the *Engliſh* in *Germany*; and there were ſeveral Ne- gotiations on this Head, which are the Subject of a very great Number of Pieces in the beginning of the 16th Tome of the *Fœdera*.

ELIZABETH had alſo ſome Diſputes with the King of *Denmark* a- bout the Fiſhery and Commerce, and like- wiſe with the Cities of *Cologn* and *Augs- burgh*. One of the grand Articles of Com- plaint againſt the *Engliſh* was, that when they took any *Spaniſh* Ship, they confiſ- cated every thing they found on board, whether the Merchandize belong'd to the *Spaniards*, or to the Merchants of other Nations.

Some of the Acts in this Tome rela- ting to theſe Matters, are as follow;

Magiſtrates of Cologn's *Letter to the Queen.* 10.

1. A Letter from the Magiſtrates of *Cologn* to the Queen, deſiring her to make Reſtitution of certain Merchandize belong- ing to the Merchants of that City, taken on board a *Portugueſe* Ship: It is dated *July* 29, 1587.

From the King of Denmark. 80. 105.

2. A Letter from *Chriſtian* IV, the King of *Denmark*, to the Queen, touching the Cuſtoms at *Helſinbourg*; dated *July* 24, 1590 [w].

3. Another from that King, complain- ing of certain Outrages committed by the

* *See* Stat. 19, of *Hen.* VII. cap. 23. Alſo *Acta Regia*, 8vo. Vol. I. *p.* 192, Vol. III. *p.* 406, and of the Folio *Edit. p.* 125, and Sir *John Hayward*'s Life of *Edward* VI.

† See *Camden*'s Annals of this Reign.

[v] At *Holyrood-Houſe*. [w] At *Colding*.

Engliſh

English againſt the *Danes*; dated *July* 4, 1591 [x].

"He threatens Repriſals, if the Queen "does not make him due Satisfaction.

From the Count Palatine of the Rhine. 106.

4. A Letter to the Queen from *Caſimir*, Count Palatine of the *Rhine*; dated *July* 27, 1591 [y].

"He tells her, that he will heartily in- "tercede with the Emperor for re-eſtabliſh- "ing the *Engliſh* at *Stade*, when he is better "inform'd of the Cauſe of the Difference.

From the Elector of Saxony. 111.

5. A Letter from *Chriſtian*, Elector of *Saxony*, to the Queen, upon the ſame Subject; dated *Aug.* 12, 1591 [z].

From Elbing. 135.

6. ANOTHER from the Magiſtrates of *Elbing* to the Queen, relating to their Differences with the *Hanſe-Towns*; dated *Oct.* 31, 1591 [a].

From the King of Poland. 154.

7. A Letter from *Sigiſmund*, King of *Poland*, relating to the Confirmation of the Settlement of the *Engliſh* Merchants at *Elbing*; dated *Jan.* 20, 1592 [b].

The Daniſh *Ambaſſadors Memorial.* 169.

8. A Memorial preſented to the Queen by *Paul Knibbius*, Ambaſſador of *Denmark*, containing the Complaints of the *Daniſh* Merchants againſt the *Engliſh* in 1592.

Letter from the Hamburghers. 171.

9. A Letter to the Queen from the Magiſtrates of *Hamburgh*, upon the like Affair [c].

From Elbing. 179.

10. ANOTHER from the City of *Elbing*, concerning the Reſidence of the *Engliſh* Merchants in that City; dated *Dec.* 23, 1592 [d].

From Augsburg. 204.

11. A Letter from *Edward* and *Octavian Fuggers*, certain Merchants of *Augsburg*, relating to Merchandize taken on board a *Spaniſh* Ship; dated *April* 15th, 1593 [e].

From the Emperor. 218.

12. A Letter from the Emperor *Rodolph* to the Queen, in favour of the Merchants above-mention'd; dated *Aug.* 26, 1593 [f].

"He ſays, that he cannot refuſe them "his Protection, the Queen's Reaſons be- "ing not valid.

From the King of Denmark. 278.

13. A Letter from the King of *Denmark* to the Queen; dated *July* 8, 1595 [g].

"He ſays that he has Cauſe to complain "of the *Engliſh* Fiſhermen; yet he con- "ſents to their fiſhing upon the Coaſt of "*Iſeland*, excepting the Iſle of *Weſtmon*, "which is reſerv'd for the Court.

From Emden. 323.

14. A Letter to the Queen from the City of *Embden*; dated *Oct.* 8, 1597.

"The Magiſtrates of *Embden* ſay, that "they are not at all concern'd in the Com- "plaints made by the *Hanſe-Towns*, tho' "their City is included in the Emperor's "Edict which prohibits Commerce with "the *Engliſh*.

From the Duke of Sleſwic. 327.

15. A Letter to the Queen from the Duke of *Sleſwic* [h].

"He ſays, that 'tis with Regret that he "cannot excuſe himſelf from obeying the "Emperor's Edict, concerning the *Engliſh* "Merchants.

From Groningen. 326.

16. LETTER from the Magiſtrates of *Groningen* to the Queen; dated *Oct.* 31, 1597.

"They offer to admit the *Engliſh* Mer- "chants into their City.

Differences with Daniſh *Merchants.* 344, 347, 350, 352.

17. SEVERAL Letters, *&c.* relating to ſome Differences between the *Engliſh* and *Daniſh* Merchants [i].

Letter to the Queen from Emden. 353.

18. LETTER from the City of *Emden* to the Queen; dated *Nov.* 10, 1598.

"The Magiſtrates grant the *Engliſh* "Freedom of Commerce in *Emden*, and "deſire certain Favours of the Queen.

Daniſh *Ambaſſador's Speech to her.* 355.

19. The Speech of an Ambaſſador from *Denmark* to the Queen, upon the Outrages committed by the *Engliſh* againſt the *Danes* [k].

Commiſſion to examine their Complaints. 362.

20. A Commiſſion from the Queen to examine the Complaints of the *Danes*; dated *Jan.* 3, 1599 [l].

And the French. 363.

21. ANOTHER of the like Nature, and of the ſame Date, to examine the Complaints of the *French*.

Proclamation 364.

22. A Proclamation which regulates the Conduct to be obſerv'd to Foreigners by the Commanders of Ships that have leave to fall upon the *Spaniards*; dated *Feb.* 8, 1599 [m].

King of Denmark *to the Queen.* 379.

23. A Letter to the Queen from the King of *Denmark*; dated *July* 24, 1599 [n].

"The Subject of it is the ſame as that "of the former Letters.

The Queen to the King. 395.

24. A Letter from the Queen to the King of *Denmark*; dated in *Feb.* 1600 [o].

"She deſires him not to hinder the *Eng- "liſh* from fiſhing in the High-Sea.

From the Daniſh *Commiſſioners at* Emden. 396.

25. A Letter to the Queen from the Commiſſioners of *Denmark*, who were ſent to *Emden* to ſettle the Affairs of Commerce with the *Engliſh*; dated *May* 8, 1600 [p].

"They ſay that they have waited a "Month at *Emden* for the Arrival of the "*Engliſh* Commiſſioners, and that hearing "nothing from them, they are upon their "Return to *Denmark*.

From Stade. 408.

26. A Letter from the Magiſtrates of *Stade*; dated *Feb.* 3, 1601.

"They recall the *Engliſh* Merchants to "*Stade*.

From the Duke of Brunſwic. 427.

27. A Letter to the Queen from the Duke of *Brunſwic*; dated the Day before the Calends of *March*, 1602 [q].

"He prays her to favour the Deputies "of *Staden*, who are going to *England*, "there to ſettle the Affairs of Commerce.

Daniſh *Commerce.* 429.

28. INSTRUCTIONS to the *Engliſh* Ambaſſadors, who went in 1602 to treat with the *Danes* about Commerce.

[x] At *Copenhagen*. [y] At *Heidelberg*. [z] At *Waltheim*. [a] At *Elbing*. [b] At *Warſaw*. [c] Dated *Aug.* 24, 1592. [d] At *Elbing*. [e] At *Augsburg*. [f] At *Prague*. [g] At *Copenhagen*. [h] Dated at the Caſtle of *Gottorp*, in the Calends of *December* 1597. [i] Dated in *October* and *November* 1598. [k] In 1598. [l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Copenhagen*. [o] At *Richmond*. [p] At *Emden*. [q] At *Hamburgh*.

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29. A Proclamation againſt the *Engliſh* Pirates; who under Colour of ſerving the Queen, plunder the Ships of Foreigners. It is dated *March* 19, 1602 [q].

Proclamation againſt Pirates. 436.

30. A Letter from the Queen to the King of *Denmark*; it has no Date.

Queen's Letter to the King of Denmark. 438.

THIS Letter contains Complaints of the Outrages committed by the *Danes* againſt the *Engliſh*.

31. THE Queen's Commiſſion to her Ambaſſador in *Denmark*, to offer her Mediation of the Differences betwixt the King of *Denmark* and Prince *Charles* of *Sweden*; dated *May* 15, 1602 [r].

She offers Mediation between Sweden and Denmark. 440.

32. LETTER to the Queen from the King of *Denmark*; dated *May* 29, 1602 [s].

Denmark to the Queen. 441.

"IT carries new Complaints againſt the "*Engliſh*.

33. LETTER on the ſame Subject, from the Queen to the King of *Denmark*; dated *July* 15, 1602 [t].

The Queen to Denmark. 451.

34. A Letter from the Emperor to the Baron *de Munkwitz*; dated *Aug.* 3, 1602 [v].

From the Emperor to the Baron de Munkwitz. 458.

"HE approves of what the Baron has "done, in order to compaſs a Treaty be- "twixt the City of *Stade* and the *Engliſh*, "and nominates him his Commiſſioner in "conjunction with the Duke of *Holſtein-* "*Sleſwic*, with a Power to meet the *En-* "*gliſh* Plenipotentiaries at *Bremen*.

35. A Letter from the Emperor, to *John Adolph* Duke of *Holſtein*; dated as above. He nominates him his Commiſſioner to the Congreſs of *Bremen*.

To the Duke of Holſtein. 459.

36. A Letter from the King of *Denmark* to the Queen; dated *Aug.* 4, 1602 [w].

From Denmark to the Queen. 460.

HE complains of an *Engliſh* Pirate.

Her Anſwer. 462.

37. THE Queen's Anſwer.

Her Letter to Bremen. 463.

38. A Letter from the Queen to the Archbiſhop of *Bremen*; dated *Aug.* 27, 1602 [x].

To Stade. 464.

39. ANOTHER to the Magiſtrates of *Stade* [y].

To Bremen. 464.

40. ANOTHER to the Magiſtrates of *Bremen*, of the ſame Date.

Treaty with the Danes. 464.

41. THE Queen's full Power to her Ambaſſadors to treat at *Bremen* with the Ambaſſadors of *Denmark*; dated *Aug.* 29, 1602 [z].

Congreſs of Bremen, from 466 *to* 472.

42. SEVERAL other Acts relating to the Congreſs.

IT muſt be noted, that this Congreſs of *Bremen* was principally deſign'd to adjuſt the Differences betwixt *England* and *Denmark*. But there were two other Affairs which were likewiſe to come upon the Carpet, *viz.* The Diſputes between *England* and the *Hanſe-Towns*, and thoſe between the Count of *Eaſt-Frieſland* and the City of *Emden*. Yet we don't find here the Iſſue of any of thoſe three Affairs.

ARTICLE VI.

Domeſtic Affairs.

OF all the Domeſtic Affairs of this latter part of *Elizabeth*'s Reign, I ſee not one that requires a particular Explanation except that relating to the Earl of *Eſſex*; to which ſome of the Acts of this XVIth Tome refer.

History of the Earl of Eſſex's Family.

ROBERT D' Evereux, Earl of *Eſſex*, was the Son of *Walter D' Evereux*, the firſt Earl of *Eſſex* of that Family. He had ſo much of *Elizabeth*'s Favour that upon all Occaſions ſhe gave him ſingular Marks of her Eſteem. But this Favour made him exceſſively inſolent. It was unhappy for him that he imagin'd it was due to his Merit, rather than to I know not what to call it, which made the Queen prefer him before many others; and this was the Reaſon that he thought himſelf the leſs oblig'd to the Queen for what ſhe did for him. In fine, he perſuaded himſelf that he was abſolutely neceſſary, and this Thought made him very troubleſome both in the Council and elſewhere; becauſe he was for carrying every thing with a high Hand, and could not bear to be contradicted: But he was never able to make the Queen his Property; who on the contrary mortify'd him ſeveral times, in order by degrees to bring down his Pride. When he commanded the *Engliſh* Troops in *France*, he excus'd himſelf to the very laſt from obeying the Orders of the Queen, who recall'd him to *England*, and was fain to exert all her Authority to make him return. This made her uſe the greater Precaution, to convince him, that notwithſtanding her Affection for him, ſhe did not intend that he ſhould govern her. At his Return from the Expedition at *Cadiz*, where he had perform'd great Services, he found that the Queen had given the Poſt of Secretary of State to *Robert Cecil*, Son to the Lord Treaſurer, tho' he had recommended *Thomas Bodley* to it. This produc'd a mortal Enmity betwixt the Earl and *Cecil*, which prov'd very prejudicial to the Earl.

His Preferment and Vanity.

His Hatred of Cecil.

IN the Year following, *viz.* 1597, the Earl having the Command of a Fleet againſt *Spain*, had a great Quarrel with Sir *Walter Raleigh*, who was treated with the laſt Degree of Diſdain, and forc'd to truckle, becauſe he was under the Earl's Command; but at his Return he did him ill Offices, and join'd himſelf to *Cecil*'s Party. Not long after this, the Earl of *Eſſex* receiv'd a freſh Mortification. The Queen made Admiral *Howard* Earl of *Nottingham*; and in the Enumeration ſhe gave in his Patent of the Services which the Admiral had done to the Crown, ſhe aſcribed to him the taking of *Cadiz*. The Earl of *Eſſex* was extremely diſguſted at it; and his Vexation was the greater, becauſe the Admiral being made an Earl, ought to take place of him, according to an Order of *Henry* VIII. But the Queen, to make him eaſy, gave him the Poſt of Earl

Quarrel with Raleigh.

and with Howard.

[q] At *Richmond*. [r] At *Greenwich*. [s] At *Cronenberg*. [t] At *Greenwich*. [v] At *Prague*. [w] At *Copenhagen*. [x] At the Palace of *Otelands*. [y] Dated as above. [z] At *Otelands*.

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Marshal of *England*, which secur'd him the Precedency before the Earl of *Nottingham*.

IN 1598, the Earl of *Tyrone*, who had rebell'd in *Ireland*, making a very great Progress in that Island, it was resolved to send a new Governour thither. The Queen and the Earl differing in Opinion, as to the Choice of a proper Person, the Earl talk'd and behav'd with so much Insolence upon this Occasion, that the Queen gave him a Box o'th' Ear. The Earl complain'd, and threaten'd; but at length his Friends reconcil'd him to his Duty, and the Queen restor'd him to her Favour: But this Affront took deep Root in his Heart.

His Insolence to the Queen.

NOT long after this, the Affairs of *Ireland* growing worse and worse every Day, the Queen assembled her Council for the Choice of a Governour. The Earl of *Essex* highly blam'd the Neglect of the former Governours for not pursuing the Rebel from Place to Place; adding, that this was owing to the Continuance of the War, and the great Expence of the Queen, and that the only way to make a speedy End of the Affair was, to send a General into *Ireland* who had Experience and Reputation, and who would not let the Rebel have a Moment's Rest. In short, he spoke in such a manner, as gave a plain Indication that he wanted to be the Man, though he did not name himself. The Queen therefore made him Viceroy of *Ireland*, and gave him a much larger Patent than any of his Predecessors. When he was arriv'd in *Ireland*, he acted the very reverse to the Advice he had given in Council. Though he had a very considerable Army, he did nothing of great Importance, and continually call'd for fresh Succours. Instead of directly attacking the Earl of *Tyrone*, he carried his Army another Way, and did not march against the Rebel 'till his Troops were too much diminish'd to make any great Progress. He had also several Conferences with the Earl of *Tyrone*, and granted him a Truce very prejudicial to *England*. The Queen beginning to suspect him, wrote him a pretty sharp Letter, which made him immediately resolve to go over to *England* with the Flower of his Army: But the Queen, who had timely Notice of it, caus'd Troops to be rais'd in *England* to oppose his Designs. This made him act with Deliberation, but nevertheless he return'd to *England* without Leave, and took with him a great Number of Officers, who, at their Arrival, dispers'd. He had but six to accompany him to Court, where after having had a very cold Audience of the Queen, he was arrested, and committed to the Custody of the Lord Privy-Seal. Being examined, he made a very ill Defence; and yet the Queen reserv'd a Kindness for him, she having no other Design in the arresting of him than to humble his Pride. But the Efforts which his Friends made to stir up the Populace in his Favour, determin'd the Queen to give Order for his Trial in the Star-Chamber *, in order to convince the People that she had not proceeded against him thus without a Cause. According to the Queen's Direction, the Sentence pass'd upon him was not the most severe, though he was removed from several of his Employments; and the Queen being desirous to leave him some Hopes of recovering her Favour, caus'd him to be set at Liberty. The Earl appeared very humble for a while, and fell into a Fit of Devotion. But the Queen, who knew him very well, being desirous to make a longer Trial of his Humility and Repentance, he could not digest his Disgrace so long, but abandon'd himself to the Council of his Friends and Domesticks, who gave him to understand, that the Queen was resolved utterly to ruin him, and made him take Measures to extricate himself from his imaginary Danger. They who put the most favourable Construction upon his Designs, said that his Project was to make himself Master of the Queen's Person, and to drive his Enemies from the Court. But the Letter he wrote to the King of *Scotland* denotes something more. Be this as it will, having not Patience to stay any longer for his Restoration to his former Favour, he kept open House for all the Malecontents, and particularly his intimate Friend the Earl of *Southampton*, for whom the Queen had no Kindness. He resolved afterwards to make a Rising in the City of *London*, imagining that the Populace would take up Arms whenever he beckon'd them. To bring this Plot to bear, he assembled three or four hundred of his Friends at his own House. The Queen at the same time being better inform'd of his Designs than he imagined, sent the Keeper of the Privy-Seal to him, with two other Lords of the Council, to demand the Reason of that Assembly of armed Men. These three Lords were admitted through the Wicket, and their Retinue left without. As soon as they were enter'd, the Earl of *Essex* led them into a Chamber and locked them in, leaving a Guard at the Door. Immediately upon this he marched with all his Men into the City, crying out that his Life was in Danger, and desiring the People to take Arms; but finding no body that was will-

Is made Viceroy of Ireland

His Arrival and Conduct there.

His Return to England *without Leave.*

His Humility.

His Design to seize the Queen.

The Queen sends three Lords to him, whom he detains Prisoners.

* *Camden* says, that the Hearing was at the Keeper's own House.

ing

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ing to declare for him, he was obliged to return to his Houſe, where he was immediately inveſted, and obliged at laſt with all that were in it to ſurrender at Diſcretion. He was beheaded on the 25th of *February*, 1602, and died with abundance of Conſtancy. The Earl of *Southampton*, though condemned, was detained in Priſon. Some of the Accomplices were executed, but the Queen gave all the reſt their Lives.

He is taken in his own Houſe.

His Execution.

THE following are the Acts that relate to Domeſtick Affairs, among which I ſhall inſert thoſe relating to the Church, becauſe 'tis needleſs to make a ſeparate Article of that Subject.

Horace Palavicini made a Denizen. 1. A Patent for the Denization of *Horace Palavicini*, a *Genoeſe*; dated *Nov.* 2, 1586 [a].

"THE King makes Denizens, and the "Parliament Naturalizes.

"*HORACE Palavicini* was em- "ployed by the Queen in her Negoti- "ations with the *German* Princes.

Clergy's Subſidy to the Queen. 5. 2. AN Act by which the Queen accepts of a Subſidy of three Shillings in the Pound, granted to her by the Clergy, beſides the ſix Shillings already granted; dated *March* 9, 1587 [b].

"THE Acceptance of this Subſidy "granted without the Intervention of Par- "liament, did not make ſo much Noiſe "as that which was given after the ſame "manner to *Charles* I.

Frobiſher's Commiſſion. 23. 3. A Commiſſion to *Martin Frobiſher* to command certain Ships bound for the *North* and *South Seas*; dated *Aug.* 30, 1589 [c].

Benefices granted to the Biſhop of Oxon. 30. 4. BENEFICES granted *in Commendam* to the Biſhop of *Oxford*. By an Act dated *Dec.* 13, 1589 [d].

Protection to Debtors. 95. 5. A very ſpecial Protection for the Lord *Patrick Dunſanye*, an *Iriſhman*, and *John Mathews* of *London*, againſt their Creditors; dated *May* 10, 1591 [e]. It has this Clauſe.

"By our Royal Prerogative, which "we will not have argued, nor called in "queſtion.

The Duke of Brunſwick to the Queen. 145. 6. A Letter from *William* Duke of *Brunſwick* to the Queen; dated *Decemb.* 23, 1591 [f].

"'Tis to deſire the Continuance of the "Penſion granted to his late Uncle the "Count of *Eaſt-Frieſland*, who died the "29th of *September*.

7. A Letter from the Duke of *Brunſwick* to the Queen; dated *December* 24, 1591 g. *Another.* 147.

"HE deſires the ſame Penſion for his "Son, Nephew to *John*, the late Count "of *Eaſt-Frieſland*, by his only "Siſter. He calls the late Count of *Eaſt-* "*Frieſland*, *Clieus & Penſionarius Re-* "*giæ veſtræ Majeſtatis*.

Commiſſion to enquire after Papiſts. 204. 8. A Commiſſion to the Biſhop of *London* and others, to make Enquiry after Papiſts, Jeſuits, Prieſts, *&c.* who are come into the Kingdom ſince the 31ſt Year of the Queen's Reign, and to diſcover falſe Coiners; dated *March* 26, 1593 [h].

Arundel *made a* German *Count.* 284. 9. A Patent by which the Emperor *Rodolph* II makes *Thomas Arundel* a Count of the Empire; dated *December* 14, 1595 [i].

Queen's Letter to the Emperor. 288. 10. THE Queen's Letter to the Emperor *Rodolph* II, dated *March* 13, 1596 [k].

"SHE complains againſt the Emperor "for his creating *Thomas Arundel* a "Count of the Empire, who, though of "a good Family, is but the Son of a "Knight. She ſays that the *Engliſh* No- "bility are offended at it, and that ſhe "her ſelf has the more Reaſon to com- "plain of it, becauſe 'twas done without "her Knowledge, and is a thing unpre- "cedented; for which Reaſon ſhe has for- "bid him to take that Title, and to come to "Court.

Emperor's Anſwer. 301. 11. THE Emperor's Anſwer to the Queen; dated *Auguſt* 5, 1596 [l].

"HE tells her that he wonders the "Queen ſhould be offended at what he "has done for *Arundel*, and that for his "own Part he does not take it ill when "his Subjects are honoured with Titles "by other Princes. Therefore he deſires "her to reſtore the ſaid *Arundel* to her "Favour *.

Eccleſiaſtical Commiſſions. 291. 12. AN Eccleſiaſtical Commiſſion for the Obſervation of the Laws made concerning Religion and Eccleſiaſtical Diſcipline; dated *June* 16, 1596 [m].

324. 13. ANOTHER Commiſſion of the like Nature; dated *October* 10, 1597 [n].

Conſtitutions of the Province of Canterbury 329. 14. THE Queen's Royal Aſſent to the Conſtitutions made by the Province of *Canterbury* in the Synod or Convocation held on the 25th of *October*, 1597; dated *Jan.* 18, 1598 [o].

"THE Conſtitutions are inſerted in this "Act.

* HE was made a Count of the Empire for his Valour in *Hungary* againſt the *Turks* (though but very young) which Title was to deſcend to every of his Children, and three Deſcents of both Sexes, and all the Privileges thereof. But upon his Return to *England*, there being a great Diſpute among the Peers, whether ſuch a Dignity given by a Foreign Prince ſhould be allow'd of here, as to Place and Precedence, or other Privilege, it was voted in the Negative. Upon which King *James* I, created him Lord *Arundel* of *Wardour*. And from him the preſent Lord is deſcended in a direct Line. See the *Britiſh Compendium* printed for Mr. *Betteſworth*.

[a] At *Weſtminſter*. [b] At *Weſtminſter*. [c] At *Weſtminſter*. [d] At *Weſtminſter*. [e] At *Weſtminſter*. [f] At *Harbourg*. [g] At *Harbourg*. [h] At *Weſtminſter*. [i] At *Prague*. [k] At *Richmond*. [l] At *Prague*. [m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] At *Weſtminſter*.

15. A

ELIZABETH.

Earl of Essex's Patent as Viceroy of Ireland. 366. *Nottingham's.* 383.

15. A Patent constituting the Earl of *Essex* Governour, or Lord Lieutenant of *Ireland*, with a very large Power; dated *March* 12, 1599 [p].

16. A Commission to the Earl of *Nottingham* to command all the Troops on this side *Trent*; dated *August* 10, 1599 [q].

Commissions against Schismaticks. 386.

17. AN Ecclesiastical Commission against Schismaticks; dated *November* 24, 1599 [r].

"IT was chiefly to enforce the Obser-
"vance of the Act of Uniformity in Mat-
"ters of Religion.

400.

18. ANOTHER Commission of the like Nature; dated *Feb.* 3, 1601 [r].

Proclamation against Essex *and his Accomplices.* 409.

19. A Proclamation against the Earl of *Essex* and his Accomplices; dated *Feb.* 9, 1601 [t].

"THE Earl of *Essex* had been appre-
"hended the Day before, so that this
"Proclamation has a View properly to his
"conceal'd Accomplices.

Compositions with them. 422.

20. A Commission to compound with the Earl of *Essex* and his Accomplices that were accus'd and not attainted, or even such as were not yet indicted; dated *April* 28, 1601 [u].

423.

21. ANOTHER of the same Nature; dated *May* 5, 1601 [x].

Proclamation against the new Buildings in London. 448.

22. A Proclamation which forbids the building of new Houses at *London*, and three Miles round; dated *June* 22, 1602 [y].

Pardons to Essex's *Accomplices.* 457.

23. PARDONS to several of the Earl of *Essex*'s Accomplices; dated *July* 26, 1602 [z].

Proclamation against Priests and Jesuits. 473.

24. A Proclamation against Priests and Jesuits; dated *November* 5, 1602 [a].

"Such Priests and Jesuits as are Fo-
reigners are ordered to depart the Realm,
"and the *English* who are abroad, are
"forbid to return home.

Another. 489.

25. A Commission to proceed against the Jesuits, and against the Priests come from foreign Seminaries; dated *January* 29, 1603 [b].

Acts that are independent, or omitted under the preceding Articles.

Letter to the Queen from Geneva. 20.

1. A Letter to the Queen from the Syndicks of *Geneva*; dated *August* 23, 1589.

"THEY represent to her the sad State
"of the Republick, attack'd by the Duke
"of *Savoy*, and pray her to relieve them
"with a Sum of Money.

From the Landgrave *of* Hesse. 62.

2. A Letter to the Queen from *William, Landgrave* of *Hesse*; dated *May* 12, 1590 [c].

"HE says that he will contribute his
"Efforts for the Success of the Design of
"a Protestant League, which has been
"communicated to him by *Horace Pa-*
"*lavicini*.

From the Elector of Saxony. 67.

3. ANOTHER of the same Nature from *Christian*, Elector of *Saxony*; dated *June* 5, 1590 [d].

Philip's Answer to the Emperor's Offer of Mediation. 64.

4. THE Answer of *Philip* II to the Emperor's Proposal of his Mediation of a Peace with the *United Provinces*; dated *May* 16, 1590 [e].

"HE accepts of the Mediation, and as-
"serts, that since the Hereticks maintain
"that Subjects are obliged to conform to
"the Religion of their Soveteigns, he
"expects the same Conformity to his own.

Instructions to his Ambassador. 65.

5. *PHILIP* IId's Instructions to Don *Guillen de St. Clement*, his Ambassador to the Emperor; dated as above.

"HE orders him to continue his good
"Offices in favour of the Roman Catho-
"licks of *France*, and not to suffer any
"Ambassador from the Prince of *Bearn*
"to be admitted to the Conferences with
"the Title which he takes, *&c* *.

Eder Bassa's Letter to the Queen. 74.

6. A Letter to the Queen from *Eder Bassa*, written from *Salle*, *June* 26, 1590

"IT relates to a Difference betwixt the
"*Ottoman Porte* and *Poland*, which
"was compromis'd out of pure Regard
"to *Elizabeth*.

From the College of Cardinals to the Parisians. 129.

7. A Letter from the College of Cardinals to the *Parisians*; dated *Oct.* 16, 1591 [g].

"THEY inform them of the Death of
"Pope *Gregory* XIV, which happen'd on
"the 15th of *October* at Night, and ex-
"hort them to continue stedfast to the
"Holy See.

From the Count Palatine to the Queen. 177.

8. A Letter to the Queen from *Philip-Lewis*, Count *Palatine*; dated *Nov.* 13, 1592 [h].

"IT relates to the Differences betwixt
"the *Lutherans* and *Calvinists* in the
"*Palatinate*. He complains that the E-
"lector espouses the Cause of the latter.

Agreement between Henry IV and the German Troops. 180, 182.

9. ARTICLES agreed on betwixt *Henry* IV and the *German* Troops commanded by the Prince of *Anhault*.

Queen's Letter to the Emperor. 206.

10. A Letter from the Queen to the Emperor *Rodolph* II; dated *April* 21, 1593 [i].

"SHE clears her self of the Charge of
"having excited the *Turks* against him.

Leter to her from Saxony. 213.

11. A Letter to the Queen from *Frederick-William*, Administrator of the Electorate of *Saxony*; dated *July* 29, 1593 [k].

"HE says that he will do every thing

[p] At *Westminster*. [q] At *Nonsuch*. [r] At *Westminster*. [s] At *Westminster*. [t] At *Westminster*. [u] At *Westminster*. [x] At *Westminster*. [y] At *Greenwich*. [z] At *Greenwich*. [a] At *Westminster*. [b] At *Westminster*. [c] At *Cassel*. [d] At *Dresden*. [e] At *Aranjuez*. * This Prince of *Bearn* was Henry IV of *France*. [g] At *Rome*. [h] At *Newburg* on the *Danube*. [i] At *London*. [k] At *Soraw*.

"that

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"that *Parkins* her Ambaſſador has re-
"commended to him from her.

From the D. of Brunſwick. 214.

12. Letter from *Erneſt* Duke of *Brunſwick* to the Queen; dated *Aug.* 7, 1593 [m].

"He ſays that he gives no credit to
"the Libels publiſh'd, accuſing the Queen
"of having excited the *Turks* againſt the
"Empire, and that he has ſuppreſs'd them
"in his Dominions.

From the E. Palatine. 215.

13, A Letter to the Queen from *Frederick*, the Elector *Palatine*; dated *Aug.* 18, 1593 [n].

"'Tis properly an Anſwer to the Letter
"from Count *Philip-Lewis* abovemen-
"tion'd.

Emperor's Propoſals to the Diet. 249.

14. Proposals from the Emperor to the Diet of *Ratisbon* to engage the *German* Princes to defend *Hungary* and *Auſtria* againſt the Attacks of the *Turks*; delivered *June* 11, 1594.

Parkins's Negotiation at the Emperor's Court. 252.

15. An Account of the Negotiation of *Chriſtopher Parkins* the Queen's Ambaſſador to the Emperor in the ſame Month.

"The Buſineſs of this Embaſſy was,
"1. To juſtify the Queen on account of
"a certain Memorial which it was preten-
"ded her Ambaſſador at *Conſtantinople*
"had preſented to the Grand Vizier, and
"which had been ſent to the Emperor.
"*Parkins* diſown'd this Memorial, al-
"ledg'd that it was fictitious, wrote to the
"Ambaſſador of *England* at *Conſtanti-*
"*nople*; and the Emperor ſeem'd con-
"tent. The 2d Point was the Peace be-
"tween the Chriſtian Princes. *Parkins*
"declar'd that the Queen was ready to
"contribute to it with all her Power.
"The 3d related to a Libel againſt the
"Queen reprinted at *Prague*. The Em-
"peror caus'd it to be ſuppreſs'd.

Elizabeth.

16. A Commiſſion to Sir *Thomas Wilford*, eſtabliſhing him Provoſt Marſhal, with a Power to cauſe thoſe to be hang'd who ſhould be convicted of Riots; dated *July* 18, 1595 [o].

Sir Thomas Wilford Provoſt Marſhal. 279.

This ſort of Commiſſions, tho' they are
"no Grievance to the Subject under good
"Princes, may be of terrible Conſe-
"quence upon ſome Occaſions. The Earl
"of *Strafford*, in the Reign of *Charles* I,
"paid dear for the having made uſe of
"the like Power in his Government of
"*Ireland*.

Reflections on his Commiſſion.

17. A Letter to the Queen from *Charles* Prince of *Sweden* [p].

P. of Sweden's Letter to the Queen. 320.

"He vindicates himſelf againſt ſeveral
"Calumnies publiſhed againſt him, and
"particularly the Charge, that he aims
"at the Crown.

18. Another from him upon the ſame Subject; dated 1598 [q].

348.

19. A Patent conſtituting Sir *Walter Raleigh* Governour of the Iſland of *Jerſey*; dated *Aug.* 26, 1600 [r].

Raleigh *made Governour of* Jerſey. 398.

20. A Commiſſion to the Earl of *Nottingham* and others, to regulate with the Commiſſioners of *France*, the Method of trying Pirates; dated *Jan.* 27, 1602 [s].

Trial of Piracies. 425.

Mr. *Rapin* having given an Account of ſo much of the XVIth Tome of the *Fœdera* as relates to the Reign of Queen *Elizabeth*, proceeds now to the latter Part of that Volume, which takes in the firſt 14 Years of the next Reign.

[m] At *Zell*. [n] At *Heydelberg*. [o] At *Weſtminſter*. [p] Dated at *Nikoping* the Day before the Nones of *July* 1597.
[q] At *Orebro*, the third of the Nones of *October*. [r] At *Weſtminſter*. [s] At *Weſtminſter*.

The REIGN of *JAMES* I.

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In the firſt 14 Years of this Reign we muſt not expect to find any ſignal Events which are of very great importance to the Readers. For firſt of all, the Foreign Affairs we ſee in that Period are very few. And in the ſecond Place the Domeſtick Affairs, if we except the Gunpowder-Plot, are in themſelves of little importance. Nevertheleſs, 'tis abſolutely neceſſary to be well informed of this Reign, if one would have a juſt Idea of what paſs'd in thoſe that ſucceeded. And the Reaſon of it is, becauſe in this Reign we find the true Spring and Origin of the Revolutions that have happened in *England* for about a hundred Years paſt. Now in order to have a right Underſtanding of the Reign of *James* I, a Man muſt of neceſſity be fully acquainted with that Prince's Genius and Character, and with his Maxims and Principles, as to Government and Religion. This will be the Subject with which I ſhall begin, before I enter into the Narrative of thoſe Events to which the Acts of the *Fœdera* have a Relation.

James I.

Six Hours after the Death of *Elizabeth*, *James* VI King of *Scotland*, was proclaim'd King of *England*, by the Name of *James* I. As it was the Council that caus'd him to be proclaim'd, one might fairly ask the Queſtion, Who had given the Council that Power? Becauſe neither *James*, nor the Queen his Mother, had ever been recogniz'd as the Preſumptive Succeſſors of *Elizabeth*, nor did the deceaſed Queen, 'till ſhe was at the very point of Death, reſolve with herſelf to declare that ſhe looked upon the King of *Scotland* as her lawful Succeſſor. The Council, 'tis true, had for their Foundation three ſorts of Titles concentring in the Perſon of King *James*. The firſt was a Nuncupative and Teſtamentary Right, from his having been nominated by Queen *Elizabeth* for her Succeſſor, and ſuch Nomination appearing to be confirm'd by her Will. But that Title was too weak a Baſis to ſupport the Council in the Proclamation I have juſt now

Proclamation of K. James I, by the Council. Reflections on it.

His Titles to the Crown examined.

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now mentioned. It was a Maxim 'till then not known in *England*, that either a King or Queen had the Power to leave the Crown to whom they pleas'd by a bare Nomination, or even by a Will, without the Intervention and Concurrence of Parliament. Thus *Edward* VI transferr'd the Crown to *Jane Grey*, who relying only upon this Title could not ſtand her Ground.

THE ſecond Title on which the Council founded their Proclamation, was *James*'s being *Elizabeth*'s neareſt Heir. This could not be diſputed. But *Henry* VIIIth's Will, authoriz'd by an Act of Parliament which had never been revok'd, had regulated the Succeſſion after another manner. It was the Turn of the Deſcendants of the Queen (Ducheſs of *Suffolk*) to aſcend the Throne after the Death of *Elizabeth*. Therefore to proceed regularly, it would have been neceſſary in the firſt Place to have made that Act null and void, and to have quaſh'd the Will of *Henry* VIII, in order to let the Succeſſion run in a free Channel, and to preſerve the Rights of the elder Branch. Conſequently, this ſecond Title was liable to Objections which the Council had no Power to decide. We ſee an evident Proof of what I here advance in the Precautions taken by the late Parliament with regard to the Settlement of the Houſe of *Hanover*, that it may not be left to the Diſcretion of the Council to decide on whom the Crown is to devolve after the Death of Queen *Anne**, and that it may not be in their Power to cauſe whom ſoever they think fit to be proclaim'd.

KING *James*'s third Title may be call'd a Parliamentary Right, becauſe it was derived from a Statute made in the Reign of *Henry* VII, whereby the Succeſſion to the Crown was ſettled in that King's Family according to the Order of Nature, by conſtantly preferring the elder Branches to the younger. This third Title was undoubtedly the beſt, and yet *Henry* VIIIth's Will, which was authoriz'd by Act of Parliament, was directly againſt it. Notwithſtanding theſe Objections, the Council decided the Point, and cauſed *James* to be proclaimed, as having an indiſputable Right for his Foundation. There's no doubt but Secretary *Cecil*, who had great Credit in the Council, and who was devoted to the King of *Scotland* ſome time before *Elizabeth*'s Death, and kept a ſecret Correſpondence with him, ſerv'd him with Zeal upon this Occaſion. *James* accepted of the Crown of *England*, which he had impatiently wiſh'd for a long time, without giving himſelf the Trouble of a nice Inquiry into the Foundation on which they had cauſed him to be proclaimed. But when he was ſeated on the Throne, he rejected the three ſorts of Titles that I have been ſpeaking of, and choſe to ſtand upon no other Foundation than an Hereditary Right, which deriv'd no Force from any Act of Parliament; as if the Succeſſion to the Crown of *England* was in itſelf Hereditary, and had no need to be ſupported by any Statutes. No King of *England* before him had formed any ſuch Pretenſion; or at leaſt, if any there was of that Opinion, he never made it known. For this was a Claim liable to ſo many Objections and Difficulties, that 'tis aſtoniſhing how this Prince, who was well acquainted with the *Engliſh* Hiſtory, could be ſo ſtrongly prepoſſeſs'd upon this Head. This is what I am now going in a few Words to ſhew.

JAMES I.

A Diſſertation upon Hereditary Right.

IF we examine the Hiſtory of *England* from the Beginning of the Monarchy to our own Time, we ſhall find no Law, no Cuſtom, on which 'tis poſſible to found the Hereditary Succeſſion to the Crown, independently of Acts of Parliament. Not to mention the Days of the *Engliſh Saxons*, where we find, during the Space of 600 Years, ſuch a Number of Examples contrary to any ſuch Law or Cuſtom, 'tis certain that the five firſt Kings who reign'd after the Conqueſt, including *William* the Conqueror, did not aſcend the Throne by Hereditary Right. If the Succeſſion after the Demiſe of the laſt of thoſe five Kings had prevailed in favour of the neareſt Heir, and had been but ſeldom or never diſcontinued, then indeed it might be ſaid, that Cuſtom ſupplies the Place of Law. But ſince 'tis evident, that ſuch Succeſſion has been very often interrupted, and that from *William* I, to *Henry* VIII, there never were above three Kings following one another that ſucceeded from Father to Son; what ground can there be for ſuch Hereditary Succeſſion, if we reject the Acts of Parliament which have ſettled the Succeſſion in certain Families? But ſuppoſing ſuch Hereditary Right of Succeſſion independent on Acts of Parliament were perfectly proved, it would follow that *Henry* VII, from whom *James* I derived his Origin, was not a lawful King, becauſe he was neither the legal Heir of *Richard* III. whom he ſucceeded, nor the legal Heir of the Houſe of *Lancaſter*; and becauſe that Family was not the legal Heir of *Richard* II. *Henry* VIII had ſo mean an Opinion of this Hereditary Right, that in his Will he ſilently paſſed over the Right of his elder Siſter's Branch, to ſettle the Succeſſion on the younger. *Edward* VI had as little ſcruple about it as *Henry* VIII, and he choſe to transfer the Crown to *Jane Grey*, to the Prejudice of his two Siſters. Nevertheleſs this Hereditary Right of Succeſſion independently of the Parliament, pretended to be indefeaſible, though ſo

* The Reader is to obſerve, that Mr. *Rapin* wrote theſe Reflections towards the Cloſe of Queen *Anne*'s Reign.

often

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often altered, took ſuch ſtrong Root in the Reign of *James* I, that it has been impoſſible to pluck it up to this Day. 'Tis even now urg'd as an undeniable Principle, to ſhew that the Parliament has no Right to change the Order of Succeſſion, let what will happen. But on the other hand, 'tis certain that this was never the Sentiment of the Nation repreſented in Parliament*.

K. James's fondneſs for abſolute Power.

It will be demanded perhaps what Intereſt *James* I had more than his Predeceſſors to inſiſt upon this Right, which was ſo very uncertain. To be ſhort, he was prepoſſeſs'd to Infatuation in favour of the abſolute Power of Kingly Government; and he thought that a Power which depended upon Acts of Parliament, or upon the Approbation of the People, could not be ſo abſolute as that which was founded upon a Law of Nature, or an unalterable Cuſtom from the beginning of Monarchy. This conſtitutes one of the chief Characters of this Prince, and is a neceſſary Help to form a true Notion of him †.

Richard IId's Example a Warning to his Succeſſors.

AFTER the ſad Cataſtrophe of *Richard* II the Kings of *England* were cautious of referring their Prerogative to Arbitration, but avoided it as a dangerous Rock, chuſing rather to leave that Point in the Obſcurity in which they found it, than to make Efforts to clear it up to their Advantage; becauſe they were afraid of alarming the *Engliſh*, who have always been very jealous of their Liberties. *Richard* II miſcarry'd in ſuch a Manner, that no wonder his Misfortunes gave his Succeſſors reaſon to be apprehenſive of the like Fate. To know how far the Royal Prerogative extended, and wherein the Privileges of the People really conſiſted, was a very delicate and difficult Queſtion. The Hiſtory of *England* ſhews that the moſt prudent, and moſt able of its Kings, even they who were the moſt abſolute, have with exceeding Care avoided to trump up all Queſtions of this nature. All that they aim'd at was, to accompliſh by the Help of a Parliament, what they thought conducive to the Welfare of the Nation, or their own Intereſts, without affecting to act by an abſolute Power. If any of them ever deviated from this Rule, it was but ſeldom, and in ſuch a manner that the Subjects were not alarm'd at it, becauſe they did not ſee that they pretended to found the Extent of their Prerogative upon ſuch general Principles as admitted no Bounds. They regarded ſome particular Caſes, in which the Kings ſeemed to go too far, as ſuch that would have no Influence upon the reſt of their Conduct. The Civil Wars between the Houſes of *York* and *Lancaſter*, were, in this reſpect, very lucky for the Subjects, becauſe their Sovereigns were thereby under a Neceſſity of their Aſſiſtance. By Conſequence that was not a favourable Conjuncture to extend the Royal Prerogative. *Henry* VIIIth, the moſt abſolute of the Kings of *England*, attempted only once to break down the Fence, by advice of Cardinal *Wolſey*; but when he ſaw that the People began to take Alarm, he choſe rather to truckle than to ſupport the Enterprizes of his ambitious Miniſter. Without taking upon himſelf therefore to decide what he was able to do by Virtue of his Sole Prerogative, he continually back'd it with the Authority of Parliament, and by that means did whatever he pleaſed, without raiſing the Jealouſy of his Subjects. *Edward* VI, *Mary*, and *Elizabeth*, purſued the ſame Maxims, and therein found their Account. *James* I, arriv'd from *Scotland* with a Mind fraught with other Principles, and other Prejudices. Not that the Kings of *Scotland* were more independent than thoſe of *England*; on the contrary, he had a Notion that Kings were no where ſo dependent as in *Scotland*, and that in *Scotland* it could be nothing but an Uſurpation of the People. He had reign'd thirty-ſix Years in that Kingdom, and could never extricate himſelf from that uneaſy Dependency. It was the People, or States, who had placed him on the Throne during the Life of the Queen his Mother, and they maintained him on it. It was that ſame People who murmur'd, and actually roſe in Arms, as often as the King or his Miniſters did not govern to their Mind, and who obliged him to keep in one certain Path whenever he ſhew'd an Inclination to go out of it. It was that which render'd his Dependency hateful to him, and which made him think it the

His miſtaken Notion about the Prerogative of King and his Paſſion for abſolute Authority.

* *Le Clerc* obſerves, that the ancient *Scots* had the ſame Cuſtom, and that it was with great Difficulty, and very late, that the contrary was introduced, as may be ſeen by *Buchanan*'s Hiſtory of *Scotland*.

† *Le Clerc* obſerves in another Note upon this Paſſage, that it would have been much better both for himſelf and his Poſterity, if they had follow'd other Maxims. He refers here to what he had formerly ſaid, p. 199, of his *Bibliotheque Choiſie*, Tom. VIII, where he has the following Reflection. "That if *James* VI had made a "right Improvement of his Tutor *Buchanan*'s Lectures, he would not have had ſuch unhappy Diſputes with "his Parliaments; and if his Son had been well read in *Buchanan*'s Works, and enter'd into his Sentiments, he "would never have left his Head upon a Scaffold: And his Grandſon perhaps, who was of his own Name, if he "had been train'd up in the ſame Notions, would have died in Peace upon the Throne. If they had been all "perſuaded that they were the Protectors, and not the Maſters of the Laws of their Kingdom, they would "undoubtedly have lived happily. If in Monarchical States, Princes were *Republicans*, their Subjects would "become all *Royaliſts*, by Reaſon of the Confidence they would repoſe in their Kings. Princes never have "more Authority than when they think and ſeem fully convinc'd, that they have no Right to augment ſuch Au"thority *ad infinitum*; and the People are never more obedient than when they are induced by the Moderation of their Princes.

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greateſt Happineſs of a King to be deliver'd from that Yoke of which he had long felt the Pain. It was alſo for this very Reaſon, that while he ſtudy'd Politicks, he approv'd of the Arguments uſed by ſeveral Authors in favour of the Independency of Kings in general, as if there ought to be no differenceat all between Monarchical Governments: That was his Favourite Maxim: It was this that he inceſſantly countenanced, ſometimes openly, at other times more obſcurely; and the only way to pleaſe him was to be, or at leaſt to ſeem to be, perſuaded that Kings had a Right to do whatever they liſt. Yet he could never get the *Scots* to admit this Principle; nevertheleſs he hop'd for better Succeſs in *England*, where he knew, that ſince the Reign of *Henry* VII, the Kings and Queens had done what they pleas'd with the People. But inſtead of aſcribing this Power to the Prudence of thoſe Monarchs, who had the Policy never to ſeparate the Royal Prerogative from the Authority of Parliament, he attributed it to another Cauſe, *viz.* the natural Right of Sovereigns. The thing which rivetted this Notion in him, was the Flattery of ſome *Engliſh* Courtiers, who ſoon perceiving his Genius and Character, endeavour'd to creep into his Favour through that Paſſage. It was reported, that an honeſt *Scotſman* in his Retinue, obſerving theſe Flatteries, cry'd out, *That they were enough to ſpoil the beſt King in the World.* Be this true or not, *James* made Efforts, as long as he liv'd, to reconcile the People to that Arbitrary Power which he aim'd at, not only by his Conduct but by his Speeches. He us'd however a little Artifice, which was quickly diſcovered, and that was this: The *Engliſh* being obliged to own that there was a Royal Prerogative, which he himſelf extended to a Degree of abſolute Authority, he complained perpetually that they ſtruck at the Royal Prerogative, if they departed ever ſo little from his Principles. 'Twas this that bred Animoſities and Quarrels betwixt him and his Parliaments, which made him always unhappy, notwithſtanding the Peace he enjoy'd during the whole Courſe of his Reign. From theſe Diſputes aroſe frequent Diſſolutions of Parliaments, and by neceſſary Conſequence, Monopolies, and the other illegal Methods which the King's Miniſters put in Practice in order to help him to Money. This occaſioned Complaints and Murmurings among the People, by which he loſt their Eſteem and Affection; and in the End, Foreigners put Contempt upon a Prince who had no hopes of any great Aſſiſtance from his Subjects. I ſhall ſay no more of it upon this Head, becauſe I have no Deſign to write a Hiſtory of King *James* here; but only to ſhew what were his Principles with regard to the Authority of Kings.

James I.

K. James's Principles of Religion.

It is much more difficult to know exactly what was this Prince's Religion. His Father and Mother were both Roman Catholicks, but he had been trained up from his Infancy in the Proteſtant Religion as it was eſtabliſh'd in *Scotland*, namely the Presbyterian, yet was almoſt always ſuſpected to favour the Popiſh. As ſoon as he arriv'd in *England*, he profeſs'd the Religion of the *Engliſh* Church, and ſeem'd, at leaſt in outward Appearance, to be join'd to it all the remaining Part of his Life. He diſcover'd an implacable Hatred to the Preſbyterians or Puritans, with whom he had been educated, while upon all Occaſions he openly favour'd the Roman Catholicks; and there are ſome Perſons who ſtick not to affirm, that he made a Promiſe not long before his Death, that he would embrace the Roman Catholick Religion. I ſhall not here pretend to examine all the ſeeming Contradictions to this Aſſertion, but ſhall only make ſome Remarks which may ſerve to ſet them in a clear Light.

In the firſt Place, it muſt be remember'd what I ſaid in the laſt Reign, that Queen *Elizabeth* being always in fear of ſome Storm from *Scotland*, had form'd a powerful Party in that Kingdom, which conſiſted altogether of Proteſtants, and particularly of Miniſters of the Reformed Church, who never failed to inſpire the People with terrible Apprehenſions of the Danger of their Religion, as often as the King ſeem'd to depart from the Intereſts of *England*. If the King adher'd to this Party, he was kept in Bondage; and if he abandon'd it, he preſently ſaw his own Court and the whole Kingdom full of Troubles and Diviſions. This was enough to make him hate the Agents that *Elizabeth* made uſe of, as well as the Religion which ſerv'd them for a Cloak. On the other hand, the Catholicks, who had no other Means to execute their Projects but the King's Good-will, flatter'd him to an extraordinary Degree; and in order to attach him to their Party, endeavour'd to convince him that the Principles of the Proteſtant Religion were againſt the Authority of Kings, as he found by fatal Experience; for if he ſcrupled ever ſo little to behave as the Synods would have him, the whole Church roſe againſt him. They ſuggeſted moreover, that the Presbyterian Government of the Church of *Scotland* was a continual Source of Rebellions, and that the Presbyterians not being able to bear a Head in the Church, followed the ſame Principles with reſpect to the Government of the State. By theſe Inſinuations the King was more and more embitter'd againſt the Presbyterian Government, and at laſt he came to hate it mortally: But he did not dare to give too publick Proofs of it, 'till aſcending the Throne of *England*, he found himſelf at full Liberty to declare War againſt it.

His Enmity to the Preſbyterians.

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My ſecond Remark is, that *James* I, having a Notion that the Presbyterians, who thought the Government of their Church the moſt perfect, could not but wiſh to ſee the Government of the State on the ſame Baſis, he inferr'd from thence that they were Enemies to Kingly Power; and he confounded theſe two things continually, as if they had been inſeparable. He looked upon the Presbyterians as Enemies to Monarchy, and all that had not the ſame Notions with himſelf of the unlimited Power of Kings, as real Puritans. Therefore there was a two-fold Puritaniſm in *England*, during the whole Courſe of his Reign, the one in the Church, and the other in the State; which nevertheleſs the King and his Miniſters affected inceſſantly to confound with one another, becauſe they hated both alike. This Notion has been perpetuated to our Times, and makes it ſo difficult to define the Nature of *Toryiſm* and *Whiggiſm*, becauſe the Principles of thoſe two Parties refer ſometimes to the State, at other times to Religion.

K. James's Averſion to War.

I ſhall obſerve in the third Place, that *James* I being naturally timorous, had an extraordinary Averſion to War. Having in the then Situation of Affairs in *Europe* no War to fear but from the Roman Catholicks, he endeavoured to gain their Good-will by favouring their Religion as much as was in his Power. Therefore nothing could give him greater Uneaſineſs than to be treated as a Perſecutor of the Catholicks. He defended himſelf againſt that Charge with ſo much Zeal and Vigour, that, in order to let the World ſee he did not perſecute the Catholicks, he fell into the other Extreme, and gave Reaſon to believe that he thought the Perſons of both Religions had an equal Title to his Favour, as evidently appeared by his *Apology for the Oath of Allegiance*. The *Jeſuits* were the only Perſons he could not bear with, by reaſon of the Doctrine they held, that Kings might be depos'd, and even murder'd. There was too great a Harmony betwixt this Doctrine and Puritaniſm for him to perceive it without Anxiety. By purſuing this Method, the King hoped to live in Peace with the whole World; with the Proteſtants, by actually profeſſing the Religion of the Church of *England*, and with the Roman Catholicks, by exempting them from the Severity of the Laws which were in Force againſt them. But he did not obtain by this Conduct what he propoſed. The Catholicks were not contented with this ſmall Favour, and the Proteſtants thought he was a Catholick in his Heart.

My fourth and laſt Remark is, That this Prince, who had ſtudy'd a great deal, and had a vaſt Opinion of his own Knowledge, had formed to himſelf in all appearance a particular Religion to his own Taſte. Puritaniſm was in all likelihood entirely excluded out of the Plan which he had formed, and the Hierarchy admitted, excluſive of a Power over crowned Heads. As to the Doctrines which make a Separation betwixt the two Religions, Catholick and Proteſtant, *James* ſhewed upon ſeveral Occaſions, and even in his Speeches to the Parliament, that he only looked upon them as meer School-Queſtions, and that they might either be believed or not believed without any danger to Salvation. Therefore it ſeems that in the Plan which he had formed to himſelf, he had no regard to Religion, farther than as it might be uſeful or prejudicial to Government, and eſpecially to the abſolute Power of Kings. This, according to him, was the only thing neceſſary. Every thing that oppoſed this Principle was to be rejected, and what made neither for nor againſt it might be tolerated. If it were not for fear of being too tedious, I could ſupport what I aſſert by ſuch Proofs as are far beyond Conjecture.

After what I have now ſaid of the Principles of *James* I, with regard to Government and Religion, it will be eaſy to account for all his Actions that fall within theſe two Articles. It remains now for me to mention ſome other things which may help to give a fuller Diſplay of his Character. And I chooſe to inſiſt the longer upon this Matter, becauſe the few conſiderable Events of this Reign are meer Conſequences and Dependencies of the King's Honour and Genius.

I have already ſaid that this Prince was ſenſible he had no martial Qualities. So that with all poſſible Care he avoided a War, and ſometimes, even to the Prejudice of his Honour, and of the Intereſt of his State. He covered his natural Timorouſneſs with the ſpecious Pretext of Juſtice and Equity, which did not allow Princes to cauſe Blood to be ſhed for Trifles. This Principle was very good in it ſelf, but he puſh'd the Conſequences of it ſo far, that he thought himſelf in no caſe obliged to the Neceſſity of taking Arms. He ſaw the Deſigns which were formed at *Rome*, in *Spain*, in *France*, in *Germany*, to ruin the Proteſtant Religion, without thinking himſelf oblig'd to concern himſelf about them, otherwiſe than by Recommendations, which were always unſucceſsful, becauſe the Foreign Princes well knew that they might reject them with Impunity. By this means he had indeed the good Luck to live out all his Reign without a War, which he deſired might be remark'd as the Perfection of Happineſs. But with all this, one may venture to affirm, that before his, there was no Reign more unhappy or more inglorious for the *Engliſh*.

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K. James's Pedantry.

James I had been a great Student: He had for one of his Preceptors the famous *Buchanan*, one of the greateſt Genius's at that time in *Europe*. But I know not whether it was through his own Fault, or his Preceptor's (who had not rightly diſtinguiſh'd the Learning fit for a King, from that which is only proper for private Men) that he had acquired a certain pedantic Knowledge which was only admired by Flatterers, but ridicul'd by Men of Honour. He lov'd to make long Harangues full of Diviſions and Sub-diviſions, more like the Lectures of a Profeſſor than the Speeches of a King. But an Oſtentation of his Learning was not his only View; what he chiefly aim'd at was, to convey into thoſe artful Pieces ſuch Principles as he had at Heart touching Government. In the beginning he affected the Uſe of Expreſſions which were capable of a Senſe favourable to the Subject, but ſuch as in the main were not prejudicial to his own Principles. For Example, in his firſt Speech to the Parliament he ſaid, "That the Difference betwixt a rightful King and an uſurping "Tyrant is this; *viz.* The proud and "ambitious Tyrant thinks that his Kingdom and People are ordained for the "Satisfaction of his unreaſonable Appetites: But the juſt King acknowledges "on the contrary, that he is only ordained to procure the Wealth and Proſperity of his People, and he makes his "greateſt Felicity therein to conſiſt". All that can be gathered from theſe Words is, that a juſt King conducts himſelf by other Maxims than a Tyrant. It might even be inferr'd from it, that the Speech-maker had a Deſign to follow the Rules of Juſtice and Equity. But there was not one Word in it which tended to ſhew that the Subjects might refuſe to obey a Tyrant when he departed from thoſe Maxims. This appeared manifeſt, becauſe upon another Occaſion he told the two Houſes, in plain Terms, "That it was as much "Sedition in the Subjects to diſpute what "a King might do in the Height of his "Power, as it was Blaſphemy to pretend "to ſet Bounds to the Power of God". It muſt be own'd, that he was a great Maſter in the Art of chooſing Expreſſions of this ſort, which ſeemed to carry a great deal in them, but ſignify'd nothing; or others, which though he ſeemed to make uſe of without Deſign, conceal'd a Meaning in them of great Importance; as for Example, when in the above-mentioned Speech he thanked the People of *England for having received and embraced him as their lawful and undoubted King*. If I had room here, I could produce a great Number of other Examples.

Remark on his Speeches to Parliament.

YET theſe Methods did not anſwer his Hopes. Some did not underſtand him, and others feign'd not to underſtand him, 'till at length he was obliged to explain himſelf more clearly, both by Word of Mouth, and by his Actions. Conſequently, it could no longer be doubted that he challenged a Right of governing with a deſpotic Power; though he would always have it ſuppoſed that it was not his Intention to make uſe of that Power to the Oppreſſion of his Subjects. For this Reaſon, he thought it very ſtrange, that the Parliament ſhould offer to intermeddle in any Affair which related to the Government of the State, or to examine the Abuſes of it. This, according to him, was a Matter above the Capacity of the Parliament, *Ne ſutor ultra crepidam: Tractent fabrilia Fabri.* If the Neceſſity of his Affairs engaged him ſometimes to permit the two Houſes to enquire into the Grievances of the People, he pretended that they had no other Right than to repreſent thoſe Grievances to him, and that from his Equity they ought to wait for what Remedy he thought convenient. And if they offered to go farther, he diſſolv'd the Parliament, and committed to Priſon ſuch Members as had appeared the moſt zealous for ſupporting the Liberties of the People. He choſe rather to go without the Money he ask'd, than to ſuffer any Enquiry to be made into the Extent of his Prerogative. By this means he was under an abſolute Neceſſity to employ unuſual Methods to get Money; ſuch as Monopolies, forc'd Benevolences, and other things of that Nature. But as theſe Methods did not always anſwer his Expectation, and finding himſelf oblig'd to call another Parliament, he was willing that his Conſent to the Abolition of thoſe Monopolies ſhould be interpreted as the pure Effect of his Complaiſance, and of his great Affection for his People, and he expected large Subſidies for his Reward. On the other Hand, when he ſaw himſelf oblig'd to ſtoop ſo low as to deſire Money of the Houſe of Commons, he did it with ſo much Haughtineſs, and ſuch an Air of abſolute Power, as if he had been a warlike triumphant King, with a victorious Army at the Gates of *London*, though his Fleet and his Troops were always in a ſorry Condition.

His Straits for Money.

THESE Principles concerning abſolute Power were the Cauſe alſo that he put out frequent Proclamations. Twenty of the preceding Reigns had not produced ſo many as this alone. The King would fain have given the ſame Force to them as to Acts of Parliament; but he could not ſucceed in it, becauſe of the Reſiſtance of the common People and the Judges. No wonder if with ſuch Principles he never agreed with his Parliaments. The Commons eſpecially were not in the Humour to ſuffer themſelves to be robb'd all at once of the Privileges

His frequent Proclamations.

His Diſagreement with his Parliaments.

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vileges which they looked upon as an Hereditary Right of the *Engliſh* Nation. On the other hand, the King was vex'd to the laſt degree that he could not beat his Maxims into them, neither by his Addreſs, nor by his Menaces. This Diſagreement betwixt the King and Parliament makes up the moſt conſiderable part of the Hiſtory of this Reign; tho' we find but few Traces of it in the Acts of the *Fœdera*.

His first Act of Arbitrary Power.

It will be thought ſtrange, perhaps, that a Prince who never had any War upon his hands, ſhould ſo often be in want of extraordinary Supplies from his Parliament, or that he ſhould make uſe of unuſual Methods to augment his Revenues. But the Wonder ceaſes, when 'tis conſider'd that the Finances were never managed with leſs Regularity and Precaution than in this Reign: The King was liberal, or rather prodigal to an Exceſs. He gave without Diſcretion, and without enquiring whether there was Money in his Coffers, and ſcarce ever call'd for an Account of his Finances. He maintain'd three Courts, *viz.* His own, the Queen's, and that of the Prince his Son, with an incredible Expence. He lov'd to enrich thoſe who were about his Perſon, as well *Scots* as *Engliſh*; and all theſe things together made him always poor and deep in Debt. He would fain have had the Parliament to furniſh him with all the Money neceſſary to ſatisfy his profuſe Temper, but he neglected the Uſe of the moſt proper Means to gain their Affection.

His Laviſhneſs, and Miſmanagement of the Finances.

His Proclamation againſt the Crowds of Spectators.

After having given a general Idea of the Temper, the Genius and Character of *James* I, I ſhall lightly paſs over the firſt fourteen Years of his Reign, in which we find but few Facts of Importance. To do this with the greater Clearneſs, I ſhall divide what I have to ſay into five Articles. The firſt ſhall be Domeſtick Affairs; the ſecond, thoſe which relate to Religion; the third, Affairs with *France*; the fourth, Affairs with *Spain*; the fifth, Affairs with the *United Provinces* of the *Netherlands*.

Article I.

Affairs Domeſtick.

James's joyful Reception in England.

JAMES being inform'd of the Death of *Elizabeth*, and that he had been proclaim'd King of *England*, ſet out a few Days after for *London*. He was received every where in his new Kingdom with ſuch Acclamations, and ſuch extravagant Joy, that it look'd as if the People had been vaſt Gainers by this Change of their Sovereign. *James* was charm'd with all the Marks of Love and Eſteem which he ſaw in the People of *England*. Yet he gave them two Cauſes of Diſcontent upon the very Road; firſt, by cauſing a Pick-pocket, who had been taken in the Fact, to be hang'd upon the Spot, without any Form of Law; in which he acted directly contrary to the Privileges of *Engliſhmen*. In the ſecond place, he caus'd a Proclamation to be publiſh'd, forbidding the great Concourſe of People about his Perſon, either for fear of ſome Miſchief intended to him, or elſe becauſe he thought that ſo much ſtriving to come near his Perſon to ſee him, ſhew'd too little reſpect. *Robert Cecil*, Secretary of State, who held a ſecret Correſpondence with him during the laſt Years of *Elizabeth*, went to preſent his Reſpects to him at *York*, and was very well received by him, quite contrary to the Opinion of thoſe who being ignorant of this Secret, and knowing that he had been a great Enemy to the Earl of *Eſſex*, were perſuaded that in this new Reign he would be diſgrac'd; for indeed he was the only one of that Earl's Enemies who found Favour with the King. Sir *Walter Raleigh* and ſome others of the ſame Party were receiv'd very coldly. The King ſtopp'd ſome Days at *Theobald's* *, a Seat of Secretary *Cecil*'s, and there conferr'd Honours and Dignities upon a great Number of People.

His Stay at Theobalds.

The Face of the Court of *England* was entirely chang'd by the Acceſſion of King *James* to the Crown. The late Queen's chief Favourites were diſgrac'd in this new Reign, *Cecil* only excepted, who was afterwards made Earl of *Saliſbury*. The *Howard* Family, who never had Acceſs to *Elizabeth* after the tragical Death of the Duke of *Norfolk*, was advanc'd to the Pinnacle of Honour. The Brother of that Duke was made Earl of *Northampton*, Governour of the Cinque-Ports, and Keeper of the Privy-Seal; and the Son of that Duke was made Earl of *Suffolk*, and Great Chamberlain. The Earls of *Northumberland* and *Weſtmoreland*, whom the deceaſed Queen had always look'd upon as her Enemies, were admitted into the new King's Privy-Council. But in all this there's nothing ſurprizing, becauſe 'tis no more than what commonly happens in every new Reign: Nor is it very ſtrange to find *James* advancing many *Scotſmen* to *Engliſh* Dignities, tho' it could not be done without raiſing the Jealouſy of the *Engliſh*. And on the other hand, 'tis no wonder that ſome Perſons could not ſee theſe Changes without murmuring, and without making Efforts to change a Government which was againſt their Intereſt. Not long after *James*'s Arrival at *London*, a Conſpiracy, or rather a Project of a Conſpiracy was form'd to

Cecil *made Earl of* Saliſbury.

Advancement of the Howard *Family.*

A Plot to ſet up Arabella Steuart *on the Throne.*

* Mr. *Rapin* has a Note in his large Hiſtory of this Reign, that the King bought this Houſe afterwards, and that it belong'd to the late Duke of *Portland*.

place

place *Arabella Steuart* on the Throne. She was first Cousin to the King, being the Daughter of the younger Brother of the King his Father. This Circumstance alone shews how rash this Project was, supposing it to have been real; because *James* did not ascend the Throne of *England* by the Right of his Father, but that of his Mother. By consequence, *Arabella*, who tho' of the *Steuart* Family, stood in a very remote Degree of Relation to the late Queen *Mary*, had no Claim to the Crown of *England*, the rather because *James* had three Children. The Authors of this Conspiracy were the Lords *Grey*, *Cobham*, *Carew*, Sir *Walter Raleigh*, and two Priests, named *Clarke*, and *Watson*. These Conspirators apply'd themselves to the Count *d' Aremberg*, who was come to *London* from the Arch-duke *Albert*, in order to congratulate the King upon his Accession to the Crown of *England*. Their Aim was to get 600,000 Crowns from the Arch-duke, which they were to share among them. 'Tis very probable that the Count *d'Aremberg* only gave ear to the Proposal on purpose to ruin Sir *Walter Raleigh*, who of all the *English* was the most formidable to the *Spaniards*; and that this very Ambassador discover'd the Conspiracy to the King. However this be, the Conspirators were apprehended and condemn'd to die; but none of them were executed, except a Brother of the Lord *Cobham*, and the two Priests. The King order'd that the others should be remanded to the Tower, and *Raleigh* liv'd there twelve Years; during which he wrote his *History of the World*.

Coronation of King James *and his Queen.*

THE Coronation of the King and Queen was perform'd at *Westminster* with the usual Solemnities on the 25th of *July* 1603, being *St. James*'s Day.

THE Plague which rag'd in *London* when the King arriv'd there, did not permit him to assemble the Parliament before the 25th of *March* 1604. The Proclamation which he issued for the calling of this first Parliament was drawn up in an extraordinary Stile. The King told the Electors what sort of Men he would have them depute to the House of Commons, and not only exhorted them to make such a Choice, but even threatned them in case they did not obey his Proclamation, and declar'd before-hand that the Corporations which neglected to put his Orders in execution, should for such their Disobedience be for ever deprived of their Liberties and Privileges. This was what no King of *England* ever did before *James*.

His extraordinary Proclamation for calling his first Parliament.

Character of his first Speech.

HIS first Speech to the Parliament was of an extraordinary Length, and very much confounded with Divisions and Subdivisions, so that at first reading 'tis scarce intelligible. This Confusion gave him an Opportunity to drop some Maxims in it, of which few People perhaps knew the Drift at that time; tho' his Method of Government made it very plain in the Sequel. This Speech was generally disapprov'd by reason of its excessive Length. The Puritans in particular were very much disgusted at it, because the King said, *They were insufferable in any well govern'd Commonwealth.* The People in general took it very ill that the King in so solemn an Act should so publickly discover his Bias to the Romish Religion, and his Design to protect and favour the Professors of it: Nor were the Catholicks themselves pleased with his cautious Conduct towards them. They had expected greater Favours from him. But what was most offensive to the *English*, was the King's Demand in Parliament for the uniting of the two Kingdoms into one State, in which they saw no Advantage. He expatiated very much upon this last Article, and with extraordinary Force display'd all the Reasons he could think of to bring the Parliament into this Union, among which were some that appear too childish. For Example, he said that he was the Head of the two Kingdoms; that he was the *Shepherd*, and the two Nations his *Flock*; that he was the *Husband*, and the Island of *Great Britain* the *Wife*. By favour of these Comparisons he inferr'd, that it would be unreasonable to offer to oblige him to separate himself from a part of his Body, *to divide his Flock* into two Parts, and to engage him in *Polygamy*, by forcing him to maintain *two Wives*. Nevertheless, he was so very much conceited of the Solidity of those Arguments, that he made no scruple to tell the Parliament that he did not apprehend he should meet with any Opponents, but the Ignorant, the Blind, the Turbulent and Dissaffected. He went still farther after the Session of the Parliament was at an End: For the two Houses having appointed Commissioners to consider of the Advantages and Disadvantages of this Union, without staying for the Report of those Commissioners, he publish'd a Proclamation, wherein by his single Authority he united the two Kingdoms of *England* and *Scotland* into one Body; and of his own Accord, assum'd the Title of King of *Great Britain*, 'till such time as the Parliament of the two Kingdoms should confirm this Union. It must be observ'd that this Proclamation was publish'd about a Month after another appointing the Day and Place where the Parliament's Commissioners were to assemble.

He proclaims the Union of England *and* Scotland *by his single Authority.*

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ſemble. He alſo caus'd new Money to be coin'd, on which the Union was repreſented by Emblems and Inſcriptions; and all this was done even before the Commiſſioners met. But we ſhall find afterwards, that he had the Mortification to ſee this Union which he had ſo earneſtly deſired, rejected by the Parliament.

They confirm his Title to the Crown.

THOUGH the King did not deſire the two Houſes to ſtrengthen his Title to the Crown of *England*, as thinking he had no need of it, yet they made an Act to confirm it, which was perhaps a great Mortification to him.

His Quarrel with the Commons about a controverted Election.

IN this firſt Parliament happen'd the firſt Quarrel betwixt the King, and the Lower Houſe, on account of a Controverted Election. The Houſe having determin'd the Queſtion which was put upon that Head, the King undertook to make them alter their Vote, and order'd the Commons to have a Conference with the Lords. They abſolutely refus'd to take a Step ſo contrary to their Privileges, and gave the Council their Reaſons, which in all appearance the Council thought very ſtrong: Nevertheleſs, the King, after his deſiſting from the Demand of the Conference with the Lords, ſent an abſolute Order to the Lower Houſe to confer upon that Head with the Judges of the Kingdom. It was not without a vaſt deal of Difficulty that the Commons comply'd ſo far, though they were reſolv'd at the ſame time to make no Alteration in their Vote. But the Moderation of the * Member whoſe Election had been confirm'd, prevented a Breach betwixt the King and the Houſe. He deſiſted from his Right, and ſo the Houſe proceeded to a new Election. Thus early did the King attempt to domineer over the Houſe of Commons.

Charter for a Monopoly of the Trade to Italy and Spain.

THE King having made a Peace with *Spain* this Year, granted Letters Patent to a Company of Merchants for the ſole Trade to *Spain* and *Italy*. But this Monopoly, which did a very great Prejudice to the Nation, was aboliſh'd the Year following by an Act of Parliament.

Gunpowder-Plot.

IN 1605, while the King was in a very happy quiet State to all appearance, he was in extreme Danger, though he knew it not, from one of the moſt horrid Conſpiracies that ever was invented: I mean the Gunpowder-Plot, the Story of which is ſo well known, that it would be loſs of Time to inſiſt upon it here. It is ſufficient to ſay in two Words, that certain Papiſts, aſſiſted by two Jeſuits, had concerted Meaſures to blow up the King, the Prince, and the two Houſes of Parliament, by means of ſome Barrels of Powder which they had plac'd in a Cellar; and that this Conſpiracy was diſcover'd by a Sort of Miracle. The Parliament being aſſembled ſome Days after this, the King, according to Cuſtom, made a long Speech, the Purport of which was only to excuſe the *Romiſh* Religion, and to throw the Conſpiracy which the People held in Abhorrence, at the Doors of ſome private Perſons. *Yet it is true*, he ſaid in his Speech, *that many honeſt Men, blinded perhaps with the Opinions of* Popery, *as if they be not ſound in the* real Preſence, *the Number of the* Sacraments, *and ſome ſuch* School-Queſtions, *do either not know, or not believe at leaſt, all the true Grounds of* Popery, *which is indeed the* Myſtery of Iniquity. *And therefore we juſtly confeſs that many* Papiſts, *eſpecially our Forefathers, laying their only Truſt upon* Chriſt, *and his Merits, may be ſaved; deteſting in that Point, and thinking that Cruelty of* Puritans *worthy of Fire that will allow no Salvation to any* Papiſt. It is manifeſt that his Deſign was to divert the Indignation of the People upon the *Puritans*. But the Pretence he had for it was ill choſen, becauſe if there were any *Puritans* who were guilty in this reſpect towards the *Papiſts*, it would have been a Rarity to have found one *Papiſt* who was innocent of that Charge with regard to the *Proteſtants*.

King's Speech upon it.

Execution of ſome of the Conſpirators.

IN 1606, notwithſtanding the King ſo much deſir'd to turn the Animoſity of the People upon the *Puritans*, he could not help bringing eight of the Conſpirators to a Trial, who were condemn'd and executed, beſides the two Jeſuits, who were convicted not only of being privy to the Conſpiracy, but of having likewiſe approv'd of it. That was all the Revenge which was taken on the Conſpirators, though they were a much greater Number.

Oath of Allegiance admini ſter'd.

IT was upon Occaſion of the Gunpowder Plot that the Parliament ordered every Subject to take an Oath, call'd the *Oath of Allegiance*, by which they own'd the King to be entirely independent on every foreign Power, and that the Pope had no Authority either over his Perſon or his Dominions. But before this Oath paſs'd in Parliament, the King took Care to correct certain Terms of it which might have been offenſive to the honeſt Catholicks, I mean ſuch as were not ſlaviſhly bigotted to the Pope. Notwithſtanding this, the Court of *Rome* made ſuch Efforts to divert the Papiſts of *England* from taking this Oath, that the King was oblig'd to publiſh a long Apology, in which he ſhew'd that he had always favour'd his *Roman* Catholick Subjects equally with the Proteſtants.

His Apology for it.

* This Member was *John Forteſcue*, who was elected Knight of the Shire for *Buckingham*. See *Coke's Detection*.

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THE Parliament being pretty well ſatisfy'd with the King, granted him a very conſiderable Sum, though he was at that time in Peace with all the World. This Money came very ſeaſonably to enable him to give a moſt magnificent Reception to the King of *Denmark*, his Brother-in-Law, who arrived to pay him a Viſit. The King of *Denmark* was hardly gone, but the Prince of *Vaudemont*, Son to the Duke of *Lorrain*, came alſo to pay the King a Viſit, which conſum'd all the Money that the Parliament had granted him.

His Reception of the King of Denmark, *and of the Prince* Vaudemont.

THE Parliament, which aſſembled again in 1607, rejected the Union of the two Kingdoms, without regard to what the King had already order'd. They only repeal'd certain Laws which were called *Hoſtile*, and which related ſolely to the frequent Differences between the Inhabitants of the two Frontiers. The King had put forth another Proclamation, by which he declar'd thoſe in both Kingdoms who were born ſince his Acceſſion to the Crown of *England*, naturaliz'd. They were call'd *Poſt-Nati*, to diſtinguiſh them from thoſe born before his Acceſſion, who were called *Ante-Nati*. But the Parliament by not confirming that Proclamation, render'd it of no Effect, becauſe the Judges did not regulate their Decrees by Proclamations, but by the Laws. The rejecting of the Union of the two Kingdoms gave the King an extreme Diſguſt to Parliaments. On the other hand, the People murmur'd very much, not only upon account of the King's ſuperfluous Expences, which tended wholly to enrich his Favourites, and particularly the *Scots*, but on account of the great Number of Proclamations, which ſeem'd to imply a deſpotic Power in the Sovereign. There was actually an Inſurrection in *Northamptonſhire*, but it was ſoon ſuppreſs'd; and the Parliament, in which a Storm began to ariſe, was prorogued, and the Prorogation thereof continued to the 19th of *February*, 1610.

The Union rejected by the Parliament.

Poſt-Nati, and Ante-Nati.

Murmurings of the People.

Prorogations of the Parliament.

BEFORE the Year 1607 was expir'd, the King had Advice that the famous Earl of *Tyrone*, whom he had pardon'd in the beginning of his Reign, had quitted *Ireland*, and given out in foreign Parts, that it was by reaſon of the Oppreſſions which the *Roman* Catholicks ſuffer'd in that Iſland. Upon this the King, who did not care to be reckon'd a Perſecutor of thoſe People, publiſh'd an Apology, wherein he ſtrenuouſly refuted this Charge.

King James's *Apology againſt the Charge of Perſecutor of the Papiſts.*

NOTHING conſiderable happen'd in the Year 1608 but the Death of the High-Treaſurer *Sackvil* Earl of *Dorſet*, who was ſucceeded by *Robert Cecil* Earl of *Salisbury*.

Cecil made High-Treaſurer.

IN 1609 there came out two Books printed with the King's Privity, in which the Authors maintain'd the moſt extravagant Maxims of Deſpotick Power. The Parliament which aſſembled in the Year following was going to take Cognizance of this Affair, but the King took Care to ſtifle it, by publiſhing a Proclamation for ſuppreſſing thoſe Books, after he had licens'd them with his *Imprimatur*.

JAMES I. *The King firſt licenſes and then ſuppreſſes two books in favour of Arbitrary Power.*

THE Seſſion of Parliament which had been put off to the 19th of *February*, 1610, was opened by Commiſſioners, who repreſented to the Houſe of Commons the preſſing Neceſſities of the King, the unavoidable Expences which he had been engag'd in, and the Greatneſs of his Debts. From thence they took Occaſion to deſire the Houſe to grant him a Supply proportionable to his Occaſions, and gave Aſſurance, that when that was done the King would conſent to have the Grievances of the People enquir'd into. But the Houſe, inſtead of ſpeedily granting the Money which the King demanded, rang with Complaints againſt the Government. Some complain'd of the King's Prodigality, and particularly of the exorbitant Grants he had given to the *Scots*. Others publickly ſaid, that the King aim'd to ſubvert the Conſtitution of the Government of *England*, and to render himſelf abſolute. Some others inſiſted particularly upon the extravagant Power of the High Commiſſion, which, under pretence of purging the Church of the *Puritans*, oppreſs'd all ſuch as would not own a deſpotick Power in the Sovereign. The King being inform'd of theſe Declamations, ſent for the two Houſes to *Whitehall*, and made ſuch a Speech to them as gave them fully to underſtand, that he intended to act after what manner he thought fit; and that if he did not govern tyrannically, it was only owing to his Moderation and Choice, and not to a want of Power and Authority. Then it was that he told them, "That as it is Blaſphemy to diſpute what God may do, ſo it is Sedition in Subjects to diſpute what a King may do in the Height of his Power. And as he will not have his Subjects diſcourſe of what he may, ſo he will do nothing but what ſhall be conſonant to Law and Reaſon." This was a perfect Commentary on what he had ſaid in his firſt Speech to the Parliament, relating to the Conduct of a juſt King, and that of a Tyrant. He made many other Harangues to the two Houſes, and concluded with ſaying, that ſince he had gone ſo far as to ask the Money, his Reputation would be too great a Sufferer if he did not obtain it. The Commons, who did not expect ſuch clear and poſitive Declarations, and who had taken no Meaſures to defend their Rights, judg'd that

Complaints in Parliament againſt the Government.

King's Speech to them.

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that for this Time it was proper to diſſemble their Reſentment, and granted him a Subſidy, though much leſs than what he had deſir'd; and then the Parliament was prorogued.

They grant him a Supply.

Henry created Prince of Wales.

DURING this Seſſion, the King created *Henry* his eldeſt Son Prince of *Wales*, and ſettled his Houſhold: And not long after this, he ſent an Ambaſſador to *Spain* to negotiate the Prince's Marriage there with a Daughter of *Philip* III.

Deſign to match him to the Infanta of Spain.

Parliament diſſolv'd.

THE Parliament meeting again in *October* with the ſame Reſentments againſt the King, was diſſolv'd by Proclamation. Every body imagined that the King would call no Parliaments; which was Matter of Joy and Triumph to the Courtiers, who, glad to ſee the King freed from ſuch a Dependance, minded nothing but Feaſt and Diverſions.

Robert Carr's Riſe in the King's Favour.

IT was during this that the King choſe for his Favourite a *Scotſman* named *Robert Carr*, a young Man without Education, Knowledge or Experience; who nevertheleſs became very powerful in a ſhort ſpace of Time, and was made Viſcount of *Rocheſter*.

IN 1612, *Frederick* V, Elector *Palatine*, came over to the Court of *England* to marry the King's Daughter the Princeſs *Elizabeth*: Upon which Occaſion nothing was followed for one while but Entertainments and Diverſions. But this Joy was damp'd by the Death of the Prince of *Wales*, which happen'd juſt as they were going to celebrate the Nuptials of the Princeſs his Siſter. All Hiſtorians agree that he was an accompliſh'd Prince; and ſome have been pleaſed to inſinuate, as if the King had caus'd him to be poiſon'd. But theirs are only looſe Conjectures, inſufficient to prove a Fact of this Nature.

Prince Henry's Death.

Elector Palatine's Marriage to the King's Daughter.

THE Elector's Marriage was celebrated on the 14th of *February*, 1613; and in *May* following he ſet out with his Bride for their Dominions. This Marriage coſt the King 100,000 *l. Sterling*, though her Portion was but 40,000 *l.* During the reſt of the Year 1613, we find but one Affair in Hiſtory of which 'tis neceſſary to take notice, becauſe the King's Favourite was concern'd in it.

Hiſtory of the Earl of Eſſex's Marriage and Divorce.

THE Earl of *Eſſex* had left a very young Son, to whom the King, when he arrived in *England*, reſtor'd the Honours and Eſtate of his Family, which had been forfeited by his Father's Attainder. This young Nobleman was married to a Daughter of the Earl of *Suffolk* the Great Chamberlain; but being not of Age any more than his Lady to conſummate the Marriage, he went to travel for a few Years in foreign Countries. During his Abſence, the young Counteſs fell in Love with the Viſcount of *Rocheſter*, the King's Favourite, but did not dare to let him know it. The Earl of *Eſſex*, when he return'd, found it very difficult to perſuade his Wife to come home to him. She continually ſtarted freſh Delays, and nothing prevail'd with her but the abſolute Authority of the Earl her Father. Yet the Earl of *Eſſex* was never the better for it, becauſe from his Wife's Reſiſtance, or ſome other Reaſon, it was impoſſible for him to conſummate his Marriage; for by the Advice of Madam *Turner*, a Confident, ſhe made Application to a Man who paſs'd for a Conjurer, and gave her certain Powders to render her Husband impotent. The Earl of *Eſſex* carry'd his Wife to a Country-Houſe remote from *London*, but it was to no purpoſe, and he ſtill found the ſame Contrariety. At length perceiving that there was ſomething extraordinary in his Wife's Conduct, his Affection for her was quite pall'd; ſo that he carry'd her back to *London*, and left her at Liberty to ſteer her own Courſe. Then it was ſhe found an Opportunity to let the Viſcount of *Rocheſter* know the Paſſion ſhe had for him, and then their Intrigue begun, tho' it was manag'd with ſo little Caution that the whole Court knew it.

Her Amour with the Viſcount of Rochester.

THE Counteſs of *Eſſex* not ſatisfy'd to have the Viſcount of *Rocheſter* for a Lover, wanted to make him her Husband, and was for concerting Meaſures with him to diſſolve her Marriage with the Earl of *Eſſex*. *Rocheſter* conſented to it, but had an intimate Friend, one *Thomas Overbury*, to whom he choſe to impart his Deſign. *Overbury*, far from approving it, did all he could to divert him from it, and even talk'd of the Counteſs of *Eſſex* to him in very offenſive Terms; of which the Counteſs being inform'd, was ſo far incens'd againſt *Overbury*, that ſhe reſolv'd to ruin him, and got her Gallant's Conſent to it, who could deny her nothing. In order to bring this Deſign to paſs, *Rocheſter* deſired the King to ſend *Overbury* on an Embaſſy, as ſome ſay, to *France*, and as others, to *Muſcovy*. At the ſame time he inform'd *Overbury* of the King's Deſign, and adviſ'd him to decline an Employment which would remove him to ſuch Diſtance, promiſing him to pacify the King if he was angry at his Denial. The King having ſent for *Overbury* to tell him what Poſt he deſign'd for him, *Overbury* moſt humbly beg'd to be excus'd. As ſoon as he was gone out of the Room, the Favourite aggravated his Inſolence, and repreſented to the King that it deſerv'd to be puniſh'd. Upon this the King ſent him to the *Tower*, where he was for ſeveral Months a Priſoner, without the permiſſion of ſeeing any of his Domeſticks or Friends, and at laſt was poiſon'd.

Overbury's Ruin for oppoſing the Divorce.

Rotheſter's Treachery to him.

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While *Overbury* was in the *Tower*, the Countess of *Essex* demanded the Dissolution of her Marriage with the Earl of *Essex*, by reason of Impotency, and prevailed with the King to appoint Commissioners to try the Cause. The Earl of *Essex*, who did not care now who had his Wife, being interrogated by the Judges, made Answer, that he did not think himself impotent towards any other Woman, but that he believed he should never be able to consummate his Marriage with his Wife. The Court nevertheless observed several Formalities, and order'd the Countess to be visited by Matrons, to know if she was a Virgin. 'Tis said, that the Countess having obtain'd leave to put on a Veil, caused a young Woman of her Stature to stand the Search in her place. Be this as it will, the Marriage was dissolv'd, and in a little time the Viscount of *Rochester* was created Earl of *Somerset*, and marry'd his Mistress.

Essex's Marriage dissolv'd.

It was already above three Years since the King had assembled his Parliament. But at length, not being able to support his Expences, and all the Methods of raising Money being exhausted, his Ministers advis'd him in 1615 to call a Parliament, and gave him hopes that by their Interest the Majority of the Members would be elected according to his Desire. This is very easy, as I have often observed, for a King who has not laid himself open to the Suspicions of the People. But the Case was otherwise with *James* I. The Parliament consisted of other Men than he expected. The King desir'd Money, with a Promise that when the Affair of the Subsidy was dispatch'd, he would suffer the Grievances to be enquir'd into. But the Commons acted the Reverse, and began with the Grievances; after which they resolv'd to present an Address to the King upon several Heads, and particularly upon the Prejudice which the *English* suffered from the Settlement of the *Scots* in the Kingdom. The King was so provoked at the Non-compliance of the Commons, that he dissolv'd the Parliament, and immediately after committed several Members of both Houses to Prison, and laid a Tax upon all the Subjects under the honourable Title of Benevolence. This Money serv'd him to entertain the King of *Denmark*, who came to make him a second Visit.

King calls a Parliament.

He desires Money, but they enter first upon Grievances.

Therefore he dissolves them, and imprisons some of the Members.

King of Denmark's second Visit.

In the Year 1615, the Face of the Court was chang'd by the Advancement of a new Favoutite, and by the Fall of the old one. The King being at *Cambridge*, while the Students entertained him with a Comedy, saw *George Villers* there, a handsome young Man, very well dress'd, who was newly come from *France*. He was charm'd at the Sight of him; and not to enter here into a superfluous Detail, it is sufficient to say that *Villers* soon had that place in the King's Affections which *Somerset* had held for several Years. It was unlucky for the latter, that the King was inform'd at the same time of the manner of his putting *Overbury* to Death. Nevertheless he kept the Secret for a while, and endeavour'd, tho' in vain, to reconcile his two Favourites, still pretending to love the Earl of *Somerset*. But not being able to succeed in this Project, he at length caus'd the Earl, his Wife, and all their Accomplices to be apprehended. They were all condemn'd to Death, and some executed; but the King contented himself with the Confinement of the Earl and Countess in Prison, and a few Years after set them at full Liberty; tho' he did not grant them an entire Pardon 'till a little before his Death.

The Rise of a new Favourite in George Villers.

Decline of the old one.

His imprisonment,

and Pardon.

ARABELLA Steuart, the King's Cousin, dy'd the same Year at the *Tower*, to which she had been committed some time, for having contracted Marriage, unknown to the King, with *William Seymour*, Grandson to the Earl of *Hertford*. The Enemies of King *James* have given dark Hints as if he got rid of this Kinswoman by some foul Play; but I own I don't see any Foundation for this Charge.

Arabella Steuart's Imprisonment and Death in the Tower.

The Disgrace of the Earl of *Somerset* compleatly establish'd the Fortune of *George Villers*, who, to say all in a Word, became a perfect Favourite, and commanded every thing at Court.

Villers's Sway at Court.

In 1616, the King had a great Dispute with the Judges, who call'd his Prerogative in question concerning a Bishoprick which he had granted in *Commendam*. The King took this Affair to heart. He was always so jealous of his Prerogative, that to do any thing tending to infringe it, was to touch him in the most sensible Part. Judge *Cook* was disgrac'd, and turn'd out of his Post, for maintaining with Obstinacy what the Judges had done.

King's Dispute with the Judges.

Cook's Disgrace.

Some time after this, the King made a long Speech in the Star-Chamber, in which he publickly declar'd his Sentiments with respect to the absolute Power of Kings. But his Eloquence did not produce all the Effect which he expected from it, the generality of the Subjects not being able to digest those Principles which he incessantly aim'd to establish.

King's Speech in the Star-Chamber for Arbitrary Power.

The Lord *Ellesmere* High-Chancellor falling sick, resign'd the Great Seal to the King, who committed it to the Custody of *Francis Bacon*. Not long after the Earl of *Suffolk*, who had been made High-Treasurer in the room of the Earl of *Salisbury*, that dy'd in 1613, was accused of a Misdeameanour, and condemn'd by the Star-Chamber to pay a great Fine.

The Great Seal given to Francis Bacon.

Earl of Suffolk fined for a Misdemeanor.

In the Month of *August* that same Year, the King created his Favourite, *George Villers*, Baron of *Brandspech*, and Viscount

Villers made Earl of Buckingham.

count of *Waddon*; and on the firſt of *January* following he made him Earl of *Buckingham*.

Prince Charles created Prince of Wales.

IN the Month of *November*, the King's only Son, Prince *Charles*, was created Prince of *Wales*. The King had a great Deſire to match him; but as there was then no Proteſtant Princeſs that was a King's Daughter, he could not reſolve with himſelf to give him to a Woman of inferior Extraction. Therefore he caſt his Eyes on two Popiſh Princeſſes, *viz. Chriſtina* of *France*, Siſter to *Lewis* XIII, and *Mary* Infanta of *Spain*, Daughter of *Philip* III. But having heard that the firſt was already promis'd to another, he apply'd in good earneſt to the *Spaniſh* Match, of which Negotiation I ſhall treat hereafter.

Sir Walter Raleigh's Releaſe from the Tower, and Commiſſion to ſail to the Weſt-Indies in queſt of a rich Gold Mine.

Sir *Walter Raleigh*, who received Sentance of Death 1603, and had been now 12 Years in Priſon, was ſet at Liberty, but without a Pardon. As his Eſtate had been forfeited, and he had not wherewithal to ſubſiſt, he deſir'd Leave of the King to carry ſome Ships to *America*, and gave him to underſtand that there was a Mine of Gold at *Guiana*, from whence he hop'd to draw an immenſe Quantity, if he had his Majeſty's Commiſſion. Upon this Repreſentation the King granted him a Patent, whereby he gave him the chief Command of all Ships and Adventurers that ſhould make the Voyage with him, without informing himſelf particularly either of the Place where the Mine was, or to whom it belong'd, or whoſe Country he muſt paſs through to go to it. I ſhall diſcourſe of this Gentleman's ſad Cataſtrophe hereafter.

THE Acts of the ſecond Part of the 16th Tome of the *Fœdera* which relate to Domeſtick Affairs, are theſe.

Council's Letter to the Congreſs of Bremen. 493.

1. A Letter from the Council to the *Engliſh* Plenipotentiaries at the Congreſs of *Bremen*; dated *March* 28, 1603 [a].

"THE Council acquaints them of the "Death of Queen *Elizabeth* on the 24th "of *March*, and of the Proclamation of "King *James*.

Proclamation of King James. 490.

2. PROCLAMATION made at *Southampton* upon the King's Acceſſion to the Crown of *England*.

"IN this Proclamation the King's Ti"tle is founded upon his Deſcent from the "two Families of *Lancaſter* and *York*, "and from *Margaret*, *Henry* VII's eldeſt Daughter.

491.

3. A Memorandum relating to the Great Seal.

"IT appears by this Memorandum, that "the King, upon the 5th of *April*, be"fore his Departure from *Scotland*, had "writ to the Council, that it was his Will "and Pleaſure that Sir *Thomas Egerton* "ſhould keep the Great Seal 'till farther "Orders. That afterwards on the 3d of "*May*, *Egerton* reſign'd the Great Seal "to the King, who reſtor'd it to him, and "order'd him to make uſe of it as he had "done before. That on the 19th of "*July* following, the King caus'd the "Great Seal to be broke, and put a new "one into the Hands of *Egerton*, with "a Paper of his own ſigning, whereby "he created him Baron of *Elleſmere*; the "Patents for which he caus'd to be diſ"patch'd on the 21ſt of the ſame Month; "and that on the 24th he made him High"Chancellor."

Honours done to Sir Thomas Egerton. 495.

Acts repoſited in the Treaſury. 497.

4. A Memorandum of the publick Acts repoſited in the Treaſury by Order of the King.

"THEY are the ſeveral Treaties and "Bonds formerly mention'd.

Anſwer to the Council from the Congreſs at Bremen. 500.

5. THE Anſwer of the Plenipotentiaries of the Congreſs of *Bremen* to the Council, dated *April* 22, 1603 [b].

"THEY ſay that upon the News of *E*"*lizabeth*'s Death the Congreſs is broke "up.

Earl of Tyrone's Pardon. 500.

6. A Proclamation by which the King notifies that he receives the Earl of *Tyrone* to Favour.

505.

7. ANOTHER concerning the Outrages committed upon the Borders of the two Kingdoms; dated *May* 17, 1603 [c].

Licenſe to Fletcher, Shakeſpear, &c. 503.

8. A Licenſe granted to *Fletcher*, *Shakeſpear* and Company [d].

Proclamation for the Union. 506.

9. A Proclamation, declaring the Union of the two Kingdoms 'till ſuch time as the Parliaments have confirm'd it with more Solemnity; dated as above [e].

"THE King ſays, that he had found a "moſt earneſt Deſire in his Subjects of "both Kingdoms that ſuch Union ſhould "be perfected; but he was not well in"formed.

Proclamation for the People to depart the Court, &c. 517.

10. A Proclamation forbidding the Courſe of the People about the King's Perſon, and ordering the Nobility and the Officers of Juſtice, or the Police, to return every one to his own Houſe.

"THE King ſays in the laſt Article of "this Proclamation, that he perceives there "had been great Neglect heretofore in "obeying his Proclamations, and that he "is reſolv'd to make Examples of the "Diſobedient.

Earl of Nottingham's Offices for the Coronation. 519, 522.

11. THE Creation of *Charles* Earl of *Nottingham*, High-Conſtable for the 25th of *July*, being the Coronation Day [f].

12. ANOTHER appointing him High-Steward for that Day; dated at *Weſtminſter July* 7, 1603.

Proclamation againſt Copley. 523.

13. A Proclamation for apprehending *Anthony Copley*, who had conſpir'd againſt the King.

Inſolencies of the Scots. 526.

14. ANOTHER empowering the Magiſtrates to puniſh the *Scots*, who ſhall com-

[a] At *Whitehall*. [b] At *Bremen*. [c] At *Greenwich*. [d] To play Comedies, Tragedies, Hiſtories, Interludes, Morals, Paſtorals, Stage-Plays; dated *May* 19, 1603, at *Weſtminſter*. [e] At *Greenwich*. [f] Dated *June* 25, 1603, at *Weſtminſter*.

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mit any Outrages upon the *Engliſh*; dated *July* 8, 1603 [g].

Biſhop of Dunkeld *made a Denizen.* 527.

15. A Denization of the Biſhop of *Dunkeld* a *Scotſman*; dated the 13th of the ſame Month [h].

We afterwards find a great many more of the like Nature.

Proclamation againſt Plotters. 529.

16. A Proclamation to apprehend ſeveral Conſpirators, diſcover'd by the Confeſſion of *Copley*; dated *July* 16, 1603 [i], The Perſons therein deſcrib'd are Sir *Griffin Markham*, and *William Watſon*, and *William Clarke*, two Prieſts.

For the Parliament. 563.

17. A Proclamation for calling the Parliament; dated *Jan.* 11, 1604 [k].

I mention'd this Proclamation in the Hiſtorical Account.

Diſpoſal of Raleigh's *Eſtate.* 569.

18. A Grant to Sir *Walter Raleigh's* forfeited Eſtate to *John Shelbery*, and *Robert Smith*; dated *Feb.* 14, 1604 [l].

Commmiſſioners for the Union. 600.

19. A Proclamation fixing the Time and Place for meeting of the Commiſſioners for the Treaty of the Union of the two Kingdoms; dated *Sept.* 15, 1604 [m].

The Painted Chamber at *Weſtminſter* was the Place, and the 20th of *October* the Day.

Proclamation about Tobacco. 601.

20. Another for laying a Duty of 6 *s.* and 8 *d.* on every Pound of Tobacco that is brought into the Kingdom, over and above the 2 *d.* formerly paid, in order to put a Stop to the Importation of that Drug; dated *Oct.* 17, 1604 [n].

For the Union. 603.

21. A Proclamation for uniting the two Kingdoms of *England* and *Scotland* by the Name of *Great-Britain*, purſuant to the King's Prerogative; dated *Oct.* 20, 1604 [o].

For coining new Money. 605.

22. Another for altering the Standard of the preſent Money, and coining new *Sterling* which ſhall be current in both Kingdoms; dated *Nov.* 16, 1604 [p].

The Inſcriptions of all Coins are therein directed to be *Ja. D. G. Mag. Brit. F. & H. Rex* on one Side; and on the other Side ſome are to have a Thiſtle crown'd with the Motto *Tueatur unita Deus*; others the Letters and Words *J. D. G. Roſa ſine Spina*, and others the Motto *Quæ Deus conjunxit nemo ſeparet.*

Prince Charles *created Duke of* York. 606.

23. A Patent for creating *Charles*, the King's ſecond Son, Duke of *York*; dated *Jan.* 6, 1605 [q].

Regulation of the Heralds. 608.

24. A Commiſſion to regulate the College of the Kings at Arms, Heralds and Purſuivants; dated *Feb.* 5, 1605 [r].

Proclamation's for apprehending Plotters. 636, 638, 639.

25. A Proclamation for apprehending Popiſh Conſpirators; dated *Nov.* 5, and 18, 1605 [s].

26. Another for apprehending *John Gerrard* and *Henry Garnet*, two Jeſuits; dated *Jan.* 15, 1606 [t].

Penſion for apprehending them. 640.

27. Grant of a Penſion of forty Marks *per Ann.* to *John Fynwood*, for having apprehended *Robert Winter* and *Stephen Littleton*, two of the Conſpirators; dated *Jan.* 17, 1606 [v]. JAMES I.

Lands, &c. annex'd to the Crown. 643.

28. The King's Bond for annexing certain Lands and Jewels for ever to the Crown of *England*; dated *March* 27, 1606.

Proclamation that the King is alive. 645.

29. A Proclamation to certify that the King is not dead, as was reported; dated *March* 22, 1606 [w].

About the Flags of Ships 645.

30. Another to regulate the Form of the Flags of Ships; dated *April* 12, 1606 [x].

"The King orders that the Red Croſs "of St. *George*, and the White Croſs of "St. *Andrew* be join'd together to denote "the Union of the two Kingdoms.

King's Declaration about the Earls of Tyrone *and* Tyrconnel. 664.

31. The King's Declaration concerning the Flight of the Earls of *Tyrone* and *Tyrconnel*; dated *Nov.* 15, 1607 [y].

"The King declares that they were "created Earls by *Elizabeth*, not on "account of their Birth, but for Reaſons "of State; that they are fled becauſe "they knew themſelves guilty of new "Conſpiracies; and that they have not "ſuffer'd any Oppreſſion with reſpect to "their Religion or their Eſtates.

Commiſſions for compounding with thoſe who were to raiſe Money for Prince Charles's *Knighthood* 680, 681, 682.

32. The King's Commiſſions to compound with thoſe who are oblig'd to furniſh him with a Sum of Money according to the Statute of *Edward* III, by reaſon of the Knighthood conferr'd on the Prince his eldeſt Son, aged about 15; dated *May* and *June* 21, 160[6]11 [z].

33. Two others of the like Nature to compound on the ſame Head with the two Univerſities of *Oxford* and *Cambridge*; dated *July* 15, 1609 [a].

Proclamation for taking Arabella Steuart *and* William Seymour. 710.

34. A Proclamation for apprehending *Arabella Steuart* and *William Seymour*, who eſcap'd out of Priſon upon the 3d of *June*, 1611; dated the 4th of the ſame Month [b].

Marriage-Articles of the Princeſs Elizabeth *and the Elector* Palatine. 722, *to* 737.

35. Several Pieces relating to the Elector Palatine's Marriage with the Princeſs *Elizabeth* [c].

"By the Conventions the King oblig'd "himſelf to give the Princeſs his Daugh- "ter 40,000 *l. Sterling* for her Portion, and "the Elector engaged to ſettle 10,000 *l.* a "Year upon her, and to give her 1500 *l.* "*per Ann.* for her Privy-Purſe.

Commiſſion to levy Money for it. 724.

36. A Commiſſion to levy the Sum of Money order'd by a Statute of *Edward* III for the Marriage of the King's eldeſt Daughter; dated *Aug.* 30, 1612 [d].

More Acts relating to the Marriage. 742, 744, 748, *to* 767.

37. Other Acts relating to the aforeſaid Marriage; one for defraying the Expences of their Journey to the Elector's Territories; dated at *Weſtminſter*, *April* 10, 1613. Another of the ſame Date for ſecuring her Portion. One from *Frederic*, certifying her Arrival and Reception in the *Palatinate*; dated at *Heydelberg*, *June* 10, 1613, &c.

[g] At *Windſor*. [h] At *Weſtminſter*. [i] At *Hampton-Court*. [k] At *Hampton-Court*. [l] At *Weſtminſter*. [m] At *Windſor-Caſtle*. [n] At *Weſtminſter*. [o] At *Weſtminſter*. [p] At *Weſtminſter*. [q] At *Weſtminſter*. [r] At *Weſtminſter*. [s] At *Weſtminſter*. [t] At *Weſtminſter*. [v] At *Weſtminſter*. [w] At *Weſtminſter*. [x] At *Weſtminſter*. [y] At *Weſtminſter*. [z] At *Weſtminſter*. [a] At *Weſtminſter*. [b] At *Greenwich*. [c] Dated in *Auguſt*, *September*, *October*, *November*, and *December*, 1612. [d] At *Woodſtock*.

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38. THE Elector *Palatine*'s Receipt in full for *Elizabeth*'s Portion; dated *Feb.* 14, 1615 [d]. *Receipt for her Portion.* 776.

39. A Commiſſion to regulate the Offices of the Heralds, &c. dated *January* 16, 1616 [e]. *Regulation of the Heralds.* 779.

40. A Commiſſion to the High-Chancellor to officiatte as High-Steward at the Trial of the Earl and Counteſs of *Somerſet*; dated *May* 10, 1616 [f]. *Earl of Somerſet's Trial.* 781.

41. A Commiſſion to Lord *James Hay* to negotiate a Marriage of Prince *Charles* with *Chriſtina* of *France* Siſter to *Lewis* XIII; dated *June* 8, 1616 [g]. *Marriage-Treaty of Prince Charles.* 788.

42. LETTERS Patent authorizing Sir *Walter Raleigh*'s Voyage to the South of *America*, and other Parts; dated *Aug.* 26, 1616 [h]. *Raleigh's Patent for his Voyage.* 789.

"THE King grants him the ſame Power "over his Fleet as the other Commanders "are us'd to have. He reſerves to himſelf "one fifth of the Profit. He ſuppoſes that "*Raleigh* is going to ſettle a Trade with "the ſavage Nations, who make no ac-"count of Gold or Silver. But there is not "a ſingle Word relating to the Subjects of "the King of *Spain*, who are not ſo much "as nam'd.

43. A Patent for creating Prince *Charles* Prince of *Wales*, and Earl of *Cheſter*; dated *November* 4, 1616 [i]. *Prince Charles created Prince of Wales.* 792.

ARTICLE II.

Affairs relating to Religion.

James's Conduct to the Papiſts and Puritans.

I have already ſufficiently demonſtrated how *James* I ſtood affected with regard to Religion. He made profeſſion of the Religion of the Church of *England*, protected the Papiſts, and mortally hated the Puritans. If he could have render'd himſelf abſolute, 'tis hardly to be doubted but he would have granted the Roman Catholicks an entire Toleration, the Jeſuits and thoſe excepted who held that the Pope had a Power to depoſe Kings. But he had a Notion, upon what Grounds I know not, that they who held this Opinion were very few in number. As for the Puritans, he did not think they ought to be ſuffer'd in a well regulated Government. From thence it may be conjectur'd how he would have treated them, if, as he intended, his bare Word had paſs'd for a Law. He never ſlipp'd an Opportunity of making them feel the Effects of his Hatred, as much as lay in his Power, not only by his Expreſſions, but by his Actions. He had been bred up among them in *Scotland*, which, as I have already ſaid, was the very Reaſon that made him hate them.

Puritans petition him to reform ſome Articles of the Church of England.

NOT long after the King's Arrival, the Presbyterians preſented a Petition to him to reform certain Articles in the Church of *England*, which they could not digeſt. The King made Anſwer to them, that he would examine their Complaints in a Conference between the two Parties, of which himſelf would be Mediator. A Conference was held accordingly at *Hampton-Court*, in the Month of *January*, 1604. The King officiated there, not as Preſident, but as Party and Judge together. He himſelf anſwer'd the Arguments of the Puritans, without giving Time to the Biſhops who were preſent to ſpeak. He reproach'd them with Obſtinacy, Inſincerity, Pride, Chicanery, and in fine, gave them to underſtand that his Intention was to force them to conform to the Church of *England*. *Whitgift* Archbiſhop of *Canterbury*, was ſo charmed with what the King ſaid, that he could not forbear crying out, *That his Majeſty was inſpired by the Holy Ghoſt*. At laſt the King declar'd himſelf a ſtaunch Adverſary of the Puritans, and after that time never ſpoke of them without giving them Proofs of his Contempt and Hatred. As this Averſion was not a little fomented by the Biſhops, it quickly ſpread almoſt over all the Members of the Church of *England*, and continues even to this Day. *Bancroft*, *Whitgift*'s Succeſſor, was an Enemy of the Puritans, and the ſtrongeſt Advocate for the Deſpotick Power of the King. To him ſucceeded *George Abbot*, who tho' join'd to the Church of *England*, was reckoned a Puritan, becauſe he would not perſecute that Sect, and moreover, becauſe he could not approve of the Deſpotick Power of the King. I ſhall ſay no more upon this Head, becauſe the Acts of theſe 14 Years, which relate to Religion, have no need of any further Explanation.

Conference at Hampton-Court.

Whitgift's *fulſome Compliment on the King.*

Bancroft's *Character.*

Abbot's *Character.*

The Acts which relate to Religion or the Church are,

1. AN Eccleſiaſtical Commiſſion againſt the Papiſts and Puritans; dated *Aug.* 26, 1603 [k]. *Commiſſion againſt the Papiſts and Puritans.* 546.

2. A Commiſſion to reform the Book of Common-Prayer, by the Addition or Explanation of ſome things; dated *Feb.* 9, 1604 [l]. *To reform the Common-Prayer.* 565.

3. A Proclamation for all Jeſuits and Popiſh Prieſts to depart the Kingdom before the 19th day of *March*; dated *Feb.* 22, 1604 [m]. *Proclamation about Popiſh Prieſts.* 572.

4. A Proclamation authorizing the reformed Book of Common-Prayer; dated *March* 5, 1604 [n]. *About the Common-Prayer.* 574.

5. A Commiſſion to the Chancellor and others, authorizing them to baniſh out of the Kingdom all Jeſuits and Popiſh Prieſts come from foreign Seminaries, whether indicted, convicted, in Priſon, or at large; dated *September* 5, 1604 [o]. *Commiſſions to baniſh Popiſh Prieſts and Jeſuits.* 697.

"UNDER pretence of executing the Acts "of Parliament, the King manifeſtly elu-"ded them, by only baniſhing the Jeſuits "and Prieſts, as well thoſe who were at-"tainted, as others. Nevertheleſs the Title "of this Commiſſion is, *De Commiſſione ad "Jeſuitas exterminandos*; i. e. A Com-"miſſion for exterminating the Jeſuits."

[d] At *Heydelberg*. [e] At *Weſtminſter*. [f] At *Weſtminſter*. [g] At *Weſtminſter*. [h] At *Weſtminſter*. [i] At *Weſtminſter*. [k] At *Hatfield*. [l] At *Weſtminſter*. [m] At *Weſtminſter*. [n] At *Weſtminſter*. [o] At *Hatfield*.

6. ANOTHER

Foedera Tom. XVI. 590.

6. Another of the like nature; dated *June* 14, 1610 [a].

"This was after the Murder of *Henry* "IV. The King own'd, that since his late "Proclamations, a great number of Jesu- "its and Popish Priests were come into *England* from foreign Seminaries. He "own'd that the Parliament had with one "unanimous Voice made an Order, That "the Statutes enacted against them in the "Reign of *Elizabeth*, should be strictly "put in execution. Nevertheless he says, "that continuing his gracious Inclinations "towards them, he only orders the Com- "missioners to banish out of the Kingdom "such as are convicted and attainted of "and for High Treason, and all others "that are come into the Kingdom contra- "ry to the Laws.

To consecrate Bishops. 706.

7. A Commission to the Bishop of *London* and others, to consecrate the Bi- shop of *Glasgow*, and the Bishops of *Gal- loway* and *Brechin* in *Scotland*, according to the Rites of the Church of *England*; dated *October* 15, 1610 [b].

CUMQUE ex certis, justis & le- gitimis rationibus & causis, Nos & Ani- mum nostrum in ea parte moventibus, magnopere cupiamus ut idem Johannes Spottiswood, Gawinus Hamilton, & An- dreas Lambe, jam in hoc Nostro Regno Angliæ commorantes, in Archiepiscopum & Episcopos respectivè juxta Ritum & Formam Ecclesiæ nostræ Anglicanæ, ordi- nentur & consecrentur. Vobis igitur hoc tenore Præsentium significamus, rogantes, &c.

ARTICLE III.

Affairs of James I *with* France.

JAMES was no sooner arrived in *England* but he received Embassies from several Courts, to congratulate him on his Accession to the Crown. *Henry* IV, King of *France*, was one of the first to acquit himself of this kind of Duty, by sending to him the Marquis *de Rosny*, who was afterwards Duke of *Sully*. *Henry*'s View was not only to congratulate the King, but also to hinder the said Prince from giving Ear to the *Spaniards*, for whom he had always manifested a very strong Inclinati- on. The Ambassador had Orders to ap- pear in Mourning with his Retinue, at his first Audience, because his Business was to make a Compliment of Condolance upon the Death of *Elizabeth*, as well as another of Congratulation; but he was given to understand that his Visit would not be well taken if he complied with that Order, be- cause the King himself not having gone into Mourning for the Death of *Elizabeth*, could not but look upon the Appearance of any other Person in such Habit, as a Design to reproach him. After the first Audience, the Ambassador had several Conferences with the King and his Ministers, about the renewing of the defensive Alli- ance betwixt *France* and *England*; and in this he succeeded according to his Ma- ster's Desire; for on the 30th of *July* that same Year, the said Alliance was renewed. A Treaty of Commerce had also been con- cluded at *Paris* the 24th of *Febr.* 1603, before the Death of *Elizabeth*; but by rea- son of some Difficulties, it was not ratify'd by the two Kings 'till the Year 1606.

James I.

Alliance with France.

HENRY IV being murder'd in 1610, the Alliance was renew'd between *Lewis* XIII and *James* I; but as the Court of *France* was afraid, lest during the King's Minority *England* should unite with *Spain*, they thought it proper to satisfy King *James*'s Demand of the Sums which *Eli- zabeth* had lent to *Henry* IV, and to pay him 60,000 *l. Sterling*.

Renew'd.

In 1614, *James* sent a full Power to *Edmonds*, his Ambassador in *France*, to treat of the Marriage of Prince *Charles* with *Christina*, Daughter of *Henry* IV. But there is some Probability either that the Ambassador did not propose this Marriage at that time, or at least that the Negotiati- on was not push'd very far, because in 1616 the Earl of *Carlisle* had Orders to sift the Court of *France* on that Subject. Be this as it will, the Earl of *Carlisle* found that *James* and his Council were very ill in- form'd of the Transactions of foreign Courts; for *Christina* was already pro- mised to the Prince of *Piedmont*.

Marriage Treaty for Prince Charles.

These are all the Affairs which *James* was concern'd in with the Court of *France*, during the first fourteen Years of his Reign.

The Acts thereunto referring are chiefly these;

1. A Commission to Sir *Thomas Parry* to treat with the King of *France* concern- ing the Grievances of the *English* Mer- chants dwelling in *France*; dated *June* 20, 1605 [c].

Thomas Parry's *Commission.* 630.

"This in all Appearance was one of the "Reasons which occasion'd the Delay of "the Ratification of the Treaty conclu- "ded in 1603.

2. The Ratification of the Treaty con- cluded at *Paris* the 24th of *Feb.* 1603, between *France* and *England*. This Ra- tification is dated *April* 25, 1606 [d], as is that of *Henry* IV, on the 26th of *May* following [e].

Ratifications of the Treaty of Paris. 645. 653.

"This properly speaking is a Treaty "which relates solely to Commerce; only "the first Article confirms the ancient "Treaties between the two Kingdoms.

3. A Commission from *Henry* IV to re- new the Treaties of Peace and Alliance with *England*; dated *Dec.* 29, 1609 [f].

Treaties with France. 683.

"We find in this Commission that the "Term of the Treaties made betwixt *Henry* "and *Elizabeth* was expir'd, and that ano- "ther Treaty made with King *James* on "*July* 24, 1603, was only provisional. It "was this latter which the Marquis *de Ros- "ny* had negotiated. *Henry* IV having a "Design to make War upon *Spain*, was "willing to make sure of *England*.

French *Ambassador not suffer'd to come to Court in Mourning for Queen* Eli- zabeth.

[a] At *Westminster*. [b] At *Westminster*. [c] At *Greenwich*. [d] At *Westminster*. [e] At *Fontainbleau*. [f] At *Paris*.

4. A

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4. A Commiſſion to treat with *M. de la Boderie*, Ambaſſador of *France*; dated *April* 19. 1610[a]. Henry IV. *was kill'd not many Day after.*

P. 693.

5. A Commiſſion of the like nature to treat with the ſame Perſon, being Ambaſſador from *Lewis* XIII. dated *July* 4. 1610[b].

P. 694.

6. A Treaty of defenſive Alliance betwixt *Lewis* XIII. and *James* I. dated *Aug.* 19. 1610[c].

7. *James*'s Ratification of it; dated *Aug.* 25. 1610[d].

King of France's Payment of Money borrow'd of Queen Elizabeth. P. 705.

8. AN Aquittance given to the King of *France* for 60,000 *l. Sterling*, due upon the Bonds of Meſſieurs *de Beauvoir & de Sancy*, &c. to Queen *Elizabeth.*

Prince Charles's Marriage Treaty. P. 769.

9. A Commiſſion to Sir *Thomas Edmonds*, Ambaſſador in *France*, to treat of the Marriage of Prince *Charles* with *Chriſtina* of *France*; dated *June* 19. 1614[e].

P. 788.

10. ANOTHER of the like Nature to the Earl of *Carliſle* for the ſame pupoſe; dated *June* 8. 1616[f].

ARTICLE IV.

The Affairs of James I. *with* Spain.

I have already given an account of the continual and reciprocal Enterpriſes of the King of *Spain* againſt *Elizabeth*, and of *Elizabeth* againſt *Spain*. 'Tis true, there had been no expreſs Declaration of War betwixt the two Crowns, nevertheleſs they were in actual War for near 20 Years. There needs no Proof of this. Mean time, *James*, who valued himſelf on being a pacifick King, pretended, I know not upon what foundation, that this War was perſonal betwixt *Elizabeth* and the King of *Spain*; and that by his Acceſſion to the Crown it was determin'd. Thus having a deſire to convince the King of *Spain* that he did not enter into *Elizabeth*'s Quarrel, he had not been above three Months in *England* before he publiſh'd a Proclamation, whereby he call'd in all the Letters of Repriſal which that Queen had granted to ſeveral private Men, to authorize them to make War upon the Subjects of the King of *Spain*, and order'd that all the Prizes taken after the 24th of *April* 1603, ſhould be reſtor'd. 'Tis obſervable, that this Proclamation was dated the 23d of *June*, and that it order'd a Reſtitution of the Prizes taken from the *Spaniards* two Months before they, who had the Commiſſions from the Queen, could poſſibly know the new King's Intention. *James* having by this Step made the King of *Spain* his Friend, the two Kings entered ſoon after into a Treaty, and the Peace between the two Crowns was ſign'd on the 18th of *Auguſt* 1604. By this Treaty, *James* entirely abandon'd the Intereſts of the *United Provinces* of the *Netherlands*. He not only engag'd himſelf not to give them any Aſſiſtance, but even promis'd to compel them by ſome means or other to make Peace with *Spain*. 'Tis true, that ſome Hiſtorians, in the Account of this very Treaty, relate the Article concerning the *United Provinces* quite different from what it is in the *Fœdera*; from whence it may be ſuſpected, that there was a ſecret Article on this ſame Subject, contrary to that which was inſerted in the Treaty it ſelf. And indeed it does not appear, that *James* perform'd the Engagement he enter'd into by the publick Treaty.

James's Treaty with Spain.

NOTWITHSTANDING this Treaty, *James* made an Alliance with ſeveral Princes of *Germany* againſt the Houſe of *Auſtria*, for the Preſervation of the Succeſſion of the Duke of *Cleves*. By this Treaty which was ſign'd at *Wezel* the 8th of *April* 1612, *N. S. James* engag'd himſelf to furniſh thoſe Princes with 4000 Men to be taken from the *Engliſh* Troops that were in the Service of the States General, and to be commanded by *Edward Cecil*, Brother to the Earl of *Salisbury*.

With the German Princes.

James having attempted in 1616, as I ſhewed before, to make a Match betwixt Prince *Charles* his Son and *Chriſtina* of *France*; the King of *Spain* thought it his Intereſt to obſtruct that Marriage, and therefore the Duke of *Lerma*, *Philip* IIId's chief Miniſter, propos'd to Sir *John Digby* the *Engliſh* Ambaſſador, a Marriage between the ſaid Prince and the Infanta *Maria*, *Philip*'s Daughter. *Digby* having informed the King of it, received an Order from him to negotiate the Marriage, and at the ſame time *Philip* ſent Count *Gondamor* to *England* for the ſame end. This Negotiation will be one of the principal Subjects of the Hiſtory of the remaining part of this Reign.

Propoſal of a Marriage between Prince Charles *and the Infanta of* Spain.

Trade renew'd with Spain. P. 516

The Acts which relate to Spain are,

1. A Proclamation for reſtoring the Commerce with *Spain*; dated *June* 23. 1603[g].

"THE King ſuppoſes in this Proclama-
"tion, that by his Acceſſion to the Crown
"of *England*, the War with *Spain* was at
"an end, becauſe he had declar'd at his
"coming into *England*, that he was at
"peace with the whole World. But
"ſince the *Engliſh*, who had receiv'd Com-
"miſſions from *Elizabeth*, to make War
"againſt *Spain*, could not be altogether
"certain of his Entrance into *England*, be-
"fore the 24th of *April* laſt, he orders
"that the Prizes taken before that Day
"ſhall remain in their hands, but that
"thoſe taken after that Day ſhall be reſtor'd
"to the *Spaniards*. The King ſet out from
"*Edinburgh* on the 5th of *April*, and
"from *Berwick* on the 8th, ſo that the
"Ships which were at Sea, could not have
"above 16 Days to hear of his coming
"into

[a] At *Whitehall*. [b] At *Eaſt-Greenwich*. [c] At *London*.
[d] At *Woodſtock*. [e] At *Weſtminſter*. [f] Ibid. [g] At *Greenwich*.

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"into *England*, ſuppoſing even that ſuch "his Entrance put an end to the War "with *Spain*."

More Negotiations with Spain, *&c.* P. 579.

2. A Commiſſion to treat of a Peace with the Ambaſſadors of *Spain* and *Burgundy*; dated *May* 19. 1604[a].

P. 585.

3. A Treaty of Peace betwixt *England* and *Spain*, concluded at *London* the 18th of *Auguſt*, and ratify'd the 19th[b].

THIS is the Subſtance of the Articles relating to the *United Provinces*.

"AS to the Towns of *Fluſhing*, *Brill*, "and *Rammekens*, the King of *England*, "at the ſame time that he aſſerts that he is "bound by the former Treaties between "*Elizabeth*, and the States, not to give "up thoſe Towns to any but the ſaid States, "promiſes nevertheleſs upon his Royal "Word, that he will allow the States a "convenient Time to make Peace with the "Archduke on equitable Conditions; and "upon their Refuſal, the King looking up- "on himſelf as free and diſengag'd from the "Conventions made with them, will do "what he ſhall think juſt and honourable "with reſpect to the ſaid Towns, and the "ſaid Archduke his Brother ſhall know "that he will not be wanting in the good "Office of a Friend.

"THAT the King of *England* ſhall "expreſſly forbid the Garriſons of the ſaid "Towns to give the States any manner of "Aſſiſtance under any pretence whatſo- "ever.

"THAT he ſhall forbid his Subjects to "carry Merchandize from *Holland* or "*Zealand* into *Spain*."

King of Spain's *Ratification.* P. 617.

4. THE King of *Spain*'s Ratification; dated *June* 15. 1605[c].

Proclamation for the Peace with Spain. P. 633.

5. A Proclamation of the better maintaining of the Peace with *Spain*; dated *July* 8. 1605[d].

"NOTWITHSTANDING the Peace "with *Spain*, there were ſome People who "went a Cruizing againſt the *Spaniards* "without the King's Commiſſion."

Treaty with the German *Princes.* P. 714, 711 to 719.

6. A Treaty of defenſive Alliance between *James* I. and ſeveral Princes of *Germany*, touching the Succeſſion of the Duke of *Cleves*; dated *March* 28. 1612[e].

THERE are ſeveral Pieces on this Subject.

ARTICLE V.

Affairs of James I. *with the* United Provinces *of the* Netherlands.

James I. never loved the Inhabitants of the *United Provinces* for three Reaſons: In the firſt place, becauſe of his Inclination for *Spain*, which he could never ſhake off. Secondly, becauſe he look'd upon thoſe Inhabitants as Rebels, who had withdrawn their Obedience to their rightful Sovereign; for, according to his Principles, there was no Caſe in which it was lawful for the Subjects to reſiſt. Laſtly, thoſe rebellious Subjects had choſen a Republican Government, to which he had a very great Averſion. For this reaſon he ſcarce let any opportunity ſlip of giving them Proofs how little he valued their Friendſhip. Of this we have juſt ſeen a very manifeſt Proof, in the Treaty he made with *Spain* at the beginning of his Reign. JAMES I.

IN the Year 1607, he made an Overture of Peace between the *United Provinces* and the Archdukes; that is to ſay, the Archduke *Albert*, and the Infanta *Iſabella* his Conſort, who were Sovereigns of the *Netherlands*. Before they could enter into the Negotiation, it was abſolutely neceſſary to get over a Difficulty in which the eſſential part of the projected Treaty conſiſted; and that was the Refuſal of the States General to hear Talk either of a Peace or Truce, unleſs they were own'd to be Free States, by the Archdukes, and by the King of *Spain*. The Archdukes conſented to it at laſt, and promiſed to get their Conſent ratified by *Philip* III. *Henry* IV. being informed of this Overture, immediately ſent the Preſident *Jeannin* to the *Hague*, to aſſiſt in his Name at the ſaid Negotiation in quality of Mediator. But the States fearing to diſoblige the King of *England* if they treated with the Archdukes without his Participation, diſpatched an Ambaſſador to him, to deſire him to ſend ſome Perſon into *Holland*, as well to aſſiſt them with his Councils, as to perform the Office of Mediator. *James* appointed Sir *Richard Spencer*, and Sir *Ralph Winwood* his Ambaſſador at the *Hague*, to aſſiſt at the Treaty in his Name; but it was not till above two Months after he had been required. The Negotiation was defer'd nevertheleſs by reaſon of the ambiguous Terms which the King of *Spain* made uſe of in his Approbation of the Conſent of the Archdukes above-mentioned; for it was with much ado that *Philip* was perſuaded to admit of ſuch Terms in his Ratification, as the States could by any means put up with. Negotiation of the Peace of the Netherlands.

IN the mean time, there happened two occaſions of Quarrel between *James* and the States, the one upon account of the Cloth Trade of *England*, the other relating to the Fiſhery. But as theſe two Affairs were of no material Conſequence, and as the Acts of the *Fœdera* make no mention of them, I don't think it abſolutely neceſſary to treat of them more particularly.

THE Negotiation for the Peace being at laſt renew'd after a great many Difficulties, the *Engliſh* Mediators not only left all to be done by the Preſident *Jeannin*, but even did every

[a] At *Weſtminſter*. [b] Ibid. [c] At *Valladolid*.
[d] At *Windſor*. [e] At *Weſel*.

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every thing in their power to hinder the Succeſs of it, by giving publick Teſtimony that the King their Maſter look'd upon the States of the *United Provinces* as Rebels. The chief Obſtruction to the Peace was the Demand of the *Netherlanders*, to be acknowledg'd as a Free State; and yet *Richardot*, one of the *Spaniſh* Plenipotentiaries ſaid in one of his Letters to *Jeannin*, that *Philip*'s Obſtinacy upon this Article was owing to the Promiſe he had from the King of *England*, that he would not ſuffer the Clauſe of the Freedom of the States to be inſerted in the Treaty. We may thereby judge what would have been the Conſequence of King *James*'s Mediation. Nor did *Jeannin* make any ſcruple to ſay in a Letter to the King his Maſter, that he *pretended a deſire to procure Peace, and yet thwarts it, by openly ſaying that the States are Rebels.* Mean time *James*, in order to amuſe the States, made a defenſive Alliance with them to maintain the Peace, *if a Peace could be made*, by which he engaged to furniſh them with 6000 Men. As it was not poſſible to attain to this Peace, ſo deſired by the States, they were fain to accept of a Truce of twelve Years, which was concluded in 1609.

James *ſets himſelf againſt the* Arminian *Party in* Holland.

TWO Years after this, *James* had a very extraordinary Quarrel with the States. The Church of *Holland* being unhappily in very great trouble on account of a Diſpute among the Divines about matters of Grace; *James* thought fit to meddle in the Diſpute under two qualities very different from each other, *viz.* as a Divine, and as a King. As a Divine, he read the Works of *Conrade Vorſtius*, and condemned them as heretical: He alſo cauſed them to be burnt by the common Hangman at *London* and at *Cambridge*. As a King, he thought to oblige the States of *Holland*, juſt as if they had been his own Subjects, not only to condemn the Sentiments and Works of *Vorſtius*, but alſo to puniſh that Profeſſor as a Heretick. His Ambaſſador *Winwood* preſented Memorials in his Name to the States on this Subject, which were drawn up in ſuch haughty menacing Terms, that it looked as if the King reckoned himſelf the Sovereign of *Holland*. The States behaved upon this occaſion with extraordinary Moderation. They had all the Complaiſance poſſible for the King, but without giving up every thing to his Paſſion, and without derogating from their own Sovereignty. 'Tis hardly conceivable that this Prince, who was for tolerating the Papiſts in *England*, provided they behaved as good Subjects, and who regarded the Doctrines which ſeparate the Proteſtants from the Papiſts, as no more than School-Queſtions, ſhould venture to tell the States of *Holland*, that Death was too ſlight a Puniſhment for the Errors which *Vorſtius* maintained about Grace. 'Tis ſtill more unaccountable from whence aroſe this great Zeal for preſerving the Purity of the Faith, in a Church that was both Foreign and Presbyterian. But he was not always ſo hot upon this Subject; for towards the Cloſe of his Life, the *Engliſh Arminians* had very great Credit with him.

His Negotiation with the States about the Ranſom of their cautionary Towns.

THE laſt Diſpute that *James* had with the States-General, was about the reſtoring of the Towns that were mortgaged to Queen *Elizabeth*. 'Tis certain that the States might a long time ago have redeem'd thoſe Towns, by paying the King what they owed him. But while the War laſted, it was their advantage to have them in his hands, in order by ſuch a Tie to ſecure him in their Intereſts. The Truce which was concluded for twelve Years, rendered the Aſſiſtance of *England* not ſo neceſſary to them now as formerly. Beſides, they imagined that the King would not have treated them with the Arrogance he did, in the Affair of *Vorſtius*, had it not been for thoſe important Towns of theirs, of which he had the keeping. Laſtly, the Marriage of Prince *Charles*, which was negotiating in *Spain*, gave them reaſon to apprehend that *James* might be prevailed on to deliver up thoſe Towns to the King of *Spain*, and that this would be one of the Articles of the ſaid Marriage, which was then thought to be very far advanc'd. All theſe reaſons made them reſolve to redeem their Towns. They thought they had the fairer opportunity to do it by reaſon of the King's extreme want of Money, for he had juſt diſſolved the Parliament without obtaining any Supply from them. But in order to reap all the Advantage poſſible from the King's Circumſtances, they thought it abſolutely neceſſary by ſome Artifice or other to engage him to offer the Reſtitution of their Places to them of his own accord. In the laſt Treaty they had made with him, they owned themſelves his Debtors in the Sum of 818,408 *l. Sterling*. This being a conſiderable Sum, they thought that with a little management, it would be poſſible for them to ſave a good part of it; and for this purpoſe they ſtop'd the Pay of the Gariſons of the cautionary Towns all on a ſudden. The Governours and the Officers complained, and the States, tho' they did not refuſe Payment, pretended Inſolvency, and deſired longer time. The delay of their Pay made the *Engliſh* Troops complain to the King, who not being in a condition to ſatisfy them, wrote ſharply about it to the States. But the States ſtill pleading Poverty, on account of the Expences of the late War, ſpun out the Affair to a great length. *Caron*, the States Envoy to the King, inſinuated, as of his own head, to the Miniſters, that if the King ſhould make an Offer to the States to give up their cautionary Towns, he did not doubt but they would make a hard ſhift to pay him the Principal, tho' they ſhould borrow the Money at high Intereſt. The King, who

was without Cash at that juncture, approv'd of the Overture, and proposed the thing to the States, which was what they looked for with impatience. As soon as the King had thus declared himself, they sent Ambassadors to him, who found means to compound with him for two Million, 728,000 Florins; that is to say, for about one fourth of what they owed him; and the Towns were restored to them.

The Acts which relate to the United Provinces, *are,*

James's *Letter to the States.* P. 518.

1. A Letter from King *James* to the States General; dated *June* 24, 1603 [a].

"HE sends Sir *Ralph Winwood* to them, "to assist as a Member of their Council of "State, according to Treaties."

His Ambassadors at the Treaty betwixt Spain *and* Holland. P. 663.

2. A Commission to Sir *Richard Spencer* and Sir *Ralph Winwood*, to assist in the King's Name at the Treaty between *Spain* and the States-General [b].

Treaty with the Dutch. P. 667.

3. A Treaty of defensive Alliance betwixt *England* and the States-General; dated *June* 6, 1608, at the *Hague*.

"THE King engaged himself to assist "them with 20 Ships, and 6000 Men, for "the Preservation of the Peace. But this "Treaty was only to take place, in case "the Peace was made."

P. 671.

4. THE King's Ratification of it; dated *July* 20, 1608 [c].

About their Arrears. P. 673.

5. ANOTHER Treaty concerning the Money due to the King, from the United Provinces; dated as above.

"THE States own themselves Debtors "to the King, in the Sum of 818,408 Pounds "*Sterling*, which after two Years are ex-"pired, from the Conclusion of the Peace, "they will begin to pay off at the rate of "60,000 Pounds a year."

P. 676.

6. THE King's Ratification of it; dated *July* 20, 1608 [d].

Their East-India *Trade and Whale-Fishery.*

7. A Commission to regulate certain Disputes with the *United Provinces*, relating to the Commerce of the *East-Indies*, and the Fishery in the *North Sea* near *Greenland*; dated *Dec.* 29, 1614 [e].

The Restitution of their cautionary Towns. P. 784.

8. A Commission to deliver up *Flushing*, and the Castle of *Rammekins* to the States of the *United Provinces*; dated *May* 22, 1616 [f].

P. 786.

9. ANOTHER of the same nature concerning the *Brill*; dated *May* 22, 1616 [g].

Other loose Acts, are,

Lesur's *Credentials.* P. 518.

1. THE King's Credentials to *Stephen Lesur*, his Envoy to the Emperor *Rodolph* II. dated *June* 25, 1603 [h].

Duke of Brunswick's *Pension.* P. 581.

2. THE Grant of a Pension of 500 Marks to *Augustus* Duke of *Brunswick*; dated *June* 21, 1604 [i]. JAMES I.

Patent for Discoveries in China, *&c.* P. 582.

3. A Commission to Sir *Edward Michelburne*, to go and make Discoveries in *China*, *Japan*, *Corea*, *Cambaia*, &c. dated *June* 25, 1604 [k].

Duke of Holstein's *Pension.* P. 614.

4. A Grant of 2000 *l.* Pension to *Ulrick* Duke of *Holstein*; dated *May* 27, 1605 [l].

Peace with the Turks. P. 659.

5. A Commission to *Thomas Glover*, to confirm the Friendship between the King and *Sultan Achmet*, Emperor of the *Turks*; dated *Aug.* 16, 1606 [m].

Discovery in China. P. 660.

6. A Licence to *Richard Penkevell* to go and seek a Passage to *China* by the *North-Sea*; dated *Jan.* 9. 1607 [n].

Cecil's Commission. P. 684.

7. A Commission to *Edward Cecil* to command 4000 Men appointed for the assistance of the Duchies of *Cleves* and *Juliers*; dated *April* 5. 1610 [o].

Casaubon's Denization. P. 707.

8. THE Denization of *Isaac Casaubon*; dated *Jan.* 3, 1611 [p].

Pension. P. 710.

9. THE Grant of a Pension to him of 300 *l. Sterling*; dated *Jan.* 19, 1611 [q].

P. 710.

10. THE King's Testimony under the Great Seal, concerning the Antiquity of the Family of *Sylvius*; dated *April* 6, 1612 [r].

This is the Family of Wood *in* Scotland.

Peace betwixt Sweden *and* Denmark. P. 738.

11. A Treaty of Peace between *Christian* IV. King of *Denmark*, and *Gustavus Adolphus*, King of *Sweden*, concluded by the Mediation of the King of *England*, at *Copenhagen*, *Jan.* 20, 1613. with the Ratification and Confirmation of it by *James* I. dated *April* 2. following [s].

With Muscovy. P. 747.

12. A Commission to renew with the Governors of *Muscovy*, the antient Treaties touching the Privileges of the *English* Merchants; dated in *May* 1613 [t].

13. ANOTHER of the like nature, of the same Date.

"*Muscovy* was at that time disturb-"ed by a Civil War. Therefore those "Commissions are to treat with the Gover-"nors, Generals of the Army, States, *&c.*"

P. 768.

14. A Commission to renew the Friendship and Alliance with *Michael Federowitz* great Duke of *Muscovy*, and to mediate the Peace betwixt *Muscovy* and *Sweden*; dated *June* 18, 1614 [u].

Sir Thomas Rowe's *Commission.* P. 775.

15. A Commission to Sir *Thomas Rowe* to go Ambassador to the great *Mogul*, and to treat about the Confirmation of the Commerce of the *English* to the *Indies*; dated *Jan.* 8, 1615 [w].

We are at length arrived to Mr. Rapin's *Account of the Seventeenth Volume of the* Fœdera, *the last that was printed in his Time.*

THE rest of *James* the First's Reign takes in five things especially, to which the most

[a] At *Greenwich.* [b] Dated *Aug.* 10. 1607, at *Beawley.* [c] At *Theobalds.* [d] At *Theobalds.* [e] At *Westminster.* [f] At *Westminster.* [g] At *Westminster.* [h] At *Greenwich.* [i] At *Westminster.* [k] At *Westminster.* [l] At *Westminster.* [m] At *Greenwich.* [n] At *Westminster.* [o] At *Whitehall.* [p] At *Westminster.* [q] At *Westminster.* [r] At *Westminster.* [s] At *Westminster.* [t] At *Westminster.* [u] At *Westminster.* [w] At *Westminster.*

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most important Acts of the ſeventeenth Volume refer, *viz.* 1. The King's Broils with the Parliament. 2. The Protection he gave to the Papiſts in *England*. 3. The Affairs of the Elector *Palatine*, Son-in-Law to the King. 4. The Negotiation of the Marriage of the Prince of *Wales* with the Infanta of *Spain*: And, 5. The Marriage of that Prince to a Princeſs of *France*. It were to be wiſhed for the greater clearneſs, that thoſe Subjects could be treated each ſeparately, according to the Method hitherto obſerved. But they have ſuch a dependence on one another, that I don't ſee how 'tis poſſible to make different Articles of them, without being engaged in continual repetitions. Therefore I ſhall now alter the Method, and ſet down under every Year what happened of moſt importance in each of the five Articles juſt now mentioned. By this means I ſhall have the liberty to introduce ſome things into this Abſtract, which have no Connection with thoſe Articles.

Anno MDCXVII.

Account of Mark Anthony de Dominis.

Mark Anthony de Dominis, Archbiſhop of *Spalato**, in *Dalmatia*, a Man full of Years, but in good Plight of Body, came into *England*, on purpoſe to embrace the Proteſtant Religion. The King was very kind to him, but afterwards this ſame Prelate being prevailed on to go to *Rome*, in hopes of being made a Cardinal, he there abjured the Religion which he had embraced in *England*. But notwithſtanding this, he was put into the Dungeon of the Inquiſition, where he died; and after his Death, his Body was publickly burnt.

James's Attempt to oblige the Scots to conform to the Church of England.

JAMES not thinking it enough to keep the Presbyterians very low in *England*, took it into his head to oblige the *Scots* to conform to the Diſcipline of the Church of *England*. But knowing the Difficulties there would be in the obtaining of this all at once, he contented himſelf at firſt with ſending only four Articles into *Scotland*, of very ſmall Importance, to the end that they might be inſerted in the Canons of the Church. The general Aſſembly of the Church of *Scotland*, perceiving the King's Intention, refuſed to inſert thoſe four Articles in the Canons. Not that they thought that thoſe Articles were a lawful ground of Separation between the Churches of *Scotland* and *England*, but becauſe they foreſaw the handle it would give the King for new Demands, or rather new Injunctions. This Refuſal obliged the King to make a Journey to *Scotland*, where he treated of this Affair in a very extraordinary manner, relying conſtantly upon his darling Maxim, that a King might do what he liſt. He obtained of the Parliament in the firſt place, that Commiſſioners ſhould be appointed to examine his Demands, and he himſelf immediately nominated three Perſons that were devoted to him, without giving the Parliament the liberty of interfering in that Nomination. Thoſe Commiſſioners decided in the firſt place, that the King, with the Advice of the Biſhops, might make what Alterations he thought fit in the Diſcipline of the Church. But the Proteſtant Miniſters proteſted againſt this Deciſion, and demanded a general Aſſembly. The King would not grant it, and actually committed ſome of the Miniſters to Priſon. But at laſt finding it was not in his power to make them obey him, if what he demanded was not authorized by a general Aſſembly; he granted it, and had the Mortification to ſee his Articles rejected. Being incenſed at this Refuſal, he cauſed the ordinary Salaries of the Miniſters to be ſtopp'd, and at laſt called another Aſſembly at *Perth*, which ſubmitted to his Will.

He authorizes Sports and Paſtimes on Sundays, and writes a Book to juſtify it.

WHEN the King was returned to *England*, and on his way to *London*, a Petition was preſented to him from Servants, labouring Men, Artificers, *&c.* that they might have leave to play, to go to Tippling-Houſes, in a word, to have Sports and Paſtimes upon Sundays after divine Service. It was ſignified to him, that the Puritans were againſt Diverſions of this kind, by reaſon of a ſuperſtitious Opinion they held concerning Sunday, which they always affected to call the Day of Sabbath. The King not only granted this Petition, but even wrote a Book to demonſtrate the Innocence of Diverſions of this ſort upon that day, and ordered it ſhould be read publickly in all the Churches of the Kingdom. The Miniſters who refuſed to read this Book, were looked upon as Puritans, and puniſh'd by the High Commiſſion.

Account of his Favourite the Earl of Buckingham.

THE Earl of *Buckingham*, the King's Favourite, was become Lord Paramount. It was he that governed the Kingdom. He diſpoſed of all Offices in favour of his own Friends and Creatures, and eſpecially his Kindred, who were very numerous. His Mother, who was married again to Sir *Thomas Compton*, being a *Roman* Catholick, obtained whatever ſhe wanted in favour of thoſe of her Religion, who expected mighty things from her Credit; and therefore great numbers of them flocked into the Kingdom from the time I am ſpeaking of, to the end of this Reign.

Sir Walter Raleigh's Misfortunes.

SIR *Walter Raleigh*, whom I formerly mentioned, having found means to fit out 12 Ships by virtue of the Patent which the King granted

* This was the Perſon, who being exaſperated by the Court of *Rome*, had the chief hand in publiſhing Father *Paul's* excellent *Hiſtory of the Council of Trent*, at *London*, which he inſcrib'd to King *James* in 1619. He alſo preach'd and wrote againſt the Romiſh Religion; and becauſe he was advanced in Years, it was ſuppos'd that nothing but a conſcientious Zeal for the Purity of Religion, had prevail'd with him to undertake ſo long a Journey, and quit his Archbiſhoprick.

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granted him, ſailed directly to *Guiana*, where he did not find the Mark which he had left on the Coaſt: Nevertheleſs he detach'd five Ships, which went up *Oroonoko* River. The *Engliſh* offering to go aſhore, the *Spaniards* of thoſe Parts oppoſed them, but were repulſed as far as St. *Thomas*'s Town, which the *Engliſh* took poſſeſſion of, and put a Garriſon in it. The *Engliſh* advanced afterwards into the Country, in queſt of the Mine ſo much deſired; but not finding it, they went back to Sir *Walter Raleigh*, who was forced by thoſe that had accompanied him, and who were very much diſſatisfied with the Voyage, to ſail back again for *England*. He had no ſooner ſet his Foot aſhore, but the King cauſed him to be apprehended, and committed to the Tower, upon the Inſtances of the Count *de Gondemar*, the *Spaniſh* Ambaſſador, who gave him to underſtand that the Marriage-Treaty would infallibly be broke off, if the King his Maſter had not ſuitable ſatisfaction for Sir *Walter Raleigh*'s Enterprize. The King, in his own Vindication proteſted, that by his Patent he had expreſſly forbid *Raleigh* to attempt any thing againſt the Subjects of the King of *Spain*. However, in the Patent which is inſerted in the XVIth Volume of the *Fœdera*, there was not one word about the King of *Spain*, or his Subjects. Indeed, the King in that ſame Patent, taking it for granted that Sir *Walter* was going into a Country inhabited by Savages, there might be ſome reaſon for inferring ſuch a Prohibition. Be this as it will, *Raleigh* was ſacrificed to the Marriage, and had his Head cut off at the Age of 79, not for any Inſult that he committed upon the *Spaniards*, but in purſuance of the Sentence paſſed againſt him fourteen Years before.

Anno MDCXVIII.

Complaints of the People againſt the King's Government and Favourite.

THE People in general complained very much of the King's Government, and of the Conduct of his Favourite, who was this Year made Marquis of *Buckingham*; and upon the Reſignation of the Earl of *Nottingham*, advanced to the Poſt of Lord High-Admiral. Complaint was made that Offices were ſold to the higheſt Bidder; that nothing was heard at Court but horrid Oaths, and that the King himſelf was not exempt from this Crime; that Religion was only made to conſiſt in not being a Puritan, that is to ſay, in not oppoſing the King's abſolute Power; that they who could not approve of that Power, were perſecuted by the High Commiſſion as Puritans; that the Papiſts were not only tolerated, but even poſſeſſed the chief Poſts in the Court and Kingdom; and that the King was going to marry the Prince his Son to a Popiſh Princeſs. The King on his part was as much diſpleaſed to hear that the People dared to call his Conduct in queſtion, and eſpecially that part of it relating to the Marriage of the Prince his Son, which he had extremely at heart.

The King diſſatisfied with the People.

JAMES I.

The View of the Spaniſh Court in the Negotiation for his Son's Marriage.

YET 'tis certain, that at that time the *Spaniſh* Court had no mind to conclude that Marriage. Their only View was to hinder the King of *England* from interfering in the Affair of the Succeſſion of *Cleves*. For though *James* had made a Treaty with the *German* Princes concerned in that Succeſſion, to furniſh them with 6000 Men; yet this Treaty proved of no real advantage to them, becauſe thoſe 6000 Men were the ſame that were already in the Service of the States-General. The Negotiation of this Marriage had been ſpun out two Years, and no Progreſs made in it. But at laſt the *Spaniſh* Court fearing that *James* would be quite diſcouraged, ſeemed to enter into this Treaty more ſeriouſly. As the Prince and the Infanta were of two different Religions, it was agreed that the Affair of Religion ſhould be ſettled before any other. After a great many Difficulties, five Articles were at length agreed on, for ſecuring to the Infanta the Liberty of Conſcience, and the free Exerciſe of her Religion, in a manner ſuitable to her Dignity and Birth. I will only ſet down two of them, the other three having nothing in them extraordinary.

Convention for the Marriage.

THE firſt imported, "That before the "Celebration of the Marriage, a Diſpen- "ſation ſhould be obtained from the Pope, "at the ſingle Sollicitation of the King of "*Spain*." By means of this Article, the Negotiation was ſpun out five Years longer.

BY the ſecond it was agreed, "That if "the Children born of this Marriage choſe "to be Catholicks, it ſhould be no manner "of prejudice to their Succeſſion to the "Crown."

The King ſigns them.

THESE Articles being ſent to the King, he ſigned them, and returned them back to *Spain*, yet the Marriage was never the nearer. For new reaſons obliged the *Spaniſh* Court to drive it off.

The Troubles of Bohemia.

I have a mind juſt to mention the Troubles of *Bohemia*, the Origin of which is ſo well known, that I ſhall ſay the leſs of it. *Matthias* ſucceeding to the Empire, and to the Crown of *Bohemia*, after the Death of his Brother *Rodolph* II. adopted his Nephew Prince *Ferdinand*, and cauſed him to be elected King of *Bohemia*; having found the means to exclude from the number of Electors, not only the Proteſtants of the Kingdom, but alſo the States of *Sileſia*, *Moravia*, and upper and lower *Luſatia*, Countries incorporated with *Bohemia*. Under the Reign of *Matthias*, the Privileges of the Kingdom of *Bohemia* were ſo openly violated, that the States at length threw three of the Emperor's Officers out of the Windows of the Caſtle of *Prague*, which occaſioned a War betwixt the Emperor and the States. Cardinal *Albert* raiſed an Army in the

The States caſt three of the Emperor's Officers out at Window. A War breaks out.

Netherlands

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Netherlands for the Emperor's Aſſiſtance, and gave the Command of it to the Count *de Bucquoy*; and the States on their part prepar'd for their Defence. The States of *Bohemia*, or at leaſt the greateſt part of the Deputies, being Proteſtants of the Communion, which is called in that Country *ſub utraque*[a], there was great probability that this particular War would turn at laſt into a general religious War. This was the reaſon that the Court of *Spain*, knowing of what advantage the Aſſiſtance of *England* might be to the Proteſtants, continually amuſed King *James* with the hopes of a ſpeedy Concluſion of the Marriage, in order to hinder him from meddling in the Affairs of *Bohemia*. *James* fell into this Snare, and contented himſelf with ſending the Earl of *Carliſle* Ambaſſador to the Emperor, to endeavour to aſſuage theſe Differences; but his Labour was in vain. Afterwards he would never take part heartily in the Affairs of *Bohemia*, no not even when the Elector *Palatine* his Son-in-Law was particularly concerned, as we ſhall ſee preſently. Mean time the People of *England* murmured ſadly againſt the King for his obſtinate Reſolution to marry the Prince with a Popiſh Princeſs, who was the Daughter of a mortal Enemy to the Proteſtant Religion. But the Catholicks triumphed, when they ſaw that they were going to have ſo powerful a Protector.

James is amus'd by the Spaniſh Court.

Murmur'd at by his Proteſtant Subjects while the Papiſts rejoice.

Anno MDCXIX.

THE Queen, who was Wife to King *James*, died in the Month of *March* this Year[b]; and not long after, the King himſelf was ſeized with a Diſtemper, which brought him almoſt to the Brink of the Grave[c].

His Queen's Death.

THE Emperor *Matthias* dying at the ſame time, the States of *Bohemia* refuſed to own *Ferdinand* for their King, and ſtrenuouſly oppoſed the Summons which the Archbiſhop of *Mentz* ſent to him to be preſent as King of *Bohemia* and Elector, at the Choice of a new Emperor. But notwithſtanding their Oppoſition, *Ferdinand* was not only owned by the Diet as King of *Bohemia*, but was alſo elected Emperor, on the 28th of *Auguſt* 1619, *O. S.* But the States, far from owning him as King of *Bohemia*, offer'd their Crown to the Elector *Palatine*, who accepted it without heſitation, and before he had ſent word of it to the King his Father-in-law. 'Tis true he diſpatched the Baron *de Dhona*[d] to him, to ask his Advice; but this was no more than a mere Compliment, becauſe he did not ſtay for his Anſwer. As ſoon as *James* had received the firſt News of this Election, he called an extraordinary Aſſembly of his Council, to conſider whether it was expedient that the Elector *Palatine* ſhould accept the Crown of *Bohemia*, which was offer'd to him. *Abbot* the Archbiſhop of *Canterbury* not being able to attend the Council, by reaſon of the Gout, wrote to one of the Secretaries of State, that his Opinion was for the Elector's accepting it; but the King and Council were of another Opinion, and determined that the Elector ought to refuſe the Crown. Not that they had examined this Affair with reſpect to the Elector himſelf, but their Deciſion was founded on the King's Humour, and on what he thought his Intereſt, as if the Elector had been obliged to make that the only Rule of his Conduct. The King without giving himſelf time to examine the Conſtitutions of the Government of *Bohemia*, or the Privileges of the States, a thing which was very odious to him, decided that the States of *Bohemia* were Rebels, and that by conſequence the Elector his Son-in-law could not lawfully accept the Crown, which they offer'd him. He was afterwards aware of the Objection that might be raiſed againſt his Opinion, from the want of ſuch Examination, and obviated it by ſaying that it was a Task too hard for him to perform; that he muſt have turned over a great many Volumes of the Hiſtory of *Bohemia*; and that as he was not conſtituted a Judge of the Cauſe, it was ſufficient for him to know that *Ferdinand* had been recogniz'd for preſumptive Succeſſor of *Matthias*, and crowned at *Prague*, in order to look upon all thoſe as Rebels who oppoſe his Authority. Thus he argued in the Diſpute betwixt the *United Provinces* of the *Netherlands* and *Spain*. But that was not the chief reaſon of his Deciſion, for he had another much ſtronger; *viz.* That as he was not ignorant of the ſtrict Union betwixt the two Branches of the Houſe of *Auſtria*, he was afraid that the Elector's Acceptance of the Crown of *Bohemia*, would prove an invincible Obſtacle to the Marriage of the Prince of *Wales* with the Infanta of *Spain*.

The States of Bohemia oppoſe the Summons of King Ferdinand to the Diet.

He is elected Emperor.

Elector Palatine choſe King of Bohemia.

King James againſt his accepting of that Crown, and Archbiſhop Abbot for it.

WHILE this Affair was under Conſideration at the Court of *England*, the Elector *Palatine* accepted the Crown which was offer'd to him, and immediately diſpatched an Expreſs to the Baron of *Dhona*, which overtook him on the Road, to order him to excuſe him to the King his Father-in-law, for his having accepted the Crown without ſtaying for his Approbation. *James* was to the laſt degree enraged at the Elector, for having thus broke his Meaſures by this precipitant Step, and would never own him as King of *Bohemia*. On

The King's Rage againſt the Elector for accepting it.

[a] This was the Religion of the *Huſſites*, who receiv'd the Communion in both kinds.

[b] *Ruſhworth* places the Death of the Queen on the 17th of *November* 1619.

[c] Mr. *Rapin* obſerves, in the 7th Tome of his large Hiſtory, that it had been happy for his Reputation, if he had died now, becauſe the reſidue of his Reign, which was ſix Years, ſtain'd his Character.

[d] Some call him the Baron *Done* or *Dhona*, and Mr. *Rapin* is uncertain, whether his right Title was not Baron *d'Aulne*.

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Trys to perswade him to quit it.

On the contrary, he obſtinately perſiſted to treat the States as Rebels; and he thought to have perſuaded the Prince his Son-in-law to renounce the Dignity he had accepted, but he found himſelf miſtaken. His View in this was to ſatisfy the King of *Spain* that he had no hand in what the Elector had done, to the end that the Marriage Treaty might not be interrupted. The *Spaniſh* Court made an Advantage of the King's Diſpoſition, by continuing to amuſe him with the Hopes of a ſpeedy Concluſion of the Marriage. They even ſignify'd to Sir *Francis Cottington* the *Engliſh* Embaſſador, that if the Diſpenſation from *Rome* ſtaid too long, they would do without it. But *Cottington* was not to be entrapped by this Snare; for he wrote to the King, that the *Spaniſh* Court had only a deſign to amuſe him, and therefore he adviſed him to break off the Negotiation. But *James*, inſtead of following this Advice, ordered him to continue it, and to declare expreſſly to the King of *Spain* in his Name, that he diſapproved of what the Elector *Palatine* had done. *Philip* anſwered, that he was very glad to ſee the King his Brother ſo ſincere, and that nothing was more likely to haſten the Concluſion of the Marriage than ſuch a Diſpoſition.

Is ſtill amus'd by the Spaniſh *Court.*

Anno MDCXX.

ONE ſhall hardly hear of any thing more unaccountable than King *James*'s Conduct in this Affair, which began to be the Concern of all *Europe*. Moſt of the Proteſtant Princes of *Germany* took part with *Frederick*, and the Catholicks join'd with the Emperor; ſo that in all appearance a religious War was ready to break out in *Germany*. *James* was the moſt powerful Prince, and the Father-in-law of *Frederick*, and yet he continued neuter; and not only ſo, but he even publickly blamed his Son-in-Law for having accepted the Crown of *Bohemia*; and moreover flatter'd himſelf, that he ſhould be choſe Arbitrator of the Quarrel, as if neither of the two Parties had the leaſt reaſon to ſuſpect him. No wonder therefore if he did not ſucceed in ſo chimerical a Project, which nevertheleſs coſt him very dear, on account of the frequent Embaſſies he ſent into *Germany* to bring it about. His ſecret Aim was to hinder this Affair from being an Impediment to the Marriage of the Prince his Son. With this View he left no Stone unturn'd to perſuade the Emperor and the King of *Spain*, that they had no room to ſuſpect him; for he diſown'd the Action of his Son-in-law, and even offered either to perſuade him to renounce the Crown of *Bohemia*, or in caſe of Refuſal, to make uſe of Force to compel him. On the other hand, he ſent *Weſton* and *Conway* to *Prague*, where *Frederick* had been already crowned, to perſuade that Prince to quit that Crown which he had juſt received.

He hopes to be Arbitrator of the Difference betwixt Ferdinand *and* Frederic.

The true Motive of all theſe Proceedings was his Fear that this Affair would prove an Obſtacle to the Marriage of the Prince his Son, and conſequently deprive him of a Portion of two Millions, which he had expected with the *Spaniſh* Match. But after all the Inquiry I have been able to make, I could never yet learn in what Species thoſe two Millions were to be paid. JAMES I.

Frederick being very much diſguſted with the King his Father-in-law, went on his way, and being ſenſible that he ſhould e'er long be attack'd, he put himſelf into a Condition, with the aſſiſtance of his Allies, to make his Defence. The Emperor made the like Preparation, without giving much heed to the Propoſals of the King of *England*, whom he only trifled with, inſtead of giving a poſitive Anſwer to his Demands. *Philip* III. on his part did the Emperor ſignal Service, by feeding King *James* with the Hopes that the Diſpenſation would quickly arrive from *Rome*. The Count *de Gondomar*, *Philip*'s Ambaſſador at *London*, had given him to underſtand that *James* would never reſolve with himſelf to give the Elector any Aſſiſtance while he had the leaſt hopes of concluding the Marriage. This Ambaſſador held the King in ſuch ſtrong Chains by thoſe hopes, that he made him do whatever he pleas'd. He had nothing to do but to threaten him with a Rupture, to hinder him from taking any Step that might be diſagreeable to the King of *Spain*.

Philip raiſes an Army in the Netherlands.

BUT *Philip* was not content with doing the Emperor this ſecret piece of Service. He not only cauſed the Troops he had in *Italy* to march to his Aſſiſtance, but order'd an Army to be raiſed in the *Netherlands* to invade the *Palatinate* under the Command of *Spinola*. *James* was inform'd by the States General of the raiſing of thoſe Troops, and of their Deſign; but could not reſolve with himſelf to take Arms, in order to ſave his Son-in-law's Dominions upon meer Suſpicions, or rather he choſe to ſhut his Eyes, that he might not be oblig'd to enter into this War. Therefore he only gave Orders to *Edmonds*, his Envoy at *Bruſſels*, to demand of the Archduke the reaſon of this Armament. The Archduke anſwered, that the King of *Spain* having ſent his Orders to *Spinola*, he muſt apply to that General. *Spinola* ſaid, that his Orders were ſeal'd up, that he could not open them till he was on the March; and that if the Envoy would pleaſe to follow him, he might then be inform'd. One would think a Man muſt have been wilfully blind, who could not ſee that this Army was deſign'd againſt the *Palatinate*; and yet *James* ſtill rely'd upon the King of *Spain*'s *Bona fide*, as if it had been impoſſible for that Prince to go about to deceive him, or rather it looks very much as if he had a mind to deceive himſelf. He had

James's ſhiſtful Conduct.

form'd

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form'd two Deſigns, the firſt never to have War with any body, the ſecond to marry his Son to the Infanta of *Spain*; but the Elector *Palatine*, by accepting the Crown of *Bohemia*, defeated both theſe Deſigns as far as lay in his power. He thought it neither juſt nor reaſonable, that for the ſake of the Elector he ſhould engage in a War againſt the Emperor, who had done him no Harm, and againſt *Spain*, with which he was on the point of concluding an Alliance. He had rather ſee the Elector robb'd of the *Bohemian* Crown, than that he himſelf ſhould unravel his own Meaſures for the ſake of ſecuring a Dignity to his Son-in-law, which in his opinion he could not legally poſſeſs. That this was King *James*'s ſecret Reaſoning in his own Breaſt, appear'd from his whole Conduct. But in order to attain to his own Ends, he took a courſe which kept him the wider from the Mark by a miſtaken Notion, in the firſt place, that the King of *Bohemia* would do every thing that was adviſed him by a Father-in-law, whom his Courtiers ſtil'd the *Solomon* of his Age; and ſecondly, that the Emperor and the King of *Spain* would repoſe an intire confidence in him.

He is prevail'd on to ſend Men to the Palatinate.

MEAN time, *Spinola* being juſt ready to march in order to invade the *Palatinate*, the Clamours of the People and of the Courtiers, who did not penetrate into the King's ſecret Intentions, at length extorted his Conſent for the raiſing of 2500 Men, who had Orders to march towards the *Palatinate*, under the Command of *Horatio de Vere*. But notwithſtanding this, the King perſiſted in his Deſign to put an end to this Affair by amicable Meaſures, that is to ſay, by obliging *Frederick* to renounce the Crown of *Bohemia*; for that was the Plan he had form'd. For this purpoſe he had ſent Sir *Edward Wotton* into *Germany* to exhort all the Princes to Peace, and to offer the Emperor his Mediation. But this Embaſſy came to nothing, becauſe *James* did not ſeek to make himſelf formidable, and becauſe all his Efforts conſiſted only in Speeches, Arguments and Exhortations, which are things of little avail in Affairs of this nature.

Campaign in the Palatinate.

THERE was in the lower *Palatinate* an Army commanded by the Margrave of *Anſpach*, and compoſed of the Allies of the King of *Bohemia*, who had carried all his own Troops with him into *Bohemia*. The 2500 *Engliſh* join'd this Army, while *Spinola* enter'd the *Palatinate* on the other ſide, where he took a few ſmall places. The two Armies did nothing conſiderable in that Country during this firſt Campaign, which did not begin till the Month of *September*; but in *Bohemia* the Conteſt was ſharper.

Elector of Saxony reduces Luſatia.

Frederick being put under the Ban of the Empire, the Elector of *Saxony*, the Duke of *Bavaria*, and *Spinola*, were commiſſion'd to put it in execution. The Emperor, in order to engage the firſt in his Intereſts, had yielded upper *Luſatia* to him, provided he could conquer it. Therefore, in the Month of *September*, the Elector of *Saxony* enter'd that Province with an Army of 20000 Men, and in a very ſhort time reduced it. After this, the Duke of *Bavaria* and the Count *de Bucquoy* enter'd *Bohemia*, and drew near *Prague*, where *Frederick* lay with his Army; but at their approach he went out of the Town with his Troops, and a Battle was fought in the beginning of *November*, which was fatal to *Frederick*, whoſe Army was routed, and who was forced to abandon *Prague*, and to retire to *Holland*.

Duke of Bavaria *joins* Bucquoy.

Battle of Prague.

Frederick *flies to* Holland.

THIS Battle having put an end to the Affair of *Bohemia*, the Buſineſs now was not to ſupport *Frederick* upon the Throne, but to ſave the *Palatinate*, which was threaten'd with a powerful Invaſion. It was natural to think that *James* would make ſome Efforts, to ſave at leaſt the Dominions of his Son-in-law and his Children. This was a Reſolution which every body endeavour'd to inſpire him with. But the Count *de Gondomar*, who had an abſolute Aſcendant over him, gave him to underſtand, that the Pope's Diſpenſation for the Marriage being juſt ready to be diſpatch'd, the making War upon the Emperor, who was the King of *Spain*'s near Kinſman, would be the only way to retard it; that it was better to treat of this intricate Affair in a friendly manner; that the King of *Spain* being on the point of giving his Daughter to the Prince of *Wales*, would look upon the Intereſts of the *Palatine* Prince as his own, and not ſuffer him to loſe the *Palatinate*; that even tho' the Emperor ſhould be Maſter of that Country, there was a good way for both ſides to come off with Honour; for by favour of the Marriage, the Emperor might make a Preſent of the *Palatinate* to the Infanta, who would give it to the Prince her Husband, and then the Prince might reſtore it to his Brother-in law. *James* took all this to be Goſpel, as if indeed he had had a poſitive promiſe from the Emperor and the King of *Spain*, that every thing ſhould be done as the Ambaſſador had propos'd. This was the reaſon that he was more and more intoxicated with the notion that the beſt way to ſave the *Palatinate*, was to live in a good Underſtanding with the Courts of *Vienna* and *Madrid*. 'Tis a Weakneſs which all Hiſtorians lay to his charge. For my own part, I think there was ſomething more in it, and that he ſuffer'd himſelf to be thus amus'd, that he might not be obliged to enter into this War. He was by no means a Warrior, and on the other hand, he was afraid that his Deſign of calling no more Parliaments was not conſiſtent with the continual Neceſſities in a

His falſe Meaſures to ſave the Palatinate.

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time of War. When he conſidered the loſs of his Son-in-Law's Dominions, which was ſtill uncertain, and which might, in his opinion, be repaired by his Son's Marriage; and when he weigh'd this in the Ballance with the Neceſſity of begging Money of the Houſe of Commons, he choſe rather to run the firſt Riſque than the ſecond.

MEAN time, as the King knew, that all *England* was aſtoniſhed and provoked at his Indolence, with reſpect to the *Palatinate*, he thought he might make uſe of this Pretext to get a round Sum of Money, of which he was in very great want. With this View he declared to the Council, that his Intention was to try gentle Methods to ſave his Son-in-Law's Dominions; but that if his Propoſals were rejected, he was reſolved to make uſe of Arms. And not long after this, the Council took ſome ſteps to ſhew that they were going to prepare for War, upon which the Count *de Gondomar* wrote to the Marquis of *Buckingham*, to deſire him to let him know what was the King's Intention. The Favourite's Anſwer was a long Apology for the King's Conduct, in which he demonſtrated, that he had acted with all manner of Candour, by diſowning his Son-in-Law's Act, with reſpect to the Crown of *Bohemia*. As to the *Palatinate*, he tells him, that the Winter, which was already begun, gave the King time to make Preparations of two ſorts, the one for the concluding a Peace before the Summer, the other for a War, in caſe there ſhould be no Peace. The Ambaſſador, who knew the King perfectly well, was not at all alarmed at theſe pretended Preparations of War, which in reality came to nothing: And the King only took an opportunity from thence to demand a Benevolence of his Subjects, to aſſiſt him in the Defence of the *Palatinate*. While the King ſeemed inclinable to prepare for War, he was govern'd, if we may ſo call it, by the Ambaſſador of *Spain*, who had ſo great an Intereſt at Court, that the moſt conſiderable Offices were taken away and diſpoſed of at his Recommendation.

Buckingham's *Anſwer to* Gondomar.

The King demands a Benevolence on pretence of defending the Palatinate.

Gondomar's *Sway at the Court of* England.

THE Benevolence not producing what the King had expected from it, by reaſon of the People's diſcontent, he was at laſt obliged to call a Parliament, in order to furniſh him with Money, under the ſpecious pretext of defending the *Palatinate*. In order to make the Publick believe that he was going in good earneſt to prepare for War, he eſtabliſhed a Council of the moſt experienced Officers, to conſider of ways and means for aſſiſting the Elector. Mean time, as the People took the liberty to talk publickly of the Conduct of the King, the Favourite, the Mother of the Favourite, of the Protection granted to Popiſh Recuſants, of the Sale of Offices, and of the unhappy State of the King of *Bohemia*, and his Children; the King publiſh'd a Proclamation, forbidding his Subjects to talk of State-Affairs under ſevere Penalties. But this Proclamation had a quite contrary Effect.

A Proclamation againſt Talk about State-Affairs.

Anno MDCXXI.

The Parliament aſſembling on the 20th of *January* 1621, the King made a long Speech to them, as his manner was; from which I cannot help quoting ſome Paragraphs, becauſe they ſerve to prove what I ſaid before, when I have give an account of King *James*'s Principles.

King's Speech to his Parliament.

"THE Government was firſt a Monarchy; "for before Parliaments there were Kings, "who after having eſtabliſhed a certain "Form of Government, and being deſirous "that the People ſhould be governed by "the Laws, called the Parliament, *&c.*

"WHY are you come together? 'Tis "to give your advice to the King, if he "thinks fit to ask it.

"THE King makes Laws, and you ought "to adviſe him to make good ones.

"THE Commons are called to the Par"liament, becauſe knowing the State and "Condition of the Country, if the King "thinks fit to ask their opinion, they may "acquaint him with the Peoples Grievances, "and humbly deſire him to redreſs them.

"THEY are alſo the Commons who "furniſh the King with Subſiſtence, and are "to offer Supply for his Neceſſity.

"THE Subjects are to grant the King "what they think neceſſary for him; and "the King is to diſtribute in recompence "thereof Juſtice and Mercy.

"AS to the Report of my tolerating "the Popiſh Religion, in conſideration of "my Son's Marriage, which is actually "negotiating; I proteſt I will do nothing "in it but what is for the Honour and Ad"vantage of the true Religion.

"I hope, that, after this, you will have "ſuch Confidence in the Wiſdom of your "King, as to be convinced, that I am not "able to do one thing in Publick, and "another in Private. But after this De"claration, if any one commits a Fault, "don't think it ſtrange if I puniſh him "ſeverely.

"IF you pretend to haſten after Grie"vances, and greedily hunt for them to "the prejudice of your King, and to your "own damage, I declare to you frankly, "that 'tis not for this that you are come "together *."

Remark on it.

ALL the driſt of this Speech was to beg Money, that in caſe he ſhould be forced to a War, he might be prepared for it. This being a ſpecious Requeſt, the Commons

* The Copy of the Speech which is here follow'd, is that inſerted in the Annals of this Reign; that given us in *Wilſon*'s Hiſtory, being ſaid to be ſpurious.

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mons granted him two Subsidies. But all the Preparations he made, were the sending of Baron *Digby* to *Vienna*, from whence he did not return till *November* following, and then it was *re infectâ*.

Digby is sent to Vienna.

AFTER this, Petitions came in crouds to the Parliament, and especially against Monopolies. Among others there was a very odious one, which was establish'd by virtue of a Patent granted to Sir *Francis Mitchel*, and Sir *Giles Mompesson*, for the sole vending of Gold and Silver Lace, under colour of which they sold nothing but counterfeit Gold and Silver. The upper House having taken this Affair to heart, the King went thither to direct the Lords how they should proceed to judge of it; and gave them to understand, that tho' they condemn'd the Patentees, they should not enter into the Examination by what means they had obtain'd their Patent. The two Patentees were condemn'd in certain Penalties; but *Mompesson* was already fled, and he was no sooner out of the Kingdom, than the King published a Proclamation for apprehending him.

Complaints against Monopolies.

Judgment of Mompesson and Mitchel.

Francis Bacon, the Lord Chancellor, having been impeach'd of a Misdemeanor, was degraded from his Office by Parliament, and declared incapable of a Seat in the upper House. He was a Man of a vast deal of Wit, and Profound Knowledge, but of a mean Spirit, and a sordid Flatterer. Probably he compiled his History of *Henry* VII. with no other View but to make his Court to King *James*, who affected to copy after that Prince's Model. For this reason he gave *Henry* VII. the Character of the wisest of all Kings, and the *Solomon of his Age*, a Title which was also given to *James* I.

Disgrace of Lord Chancellor Bacon.

His Character

A Remark on his History of Henry VII.

THE House of Commons perceiving that no manner of Preparation was made to defend the *Palatinate*, and that the Money lately granted to the King had been applyed to another use, was not in haste to grant him a new Subsidy. They plainly saw that the King founded all his hopes upon the Marriage of his Son, and that by consequence he had no Intention to make War against *Spain*. The Credit which the Count *de Gondomar* had with the King, made the thing still more evident. For this reason, the King, who could no longer plead a necessity to make Preparations for War, because he had let the time slip, gave Orders to the Lord High Treasurer, to go in his Name and adjourn the Parliament. This was matter of Complaint for the House of Commons, who pleaded that tho' the King had the Power of proroguing and dissolving the Parliament, yet it did not belong to him to adjourn them, and that it was a peculiar Privilege of either House to adjourn themselves. But the King declared publickly that his Prerogative extended as well to Adjournment, as to Prorogation, and Dissolution; and the lower House was obliged to comply, because the Lords refused to join with it. Consequently the Parliament was adjourned to the 14th of *November*, and from thence to the 22d of *February* 1622; after which the King put forth a Proclamation to abolish certain Monopolies, and another prohibiting Discourse about Affairs of State.

Dispute betwixt the King and Parliament about his adjourning them.

The Lords refuse to join with the Protest of the Commons.

Proclamations against Monopolies, and the Talk of State-Affairs.

THE Post of High Chancellor being vacant by the Condemnation of *Bacon*, Dr. *Williams* Bishop of *Lincoln* was made Keeper of the Great Seal.

A Bishop made Lord Keeper.

WHILE these things pass'd in *England*, *Frederick*'s Affairs grew worse and worse both in *Bohemia* and the *Palatinate*. All his Allies deserted him after the Battle of *Prague*. The Count *de Mansfield* was the only one that held out for him, and he fortified himself in *Bohemia*. But *Frederick* seeing that the Upper *Palatinate* was actually invaded by the Duke of *Bavaria*, engaged *Mansfield* to carry his little Army thither. That General, who had a good Notion of Military Affairs, posted himself in a Camp so advantageous, that it was in a manner impossible to dislodge him from it. While he thus disputed the Ground in that Country, the Lord *Digby*, who was returned from his Embassy at *Vienna*, being informed that the Lower *Palatinate* was on the Point of being lost, engaged *Mansfield* to carry his Army thither; and by that means the Upper *Palatinate*, which was not of so great consequence, was utterly lost. I have already given some Account of the first Campaign in the Lower *Palatinate*, during which there passed nothing of moment, but it proved otherwise in this. *Frederick* having lost the Assistance of his Allies, as I have observed, *Spinola* met with no Opposition in the Lower *Palatinate*, but from the *English* Troops brought thither by *Vere*, which had thrown themselves into the three principal Towns, *viz. Manheim*, *Heidelberg*, and *Frankendal*. Mean time, as *James* continually sollicited the Emperor and the King of *Spain* about the Affair of the *Palatinate*, the Court of *Spain* was inclined out of complaisance to him, to consent to a Truce of 5 Weeks, which began the 21st of *August*. *James* then thought himself above all the World, not doubting that his Menaces, weak as they were, had produced that favourable Turn. But he did not perceive that this Truce was only a Snare laid for him. As the Truce of 12 Years concluded in 1609, between *Spain* and the *United Provinces* was just expiring, the King of *Spain* wanted to employ those Troops in the *Netherlands*, which he had in the *Palatinate*; and this short Truce was for no other end but to give the Emperor time to supply their place. For soon after *Spinola* had quitted the *Palatinate*, Don *Gonzales de Cordona*, whom he had left there, was at the head of an Army of 18,000 Men, with which he made

Frederick's ill Success.

Mansfield's March into the Palatinate.

Loss of the Upper Palatinate.

Affairs of the Lower Palatinate.

King James deceiv'd by a Truce.

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made himſelf Maſter of ſeveral Places, and at laſt laid ſiege to *Frankendal*. But the Count *de Mansfield*, who arrived at the ſame time, broke his Meaſures, and compel'd him to raiſe the Siege. Not long after this, the Duke of *Bavaria*'s General, the Count *de Tilly*, repaired to the lower *Palatinate* with ſo ſtrong a Reinforcement of Troops, that the Count *de Mansfield* was obliged to retire to *Alſace*. After his Retreat, the two Generals, the *Spaniard* and *Bavarian*, made themſelves Maſters of all the *Palatinate*, except *Manheim*, *Heidelberg* and *Frankendal*, to which the *Engliſh* were retired.

Death of Philip III. *of* Spain.

Philip III. King of *Spain*, died in *March* this Year, and was ſucceeded by his Son *Philip* IV.

THE Truce of 12 Years betwixt *Spain* and the States General expiring this Year, the Archduke was afraid that *James* would ſend the States a powerful Supply, in order to enable the Elector *Palatine* to recover thoſe Dominions which had been taken from him. But to hinder *James* from acting, he gave him to underſtand, that the Peace between the Emperor and the Elector *Palatine*, was far from being impoſſible if it was carefully promoted. The Emperor and the King of *Spain* ſeconded the Archduke ſo well in his Project of amuſing the King, that he fell into this other Snare. He imagined that he ſhould ruin all if he prepared for War at a time when his Son-in-law's Enemies ſeem'd in ſuch a Diſpoſition for Peace. But the ill Succeſs of *Digby*'s Embaſſys with the Emperor was enough to have convinced him, if he had not been wilfully blind, that they only aimed to amuſe him. The Archduke *Albert* dying in *July* this Year, his Widow the Infanta continued to feed the King of *England* with the Hopes of a ſpeedy Peace. The better to draw him into the Snare, the Emperor ſent the Count *de Schwartzenberg* to him, and gave him to underſtand that this Ambaſſador had full Power to adjuſt all things with him.

James is again amus'd by the Emperor and Spain.

Digby's *Embaſſy*.

Archduke Albert's *Death.*

Digby being returned from *Vienna*, the King re-aſſembled the Parliament in the Month of *November*, tho' the Adjournment thereof had been continued to the 22d of *February* following. The Lord High Treaſurer, the Keeper of the Great Seal, and Baron *Digby*, had a Commiſſion to ſignify the King's Mind to the Parliament. The Drift of their Speeches was to ſhew that the King wanted Money to ſave the *Palatinate*, and that there was at leaſt a Neceſſity of his preparing for War in caſe he ſhould be forced to it. He deſired that he might be ſupplyed with the Money, and that it might be left to his care to manage the Affair, without troubling themſelves with the Inquiry which way he would proceed.

James calls his Parliament to grant him a Supply.

THE Commons, after having heard the Speeches of the Commiſſioners, inſtead of proceeding immediately to the Affair of the Subſidy, voted a Remonſtrance to the King, concerning the Danger of the Kingdom from Papiſts. In this Remonſtrance they ſet forth their Terrors, and pointed the King to thoſe Remedies which they thought proper to be taken. With Expreſſions of great Submiſſion and Reſpect they plainly diſcovered their Sentiments of the King's Conduct, eſpecially with regard to the Marriage of the Prince his Son with a Popiſh Princeſs, and to his Neglect of the Intereſts of his Son-in-law. In fine, they intimated plainly enough, that they were far from being convinced that the King intended to employ the Money which he deſired of the Parliament, in a War againſt *Spain*. This was wounding the King in the moſt ſenſible part, becauſe he had ſo often ſignified to the Commons that he did not expect they ſhould pretend to give him Advice when he did not ask it of them, and much leſs in Affairs relating to his Family. Therefore knowing what the Remonſtrance contained before it was preſented to him, he wrote to the Speaker to acquaint him that he would not ſuffer the Commons to tranſgreſs the Bounds which he had preſcribed to them, and that he would not receive the Remonſtrance. The Commons after hearing this Letter read, reſolved to preſent a Petition to the King, in which they took care to juſtify their Proceeding. The King vouchſafed to receive the Petition, but not the Remonſtrance which was annexed to it: and ſome days after this, he ſent them a very ſharp Anſwer, wherein he told them, among other things, that their pretended Privileges were only Conceſſions from the Kings his Predeceſſors; and gave them to underſtand, that it was in his power to take them away, and that he would actually do it, if they provoked him to it. The King was ſo plain in this Anſwer, that the Commons fearing the Parliament would be immediately either diſſolved or prorogued, made haſte with a Proteſt, whereby they overturned all the King's Maxims with reſpect to the Privileges of their Houſe. The King being informed of it, met his Council, and having ordered the Regiſter of the Lower Houſe to be brought to him, he took out the Proteſt with his own hand, tore it in pieces, and ordered the Council to regiſter what he had done, verbally and authentically. Six days after this he diſſolved the Parliament by a Proclamation, and committed ſeveral of the Members of both Houſes to Priſon. He afterwards put forth another Proclamation, prohibiting all Diſcourſe about State-Affairs under ſevere Penalties. Hitherto it ſeems the King had only been skirmiſhing, and that now he was reſolved to come to a Battle. But the Occaſion he had for a Parliament afterward, prevented the entire Rupture

JAMES I.

King refuſes their Remonſtrance.

He tears the Commons Proteſt out of their Journal.

Diſſolves the Parliament, and impriſons Members of both Houſes.

Another Proclamation againſt Talk about State-Affairs.

Commons complain of the Dangers of Popery.

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Rupture in the Legiſlature, which did not happen till the following Reign.

Anno MDCXXII.

IN this Quarrel betwixt the King and Parliament, founded upon two contrary Principles, there were few People in the Kingdom but what were concerned. The Puritans, as may eaſily be imagined, adher'd to the Parliament, and the Clergy of the Church of *England*, ranked themſelves for the greateſt part on the King's ſide. But *George Abbot* Archbiſhop of *Canterbury*, tho' he adhered to the Diſcipline of the Church of *England*, continued ſteddy in his Principles relating to the Government, for which reaſon he was all along conſidered as a Puritan. And indeed he was no leſs, according to the Notion of the Court, who continually affected to confound the Presbyterians under the Name of Puritans, with ſuch as refuſed to acknowledge the abſolute Power of the King. This Prelate had the Misfortune in 1621 to kill a Man, by diſcharging an Arrow at a Deer. The King granted him a Pardon for it, but after that time he never went more to Council.

The ſteddineſs of Abbot Archbiſhop of Canterbury.

His Pardon for killing a Man by ſhooting at a Deer.

THE Quarrel I have been ſpeaking of, loſt King *James* the little Eſteem he had before among Foreigners, when they ſaw he was not able to get a Supply from the Parliament, at a Juncture when he had moſt need of it. This appeared from ſeveral Paſquinades publiſhed againſt him at *Bruſſels* and elſewhere. In one place, the King of *England* was repreſented with ſeveral Perſons ſtriving in vain to draw his Sword out of his Scabbard. In a Comedy acted at *Bruſſels*, a Courier was introduced bringing the bad News that the *Palatinate* would infallibly be taken from the Emperor; becauſe the King of *Denmark* was preparing 100,000 Casks of Herrings, the States-General 100,000 Barrels of Butter, and the King of *England* 100,000 Ambaſſadors.

King James lampoon'd abroad.

WHILE the People of *England* were in a very great Ferment upon account of the Diſſolution of the Parliament, and the Impriſonment of the Members, the King was in want of Money, and no way was thought ſo proper to come at it as to demand a Benevolence of the Subjects. I ſay to demand it, becauſe the Order of Council upon this head expreſſly imported, that the King ſhould not put up with what was voluntarily offered, if ſuch Offers were not proportionable to every private Man's Abilities. The Money which was to ariſe from this Benevolence was abſolutely neceſſary for the King in order to ſend the Lord *Digby* to *Spain*, and Sir *Richard Weſton* to *Bruſſels*. Theſe two Ambaſſadors were to put the laſt hand to the Plan formed by the King, which, as appeared by his own Letters, was as follows, *viz.* To conclude the Prince's Marriage with the Infanta, and to receive her Portion of two Millions, before the determination of the Affair of the Elector his Son-in-law; and in the mean time to procure a Truce for the *Palatinate*: during which, after every thing relating to the Marriage ſhould be concluded, the King of *Spain* out of pure Friendſhip to him and to the Prince, was to oblige the Emperor not only to evacuate the Lower *Palatinate*, but alſo to compel the Duke of *Bavaria* to reſtore the Upper, of which he had taken poſſeſſion. Nothing was more ſpecious than this Plan, if it had been built upon a good Foundation. But as ill luck would have it, 'twas no more than an Invention of the Count *de Gondomar* to harraſs the King, and to hinder him from ſending Succours to the King of *Bohemia* and the *United Provinces*. The Emperor, the King of *Spain*, and the Infanta *Iſabella*, being fully informed of this Plan, contributed to keep the King as it were chained down to it by general or equivocal Promiſes, which contain'd nothing poſitive, at the ſame time that they fed him conſtantly with hopes of a happy Iſſue. The King was ſo fond of it, that nothing was capable to make him alter his Meaſures.

He demands a Benevolence of his Subjects.

His Projects.

I have already ſaid that the Emperor had ſent the Count *de Schwartzembourgh* to the King, to ſettle the Affair of the *Palatinate* with him. But when the Court was for commencing a Treaty with that Ambaſſador, it appear'd that he had no full Power, and that the Infanta *Iſabella* was the only Perſon authorized for the Negotiation. This made the King reſolve to ſend Sir *Richard Weſton* to *Bruſſels* to treat there with the Infanta. At the ſame time he ſent *Digby* to *Spain*, whom he had lately made Earl of *Briſtol*, to conclude the Marriage there, jointly with Sir *Walter Aſton*, who reſided there as Ambaſſador in Ordinary. It muſt be obſerved, that in the Inſtructions he gave to the Earl of *Briſtol*, he expreſſly forbad him to make the Reſtitution of the *Palatinate* one of the Marriage Articles. He was afraid leſt the Reſtitution of the *Palatinate* ſhould be look'd upon as a Compenſation for the Portion which had been promiſed him. Mean time as the Marriage could not be abſolutely concluded without a Diſpenſation from the Pope, as had been agreed on, the King ſent *Gage* to *Rome* to ſollicit it; and to the end that his Sollicitations might be the more effectual, he cauſed all the Popiſh Recuſants who were in Priſon to be ſet at liberty. This occaſioned ſuch great Murmurings among the People, that the Biſhop of *Lincoln* was charged to juſtify the King's Conduct by a publick Writing, which had not the Succeſs that was expected from it. As the King ſtood in need at that time of the Infanta *Iſabella*'s Intereſt, he made no ſcruple to permit the Lord *Vaux* a Papiſt, to

Earl of Briſtol's Embaſſy to Spain.

Gage's to Rome.

Popiſh Recuſants ſet at liberty.

Biſhop of Lincoln's Vindication of the King.

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go and ſerve her with 2000 Men againſt the *United Provinces*.

Lord Vaux *ſent with* 2000 *Men to aſſiſt the Archdutcheſs.*

WHILE theſe things paſs'd, the King of *Bohemia*, who was ſtill in *Holland*, found means to engage in his Intereſts, the Prince of *Baden Dourlach*, and Prince *Chriſtian* of *Brunſwick*, Adminiſtrator of *Halberſtadt*. The firſt raiſed an Army in the Neighbourhood of the *Palatinate*, the ſecond in *Weſtphalia*; and moreover, the Count *de Mansfeldt*, who was retired into *Alſace*, was at hand to join the two Princes when they entered the *Palatinate*. The King of *Bohemia* hoping by this means to recover the Poſſeſſion of his Dominions, paſs'd thro' *France* incognito, and went to *Mansfeldt's* Army. It would be too tedious here to mention the Particulars of this Campaign; it ſhall ſuffice to ſay in a word, that the Prince of *Baden* was routed by the *Bavarians*, that the King of *Bohemia* having march'd with *Mansfeldt* to join the Prince of *Brunſwick's* Army was defeated, and that afterwards the Succours which were ſent to the Count *de Tilly* rendered him ſo ſuperior, that the King of *Bohemia* was obliged to abandon his Project, and to return to *Holland*. The Prince of *Brunſwick*, and the Count *Mansfeldt*, abandon'd the *Palatinate* likewiſe, in order to retire to the *Netherlands*. *Tilly* meeting with no farther oppoſition in the Lower *Palatinate*, took *Heidelberg* by ſtorm, made himſelf Maſter of *Manheim* by a Blockade, and afterwards laid Siege to *Frankendal*, the only Place which the King of *Bohemia* had left.

Affairs of the King of Bohemia.

Heidelberg *and* Manheim *taken.*

Frankendal *beſieged.*

Negotiation at Bruſſels.

WHILE the King of *Bohemia* ſtaid in the *Palatinate*, *Weſton* was at *Bruſſels* to negotiate the Peace with the Infanta. But two Difficulties aroſe which protracted this Negotiation, and rendered it at laſt Abortive. The firſt was, that *James* had not taken the Precaution to get *Weſton* authorized by the King of *Bohemia*, who was the chief Perſon concerned: therefore he was under a neceſſity of deſiring a full Power from this Prince; who was far from giving it while he had any hopes of driving his Enemies out of the *Palatinate*, and did not ſend it till he was on the point of returning to *Holland*. This Difficulty being removed, another aroſe which was not inferior to the former, *viz.* That the Infanta's Power conſiſted only in a bare Letter from the Emperor, wherein he deſired her to concert Meaſures with the Ambaſſador of *England* for a Peace. This Power not being ſufficient, there was a neceſſity for deſiring another, but it was long before it came. During this, *Tilly* making great Progreſs in the *Palatinate*, it may be ſuppoſed that it was not the Emperor's Intereſt to haſten the Concluſion of the Treaty which was to be negotiated at *Bruſſels*. *James* had recourſe to the King of *Spain*, who on his part ſpun out the Affair till *Manheim* and *Heidelberg* were taken. *Tilly* might alſo have made himſelf Maſter of *Frankendal*, if the overflowing of the Rivers had not forced him to to raiſe the Siege. *James* perceived at laſt that he was trifled with, and ordered the Earl of *Biſtol* to complain of it to the King of *Spain*. But at the ſame time being given to underſtand that the Marriage was on the point of being concluded, and the Diſpenſation juſt ready to be diſpatched, this alone appeas'd his Wrath. He did not care to run the riſque of loſing the Marriage, by inſiſting too ſtrenuouſly on the Affair of the *Palatinate*. Nevertheleſs he owned that he had been impoſed upon, and he ſeemed inclinable to take Revenge; but he wanted the King of *Spain* either to join him, in order to reſcue the Lower *Palatinate* by Force of Arms out of the hands of the Imperialiſts, to whom that Prince had delivered it up, or at leaſt to give him Paſſage thro' his Dominions to carry the War into that Country. He could ſcarce have contrived a more chimerical Project.

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James finds he is impoſed on.

His falſe Step.

MEAN time, ſince they could not always expect to amuſe the King, as they had done for 6 Years, the *Spaniſh* Court thought it proper to make him believe that the Marriage was on the point of being concluded. The Pope before he granted the Diſpenſation, deſired to be informed more particularly of the Treaty that was to be made upon that head, the five Articles that were agreed on, appearing to him to be too looſe, and ſubject to too much Chicanery. Therefore they were obliged, in order to pleaſe the Pope, to explain and enlarge thoſe firſt Articles, and to make nineteen of them, which were ſent to *Rome*. At length after a great deal of Sollicitation, *Gage* returned from *Rome* with thoſe nineteen Articles, and the Pope's Notes upon them, as is uſual in the Capitulations of Places. Some were agreed to, others explained, and ſome enlarged and augmented. The King was very much puzzled when he received thoſe Articles ſo commented on by the Pope. If he agreed to them, he would give his Enemies reaſon to accuſe him of being too careleſs of the Intereſts of the Proteſtant Religion, of which he was already ſuſpected. If he refus'd them, he ſhou'd break off the Marriage, put himſelf under the neceſſity of making Efforts to wreſt the *Palatinate* from the Emperor by Force of Arms, and what was worſe for him, he wou'd be oblig'd to call a Parliament, which in all appearance wou'd not fail to improve the Opportunity to make ſome Breach in the Royal Prerogative. While he was in this Confuſion, he reſolv'd to ſacrifice the Proteſtant Religion, rather than break off the Marriage, and be depriv'd of the Portion of two Millions, which was what he had ſtill very much at heart. He determin'd therefore to make certain Offers to the *Spaniſh* Court with reſpect to Religion, beyond which he proteſted

Pope's Notes upon the Articles of the Marriage-Treaty betwixt the Prince and the Infanta.

The King's Perplexity.

His Offers to the Spaniſh *Court.*

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protested he could not go. We don't meet with these Offers in the History, but according to appearance they were so advantagious to the Catholick Religion, as may be guess'd by the Conventions which were made afterwards, that the *Spanish* Court, which till then had only aimed to amuse him, resolved at last to conclude the Marriage. As they saw him disposed to yield up every thing, they judged that they ought by no means to neglect this opportunity of promoting the Restoration of the Roman Catholick Religion in *England*. This Design had the greater appearance of Success, because considering the King's Disposition, they had reason to hope for yet farther Advantages. From that time, that is to say, from the end of the Year 1622, *Philip* IV. was as hot for concluding the Marriage, as he was before indifferent.

They resolve on the Marriage.

Anno MDCXXIII.

THE new Measures entered into by the Court of *Spain*, procured the Earl of *Bristol* a Letter from *Philip* to the Infanta *Isabella*, by which he desired her to renew at *London* the Negotiation touching the *Palatinate*, which had been broke off at *Brussels*. All the Difficulty was to save *Frankendal*, which was the only Place remaining in the hands of the King of *Bohemia*, and on the point of being lost. In this Negotiation *James* was bubbled as usual; for by granting him a Truce of 15 Months for the *Palatinate*, he was prevailed on to let the Infanta have the keeping of *Frankendal*, upon these Conditions: "That the *Eng-* "*lish* Garison which was there, should have "the Liberty to retire thro' the Dominions "of the Emperor and the King of *Spain*. "That at the Expiration of the Truce, the "Infanta should restore that place to the "King of *England*, who might put a Ga- "rison into it of 1500 Men, to whom the "King of *Spain* should give Passage thro' "his Dominions. And that the Prince *Pa-* "*latine* should renounce all his Alliances." Before this Truce was concluded, the Emperor had conferred the Electoral Dignity, which he had taken away from the King of *Bohemia*, upon the Duke of *Bavaria*.

Frankendal put into the hands of the Infanta Isabella.

Duke of Bavaria made Elector Palatine in the room of the King of Bohemia.

ALL the rest of the Year 1623 was employed in the Marriage-Treaty. The *Spanish* Court having at length determined to put an end to the Affair, provided they could obtain what they desired in favour of the Catholick Religion, gave the Earl of *Bristol* certain Articles ready drawn up, which were more explicit, and fuller than those agreed on before. But as the Ambassador could not accept them for want of a Power, he sent them to the King. These Articles were agreeable to the Pope's Comments; which shews that the two Courts of *Rome* and *Spain* acted in this Affair in concert. *James* having received those Articles, kept them a while, and at last signed them, such as they were, without making any Alteration in them, and caused the Prince of *Wales* to sign them; after which he sent them back to the Earl of *Bristol*. Every thing being thus settled to the Satisfaction of the two Kings, it was agreed betwixt the Earl of *Bristol* and the King of *Spain*'s Ministers, that till the arrival of the Pope's Dispensation, which, as they judged, would come in the Month of *April* at furthest, they should go about drawing up the other Articles which did not relate to Religion; that four Days after the arrival of the Dispensation, the Nuptials should be celebrated by Proxy, and that the Infanta should set out for *England* 20 Days after. During this, they went upon those called the *Temporal* Articles, to distinguish them from the others of Religion, which were ready, and approved on both sides by the middle of *March*, so that they were only to have Patience 5 or 6 Weeks longer for the Celebration of the Marriage. It must be observed, that in the Temporal Articles there was not one word concerning the restitution of the *Palatinate*, because, as I have already said, the King had expressly forbid the Earl of *Bristol* to confound those two Affairs together.

Sequel of the Marriage-Treaty with the Infanta.

WHILE these things were transacting in *Spain*, the Marquis of *Buckingham* put it into the head of the Prince of *Wales* to go himself into *Spain* to carry off the Infanta, and thereby put an end to the Difficulties which might still remain about his Marriage. The King was so weak as to consent to this Romantick Journey, without considering that he was going to deliver up his only Son, his presumptive Heir, into the hands of the King of *Spain*, and without having taken any Security for his Return. This shews at least that he saw no farther Obstacle in the way of the Marriage, and that there was little Foundation for what the Marquis of *Buckingham* said afterwards, that this Prince, considering how long the Affair had been put off, was willing to see with his own Eyes where the Remora lay; for all the Difficulties were removed, when the Prince undertook his Voyage. Be this as it will, the Prince and *Buckingham* set out from Court upon the 27th of *February*. They travelled thro' *France* incognito, and arrived on the 17th of *March* at *Madrid*, where no body expected them. The Prince was received by the King of *Spain* with abundance of Honour, and a world of Caresses. But the Dispensation from *Rome* was much longer a coming than was believed, because probably the Pope entertained new hopes after the Prince's arrival at *Madrid*. It was believed in *Spain*, that the Prince was come thither to change his Religion, and no Pains were spared

The Prince of Wales's Resolution to go with Buckingham to Spain.

His reception by the Spanish Court.

Endeavours us'd to convert him to Popery.

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spared to convert him. The Pope was put upon writing a Letter to him, and he was even prevailed on to return him an Answer, in which he gave him the Title of *your Holiness*, and actually engaged in some measure to be the Protector of the Catholicks of *England*. At length the Dispensation arrived in the Month of *May*, but the Pope had annexed new Conditions to it, without which it could be of no effect. There was an absolute Necessity of informing King *James* of these new Conditions, the Prince not having it in his power to agree to them. The Pope likewise demanded Security for the performance of the Articles.

The Pope tacks new Conditions to the Dispensation.

Cottington was charged to carry into *England* those Articles modell'd, explain'd, and enlarg'd, as the Pope had thought fit, and which from no more than five at first, were swell'd at last to the number of twenty three. *James* was gone too far, to be able to make his Retreat. The Prince his Son being in the hands of the *Spaniards*, there was no way to break off a Treaty which had been 7 Years in hand, on account of any Favours more or less which were demanded in behalf of the Catholicks. Therefore he sign'd not only the 23 Articles, but also 40 other secret Articles, which were to be executed after the Consummation of the Marriage*, and sent them to *Spain*. 'Tis also said, that when the Prince himself sign'd them, he added much stronger Engagements to them in favour of the Catholick Religion. When the King sent these Articles sign'd into *Spain*, he tack'd a Patent to them, whereby he created his Favourite, Duke of *Buckingham*, in order to reward him for the great Service that he had lately done to the State.

The King signs the Articles.

Buckingham *is created a Duke.*

A new Difficulty arose after the Articles were arrived in *Spain*; for the Catholick King wanted Security for the Performance of the 4 secret Articles, before the Marriage was consummated; and his Ambassadors who were at *London* had Orders to demand it as a Preliminary. *James* was very much confounded at this Demand. These Articles were secret, and not to be executed before the Marriage, and yet the *Spanish* Court would have them made publick, and even put in execution, while his Son continued in *Spain*. Mean time, as he was bent on the Marriage, cost what it would, he chose to put into the Ambassador's hands a Declaration of the Council, attesting that it was the King's Intention to grant the Catholicks what was contained in the 4 secret Articles, and even more; with which Declaration the Ambassadors were satisfy'd.

A new Difficulty started in the Marriage-Treaty with the Infanta.

Declaration in favour of the Catholicks.

DURING this, Pope *Gregory* XV. died, before his Nuncio at *Madrid* had delivered the Dispensation, which by that means became of no effect, and there was an indispensable necessity of waiting for a new Pope and another Dispensation. *Urban* VIII. who succeeded, kept back the Dispensation longer than was expected, and during that time the Prince of *Wales* was teazed incessantly to change his Religion; but he still continued firm.

Death of Pope Gregory XV.

His Successor. The Prince is importun'd to change his Religion.

WHILE it seemed as if the Prince was waiting for the Dispensation with the greater Impatience, because he had been already six Months in *Spain* expecting it, he contrived a Method with the Duke of *Buckingham* entirely to break off his Marriage. 'Tis not easy to know what was the real motive of this Resolution. The reason they alledged for it was, that when they were in *England* they had found no Disposition in the King of *Spain*, for restoring the *Palatinate*, tho' the Marriage was only calculated for that end. All the Difficulty was, how they should get out of *Spain* without divulging their Design. In order to surmount this, the Duke wrote to the King, that *Philip* had not only no Design to cause the *Palatinate* to be restored, but that also he had never an Intention to conclude the Marriage. The Prince added in a Letter he wrote to the King his Father, that he never expected he should be able to get out of the hands of the King of *Spain*, and that hereafter the Electress his Sister ought to be looked upon as presumptive Heiress of the Crown of *England*. *James* being afflicted, as may well be supposed, at News so little expected, wrote to the Duke to bring back his Son to him, whatever it cost; and at the same time he sent over Vessels to fetch him home.

The breaking off of the Marriage.

The Prince gets the King's Consent for his leaving Spain.

As soon as the Duke had received this Order, he acquainted the King of *Spain* of it, and told him that the Prince's Absence was the occasion of Commotions in *England*, which made his Return absolutely necessary; the rather, because the Dispensation was a long time a coming, and that there could be no assurance when it would come: That as for the rest, the Prince's Departure would be no hindrance to the Marriage, because he would leave a Proxy in the hands of any Person that his Majesty himself should make choice of, for marrying the Infanta in his Name. This had so specious an Appearance of Reason, that *Philip* did not oppose the Prince's Departure, and offered himself to be his Proxy. Consequently the Prince set out for *St. Andero*, where the Fleet waited for him, after having solemny sworn a 2d time to the Articles that were agreed on, and left a Proxy with the Earl of *Bristol*, which was to be delivered to the King of *Spain* 10 Days after the Arrival of the Dispensation. While he was on the Road for *St. Andero*, he sent *Clarke*, the Duke of *Buckingham*'s Domestick, to the Earl of *Bristol*, to order him not

The excuse made for the Prince's leaving Madrid.

His Departure.

He leaves a Proxy with the Earl of Bristol, but orders him not to let it go.

* The Author of the Annals of this Reign, says, that these 4 Articles have no other Foundation than the Testimony of *Rushworth*.

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not to part with the Proxy out of his hands, till the Court of *Spain* had given him ſufficient Security that the Infanta ſhould not turn Nun after the Eſpouſals: and to let him know what ſort of Security they ſhould think fit to offer. This abſolute Order was a Precaution taken by the Prince, in caſe the Diſpenſation arrived too ſoon, in order to hinder the Marriage from being celebrated, before he had convinced the King his Father of the neceſſity of breaking it off. The Prince and the Duke arriving at *Portſmouth* on the 15th of *October* N. S. went to wait on the King, who was overjoyed to ſee them again; but they did not inform him immediately of the Project they had contrived to break off the Marriage. Twelve Days after this, the King and the Prince received Letters from the Earl of *Briſtol*, which informed them of the King of *Spain*'s Anſwer on account of the Prince's Scruples, with which they both ſeemed ſatisfied.

His Arrival in England.

THE Prince and the Duke being loth to open their Deſign to the King all at once, began to inſtil Doubts into his Mind with regard to the Reſtitution of the *Palatinate*, which he had all along expected to be the Effect of the Marriage, tho' he was not willing to permit it to be one of the Conditions of it. This was the reaſon that in the Letter he wrote to the Earl of *Briſtol*, dated the 28th of *October*, to acquaint him that he was ſatisfied with the King of *Spain*'s Anſwer, he added that before *Chriſtmas*, he hoped to receive two agreeable Articles of News, *viz.* the Advice of his Son's Marriage, and of the Reſtoration of his Son-in-Law. Tho' the Affair of the Reſtitution of the *Palatinate* had been neglected to the laſt degree while the Prince was in *Spain*, the Earl of *Briſtol* got a Promiſe from the *Conde d'Olivarez*, that the Proxy ſhould not be demanded of him, before a Writing ſign'd by the King of *Spain* was put into his hands, whereby he ſhould engage for the reſtitution of the *Palatinate*.

His Cauſineſs in diſcovering his Mind to the King all at once.

King's Letter to the Earl of Briſtol.

Reſtitution of the Palatinate promis'd by the Court of Madrid.

ALL this was a mighty Obſtacle to the Prince's Deſign, who propoſed to make the Refuſal of the *Spaniſh* Court upon this Article the Foundation of his Deſign to break off the Match. Nevertheleſs with a View to gain time he had taken a Precaution which the King of *Spain*'s Miniſters did not perceive; and that was his ſlipping a Clauſe into the Proxy that it ſhould not be valid till *Chriſtmas*, ſo that if the Diſpenſation did not arrive above 10 Days before *Chriſtmas*, the Proxy would be of no force. But on the other hand, it might arrive before that time; and if ſo, nothing could hinder the Celebration of the Marriage. This Reaſon at length obliged the Prince and the Duke to declare their Thoughts to the King without reſerve. 'Tis not certain whether he was convinced by their Arguments, or whether he ſuffered himſelf to be prevailed on from his own weakneſs and an exceſs of Complaiſance. Be this as it will, he ſent a very expreſs Order to the Earl of *Briſtol*, not to part with the Proxy till after *Chriſtmas*; that is to ſay, when it would be no longer of any Value, by virtue of the Clauſe which the Prince had inſerted in it. The King's Order was dated the 23d of *November*, N. S. and the Diſpenſation arrived at *Madrid* in the beginning of *December*; ſo that the King's Letter came to the Earl of *Briſtol*, in the critical Minute. When the Earl acquainted the King of *Spain* with the Order he had received from the King his Maſter, that Monarch eaſily underſtood the meaning of it; and from that day a Stop was put to all the Preparations that were making for the Marriage; the Infanta quitted the Title of Princeſs of *Wales*, which ſhe had already begun to take, and the Ambaſſador of *England* had Orders to demand no more Audiences of the King. No body was ever let into the true Secret why this Negotiation was broke off. The Earl of *Clarendon* aſcribes it to ſome ſecret Deſign of the Duke of *Buckingham*. For my part, I gueſs that a Gentleman whom the Queen of *Bohemia* had ſent to the Duke in *Spain*, made the firſt Overture to him of Prince *Charles*'s Marriage to the Princeſs *Henrietta Maria*, Siſter to the King of *France*; and that this Match, which was concluded not long after, was the true Cauſe why the former was broke off.

The Prince of Wales's Artifice.

JAMES I. The King's Conſent to the breaking off the Match, and his Order to the Earl of Briſtol *not to part with the Proxy.*

Anno MDCXXIV.

AS ſoon as the King had reſolved to break off the Match, the Prince and the Duke perſuaded him to recall the Earl of *Briſtol*, that there might be no poſſibility of reviving it. We may be ſure that from the Moment the King had diſcovered ſo much Complaiſance for the Prince and the Duke, or rather ſo much Weakneſs, as for the ſake of doing them a pleaſure, to break off a Marriage he had been ſo earneſtly ſoliciting for ſeven Years together, he ſubmitted himſelf entirely to their Management, ſo that it was not poſſible for him to ſhake off the Yoke. They had contracted ſuch a ſtrict Union together during their ſtay in *Spain*, that the Duke was more the Prince's Favourite than he was the King's; and unhappily for the King, they only caballed together to keep him in Slavery. Therefore it may be ſaid that the remainder of this Reign, which did not laſt above a Year longer, was rather the beginning of the Reign of *Charles* I. than the end of that of *James* I. for *James* to his dying Day acted only by the Direction of the Prince and his Favourite; who not content with having forced him to break off a Match he had ſo earneſtly deſired, made him alſo take a Reſolution to make War

Earl of Briſtol *recall'd.*

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upon *Spain*, tho' nothing was more contrary to his Inclination.

IN order to go to War with *Spain*, he must have Money; and the first method they contrived, was to raise a Benevolence upon the Subjects. But afterwards the Prince and Duke considered that the Parliamentary Way was the most proper, as well for raising the necessary Subsidies, as for approving the Breach of the Marriage Treaty, and the War against *Spain*. The King was therefore obliged by their Sollicitations, tho' it was against his Will, to call a Parliament. In the Interval betwixt the Summons of it and the Session, the Prince and the Duke proposed to the King to marry the Prince to the Princess *Henrietta Maria*, Sister to the King of *France*. *James* having given his Consent to the Project, found a Pretence for sending the Earl of *Holland* into *France*, in order to see how the Court stood affected to this Marriage. I will treat of this Negotiation presently, but must first take notice of what pass'd in the Parliament which met upon the 19th of *February* 1624.

A Parliament called.

Proposal of the Prince's Marriage with Henrietta Maria *of* France.

James, who now acted only by the Direction of the Prince and the Duke, who were in great need of a Parliament, made a Speech at the Opening of it so different from those he had us'd to make there, that one would have almost said that another King had made it. He endeavoured to gain the Love and Good Will of both Houses by tender and affectionate Expressions, without sounding the Royal Prerogative in so high a Note as he had done in former Speeches. He let fall two things in his Speech which rendered his *Bona fide* suspicious in the opinion of those who were informed of the Secret of the Negotiation he had carried on in *Spain*. In the first place he affirmed, that when the Prince arrived in *Spain*, the Negotiation was as fresh as if it had never been in Treaty before; and yet he himself had sign'd the Articles of it at least with respect to the Marriage. As to the Restitution of the *Palatinate*, it was he himself who had given Orders it should not be made one of the Marriage-Articles. Secondly, he took God to witness, that he had not so much as a Thought of granting a Toleration to the Papists; and yet the Secret Articles which he had signed, and the Declaration of the Council, which I mentioned above, manifestly evince the contrary to any Man, tho' ignorant of the Secret. The Earl of *Bristol* was afterwards obliged to divulge it for his own Justification. The principal Aim of this Speech, was to desire the advice of Parliament concerning the Affair of the Marriage, and that of the *Palatinate*. But for the Parliament's instruction in these matters, the King left it to the Prince and the Duke to acquaint them with the Particulars of what pass'd in this Negotiation.

Remarks on his Speech to the Parliament.

JAMES I.

THE Prince and the Duke of *Buckingham* repairing some days after to a Conference of the two Houses, the Duke gave them such a Report of what had pass'd in *Spain* as he thought proper: a Report, which, as the Earl of *Bristol* proved afterwards, had not one Word of Truth in it; and yet the Prince attested the Truth of it from time to time, by certain Words and Signs. The Earl of *Bristol* being absent, no body knew the truth of the Fact but the King, who had no Interest to discover it. In this long Speech the Duke took the Earl of *Bristol* to task, and blamed him for all the Delays that happened in the Negotiation, charging him with having had the Interests of the House of *Austria* more at heart than those of the King his Master; and publickly affirming that the King of *Spain* never had an Intention either to procure the Restitution of the *Palatinate*, or to conclude the Marriage. The Prince and the Duke had already secured an Interest in both Houses. It being moreover impossible that the Parliament could be informed of the Truth, they could not imagine that the King and the Prince would offer to give an authentick Testimony to what the Duke had said, if his Relation had been false. In fine, the People were so pleas'd to see the Prince come home, and the King resolved to break off the Marriage with *Spain*, that the Duke's Speech was universally applauded.

The Duke of Buckingham *gives them a false account of the Business of the* Spanish *Match.*

His Speech applauded.

WE have seen already that the Marriage was actually broke off in *Spain*, and that *Philip* was very well assured of it. But as *James* had not directly recalled his Promise, having only ordered the Earl of *Bristol* not to deliver the Proxy till it was more valid, he pretended when he asked the advice of the Parliament, that the Affair was still *in statu quo*; and that he was perfectly at liberty, either to continue the Negotiation or to break it off. The Parliament not b ing duly informed, but taking what the King said for granted, advised him to break off the two Treaties about the *Palatinate* and the Marriage, and gave him many reasons for it. Upon this the King went to Parliament, to tell them that the Breach of the Negotiation could not but produce a War with *Spain*, and that by consequence he should want Money to carry it on. The Commons engaged some days after to grant him three entire Subsidies, and three Fifteenths, as soon as he made a solemn Declaration that the two Treaties were broke off. Upon this Engagement the King dispatch'd a Courier to carry his Declaration upon this head to *Spain*; but when he heard that the two Houses intended to present a joint Address to him against the Papists, he

They advise the King to break off the Spanish *Match.*

The King consents, and desires a Supply. The Commons offer it.

He is alarm'd at the News of an intended Address against the Papists.

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he ſtopp'd the Courier; tho' when he was told the Contents of it, he ſuffer'd him to proceed. All *England* was overjoyed at the Breach of the *Spaniſh* Match, the People not knowing at the ſame time that there was another negotiating in *France*, which was equally dangerous to the Proteſtant Religion.

People's Joy for breaking off of the Match.

THE Parliament's Addreſs conſiſted of theſe ſeven Articles. 1. That it would pleaſe the King to expel all the Jeſuits and Prieſts come over from the foreign Seminaries. 2. To ſeize the Arms of Papiſts. 3. To remove all Popiſh Recuſants from Court, and to call in the Licences granted upon that Head. 4. To ſtop the Concourſe of Papiſts to the Houſes of the Ambaſſadors. 5. To remove Papiſts from the publick Offices which they exerciſed, and which gave them too much Power. 6. To order the Magiſtrates to ſee to the Execution of the Laws againſt Recuſants. 7. To engage his Royal Word that for the future he would not ſuſpend the Execution of the Laws on account of ſuch Treaties as had lately been negotiated in *Spain*. The King returned a very gracious Anſwer to this Addreſs. He took God to Witneſs, that he had never diſpens'd with the Laws made againſt the Papiſts, and that he had not entertained ſo much as a thought of it; which he could not have ſaid without ſome Equivocation or mental Reſervation, becauſe all the World knew the contrary. He poſitively promis'd to execute the laſt Article of the Addreſs punctually. But when he told the two Houſes that he granted them more than they deſir'd, he avoided any Anſwer to the 3d and 5th Articles, in which they deſir'd he wou'd remove the Papiſts from Court, and take away their Offices. The Parliament, to ſhew that they were in earneſt, preſented him a Liſt ſome Days after of 57 Popiſh Lords and Gentlemen, who held publick Offices at Court, and in the Country. But as the Duke of *Buckingham*'s Mother and Wife were Roman Catholicks, the Parliament did not think it proper to inſiſt longer upon that matter, out of pure regard for a Nobleman who had ſo much Intereſt with the King, and much more with the Prince.

The Parliament's Addreſs againſt Papiſts, &c.

King's Anſwer.

Parliament give in a Liſt of Popiſh Officers.

AT the ſame time a Storm was gathering againſt the Duke of *Buckingham*. The *Spaniſh* Ambaſſador, being inraged with him for what he ſaid againſt the King his Maſter in the Conference betwixt the two Houſes, found means to inform the King ſecretly of a Conſpiracy, which perhaps was but too true, form'd between the Prince and the Duke, to keep him in Bondage. He even gave him ſome Proofs of it; which made the more Impreſſion upon him, becauſe after the Prince's return, he began to feel the Miſeries of that Slavery. It looked at firſt as if he had form'd a Reſolution to diſmiſs the Duke; but he was ſo afraid of his entire Union with the Prince, that he durſt not execute it. For when they had as it were made ſure of the Parliament, and had ſo order'd matters, that the King had not one Domeſtick but what was devoted to them, they began to treat him with leſs Decorum than before. The State of Slavery in which the King found himſelf, appeared chiefly upon two occaſions, in which he could not be miſtaken. The firſt was the Fall of the Lord Treaſurer, who for having refuſed the Prince and the Duke, while they were in *Spain*, all the Money they had call'd for, was impeached in Parliament of a Miſdemeanor, condemned to pay a Fine of 50,000*l. Sterling*, and declared unworthy of a Seat in the upper Houſe, notwithſtanding the Intreaty and Sollicitation which the King made to the Prince and the Duke, not to puſh that Nobleman to extremity. He knew that they were his Adverſaries, and he could not prevail on them to let him alone. The ſecond Proof of the King's Bondage was the Diſgrace of the Earl of *Briſtol*, to which he was obliged to conſent whether he would or not. He could not be ignorant that this Nobleman was innocent, and he was the only Peer at Court that he could truſt. Yet he could not help ſending an Order to him at *Dover*, not to come to Court, but to ſtay at his own Houſe. Some time after this, the Favourite ſent a Paper to the Earl to ſign, whereby he was to own himſelf guilty of a Miſdemeanor; telling him at the ſame time that he had no other way to come off. The Earl refuſed to ſign this Paper, and the King ſaid to *Buckingham*, that it was a horrid Act of Tyranny to go about to force an innocent Man to declare himſelf guilty. But it was not in his power to protect that Nobleman.

The Fall of the Lord High Treaſurer.

Of the Earl of Briſtol.

The Spaniſh *Ambaſſador informs againſt* Buckingham.

King's Suſpicion and Fears of the Duke.

AS ſoon as the Parliament was broke up, the King ſent over 6000 Men to ſerve in *Holland*, under the Prince of *Orange*. At the ſame time the Court form'd a Project to employ the Count *de Mansfeldt*, and to give him the Command of a Body of 12,000 Men, which were actually raiſing, with a deſign to enter the Lower *Palatinate* during the Winter.

King ſends Men to Holland.

MEAN time the Earl of *Holland* having acquainted the King that the Court of *France* was diſpoſed to enter into a Treaty for the Marriage of the Prince of *Wales* with the Princeſs *Henrietta Maria*, the King joined the Earl of *Carliſle* to him in the Negotiation of that Treaty. The Conferences upon this Affair began not many Days before the Parliament was prorogued, and at a time when the King, in order to ſatisfy the two Houſes, cauſed the Laws againſt Popiſh Recuſants to be put in execution. Theſe People had expected quite different Treatment a few Months before, therefore the Severity with which they were us'd, ſeemed to

Prince's Marriage Treaty with Henrietta Maria.

Law put in execution againſt the Papiſts.

to them the greater. Some of them wrote word into *France*, that the Negotiation of the Prince's Marriage with a *Spaniſh* Princeſs adminiſtered ſome Comfort to them, whereas that which was begun in *France* upon the like account only increaſed their Miſeries. Theſe Complaints being often repeated, obliged *Lewis* XIII. at laſt to ſend the Archbiſhop of *Ambrun* to the King, to deſire ſome Favours of him for the Roman Catholicks. I don't propoſe to enter into the Particulars of this Negotiation. I ſhall only ſay in a word, that if any Credit may be given to that Archbiſhop's Account, which is at the end of *Deageant*'s Memoirs, *James* had an extraordinary Biaſs to the Roman Catholick Religion: Perhaps too he had form'd a chimerical Project to eſtabliſh a Toleration of the two Religions in all the Dominions of *Europe*. But *Deageant* ſays more than this; for he affirms, that *James* had made a poſitive Promiſe to the Archbiſhop of *Ambrun*, to embrace the Roman Catholick Religion, and that he even wrote to the Pope to aſſure him of it. But this is not a proper place to examine how much there is of Truth in thoſe Memoirs.

They complain to the Court of France.

King James's *Engagement according to* Deageant.

THE firſt thing concluded in *France* relating to the Prince's Marriage, tho' the *Engliſh* Ambaſſadors made ſome ſcruple of it, was, that the Articles of Religion agreed to in *Spain* ſhould be laid down for the Foundation of the Treaty. The only Difference was, that *France* could not obtain that the Roman Catholicks ſhould have a publick Church in *London*. Nor did ſhe inſiſt much upon this Article, becauſe ſhe knew the Inconveniences, or rather the Impoſſibility of making it go down with the People and the Parliament: She procured herſelf amends in ſome meaſure, by cauſing an Addition to be made to the Number of Eccleſiaſticks in the Princeſs's Service, and by obtaining that the Children which ſhould be born of that Marriage ſhould be educated by their Mother, till they were 13. Years of Age, whereas only ten had been granted to *Spain*. The Treaty being ſigned at *Paris* in the Month of *November*, all Proſecutions againſt Popiſh Recuſants ceas'd immediately in *England*; and the King poſitively promiſed to ſet all thoſe at liberty that were actually in Priſon, immediately after the Conſummation of the Marriage.

Negotiation of the Prince's Marriage in France.

Stop put to the Proſecution of Popiſh Recuſants.

THE great Aim of the Prince and the Favourite was, that this Match would procure them an Opportunity of making an offenſive and defenſive Alliance with *France*, for the Recovery of the *Palatinate*. And this was alſo what the Earl of *Carliſle* had Orders to propoſe immediately. *Lewis* XIII. ſeemed to turn a willing Ear to the Propoſal, and even gave hopes that ſuch a League might be concluded after the Affair of the Marriage was diſpatch'd. Mean time the 12,000 Men that *Mansfeldt* was to carry into the *Palatinate* were got ready in *England*. When theſe Troops were in a readineſs, *James* cauſed preſſing Inſtances to be made again to the Court of *France* concerning the League; and the Anſwer was, that this Affair ſhould be treated of when the Marriage was conſummated. Therefore the Court of *England* could do no more at preſent, than demand Paſſage thro' *France* for the Troops which the Count *de Mansfeldt* was to command. *Lewis* made anſwer, that he would not only grant the Paſſage deſired of him, but that he would even join the *Engliſh* Troops with a Body of his own; but the Event ſhew'd, that he meant it ſhould be after the concluſion of the Alliance. Mean time the Court of *England* fancy'd that 'twas an Engagement without a Condition, and neglected to make the *French* Court explain it ſelf. But at that time there was hardly a ſillier Court under the Sun than that of *England*, of which here are two very convincing Proofs.

THE Truce of 15 Months made for the *Palatinate* being expired, *James* cauſed a Memorial to be preſented to the Infanta *Iſabella*, to deſire her that ſhe would reſtore *Frankendal* to him, and that ſhe would grant him Paſſage for 1500 Men thro' the Lands of the King of *Spain* and the Empire. The Infanta made Anſwer, That ſhe was ready to execute the Treaty, and to grant Paſſage to the *Engliſh* thro' the Countries in the Dominion of the King of *Spain*; but that ſhe had not power to grant it thro' the Territories of the Empire, and that ſhe was not engaged to it by the Treaty; which, as I mentioned before, was very true. Mean time, tho' the Treaty was concluded at *London*, none of the King's Miniſters perceived that the granting a Paſſage for the Garriſon of *Frankendal* for retiring was one thing, and that the allowing ſuch Paſſage for a new Supply of 1500 Men was another. Thus the King was obliged to leave that Place in the hands of the Infanta, becauſe he was afraid to venture the Paſſage of thoſe few Troops through the Territories of the Empire.

James *demands* Frankendal *of the Infanta, and Paſſage for the Troops, which ſhe cannot grant.*

THE following Inſtance is another Proof of the Simplicity of the Court of *England*. Without any other Security than what I juſt now mentioned for Count *Mansfeldt*'s Paſſage thro' *France*, 12,000 Men were put on board with him, heaped, as it were, one upon another in the midſt of Winter. But when they came to ſet foot upon the *French* Shore, they were not ſuffer'd to land; *Lewis* not thinking himſelf bound to give them Paſſage. The *Engliſh* Writers call this Treachery on the part of *France*; but I know not whether they ought not to call it extreme Negligence on the part of *England*. Theſe Troops not having leave to land in *France*, went away to the Coaſts of *Zealand*, where they found the ſame Obſtruction. In ſhort, this Army, what with Sickneſs and Deſertion, dwindled almoſt to nothing;

Mansfeldt *denyed paſſage thro'* France.

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nothing; and the greateſt part of the Soldiers that remained, went to ſerve as Recruits to the 6000 Men of their Nation, who were in the Service of the States-General.

Anno MDCXXV.

Difficulties concerning the Diſpenſation.

Urban VIII. who was not eaſily perſuaded to grant a Diſpenſation for the Marriage, and did not promiſe it till he had been threatned by the Cardinal *de Richelieu* that the Court would do without it if he refuſed it, kept them in ſuſpence for it till the Month of *February* 1625. When it came to *Paris*, it appeared that the Pope had annexed two Conditions to it which were not in the Treaty, and which he required the King of *England* and the Prince his Son to ſwear to the Execution of, without which the Diſpenſation was not valid. Theſe two Conditions were, that the Domeſticks of the Children who ſhould be born of this Marriage ſhould be Catholicks, and that the Princeſs ſhould chuſe them. *James* agreed to theſe two Articles without much Intreaty, but he refuſed to take a new Oath, ſaying, that his own and his Son's Promiſe were ſufficient. Nevertheleſs the Marriage could not be celebrated without this Oath, becauſe the Pope had made it a neceſſary Condition of the Diſpenſation. The only Expedient thought of was that the King of *France* himſelf ſhould offer to be Security for the Performance of the two Articles. But there was a neceſſity of waiting for a new Diſpenſation, and *James* died before it arrived.

James's Sickneſs and Death.

IN the Month of *March* this Prince was ſeized with a Tertian Ague, which carried him off upon the 8th of *April*, N. S. The Duke of *Buckingham* was ſuſpected to have haſtened his Death by a Potion which he made him take twice, without the Advice of Phyſicians, and by a certain Plaiſter which he caus'd to be applied to his Belly. In the following Reign he was impeached by the Houſe of Commons, not indeed of having poiſon'd the King, but of having had the Preſumption to give him Remedies, without conſulting his Phyſicians.

Duke of Buckingham ſuſpected for it.

The Acts of the Seventeenth Tome of the Fœdera *which relate to the foregoing Hiſtory are,*

Baniſhment of 4 Popiſh Recuſants. P. 3.

1. A Commiſſion to the Archbiſhop of *Canterbury* and the other Lords of the Privy-Council to enlarge out of Priſon, and to baniſh out of the King's Dominions four [a] Popiſh Recuſants, at the Suit of the Duke of *Savoy*'s Ambaſſador; dated *April* 5. 1617 [b].

Sir John Digby's Commiſſion to treat about the Spaniſh Match. 9.

2. A Commiſſion to Sir *John Digby*, Vice-Chamberlain and Privy Counſellor, to treat with the King of *Spain* about the Marriage of the Prince of *Wales* to the Infanta *Maria*, dated [c] *April* 16, 1617.

Grants to the Archbiſhop of Spalato. P. 79, 88.

3. A Grant of the Office of Maſter of the Hoſpital of the *Savoy*, to *Mark Anthony de Dominis* Archbiſhop of *Spalato* [d], dated *March* 26. 1618 [e].

4. ANOTHER Grant to him of the Deanry of *St. George*'s Chapel at *Windſor* [f], dated *May* 13. 1618 [g].

Stoppage of Penſions. 89.

5. AN Order from the King to the Officers of the *Exchequer* to pay no Penſion that he ſhall grant for the future; dated *May* 15. 1618 [h].

Proclamation againſt Sir Walter Raleigh. 92.

6. A Proclamation againſt Sir *Walter Raleigh*; dated *June* 11. 1618 [i].

" THE King ſets forth that he had given " Licence to *Raleigh* to undertake a Voy- " age to *Guiana*, to make Diſcovery of a " certain Gold Mine; but that he had ex- " preſſly forbad him from attempting any " Act of Hoſtility upon the Territories or " Subjects of any of the Princes his Friends, " and particularly the King of *Spain*: " That nevertheleſs having been inform'd " by common Fame, that the ſaid Knight " has committed Hoſtilities againſt the *Spa-* " *niards*, and burnt the Town of *St. Tho-* " *mas*; he charges thoſe that have any " Knowledge thereof to come and diſcover " the ſame to ſome of the Privy-Council."

IF this Proclamation be compar'd with Sir *Walter Raleigh*'s Patent at the end of the 16th Tome of the *Fœdera*, it will appear there is no mention made of the Princes in amity with the King, or the King of *Spain* in particular.

Baniſhment of the Jeſuits and Seminary Prieſts. 92.

7. A Commiſſion to the Archbiſhop of *Canterbury* and others of the Privy-Council, to baniſh Jeſuits and Seminary Prieſts out of the Realm; dated *June* 23. 1618 [k].

" THIS Commiſſion is of the ſame kind " with thoſe mentioned in the former Vo- " lume: That is to ſay, that altho' the " Parliaments have with one Voice ordered " the Laws againſt thoſe People to be ſe- " verely executed: yet the King, continu- " ing his gracious Inclination towards them, " only orders Baniſhment for thoſe who " are at liberty, and for thoſe who are in " Priſon, indicted or attainted."

Grant to the Archbiſhop of Spalato. 95.

8. A ſpecial Grant to *Mark Anthony de Dominis*; dated *June* 24. 1618 [l].

IT relates to his Office of Maſter of the *Savoy*.

Reformation of the Treaſury. 97.

9. A Commiſſion [m] for reforming Abuſes in the Treaſury; dated *July* 10. 1618 [n].

Inventory of the King's Jewels. 99.

10. ANOTHER to make a new Inventory of the King's Jewels; the King having diſpoſed of ſeveral: dated *July* 10. 1618 [o].

11.

[a] *William Danvers*, *Roger Walter*, *Nicholas Johnſon* and *John Armſtrong*. [b] At *Weſtminſter*. [c] Ibid.
[d] Vacant by the Reſignation of *Walter Balcanquall*. [e] At *Weſtminſter*.
[f] Vacant by the Death of *Anthony Maxey*. [g] At *Weſtminſter*.
[h] At *Weſtminſter*. [i] Ibid. [k] At *Weſtminſter*.
[l] At *Weſtminſter*. [m] To the Earl of *Pembroke* and others. [n] At *Weſtminſter*. [o] Ibid.

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11. A Patent, authorizing *Samuel Atkinſon* and *Simon Morgan*, Gentlemen, to ſearch in all Places for hidden Treaſure; dated as above.

Commiſſion to ſearch for Treaſure. 101.

12. THE King's Declaration, with reſpect to the Tumults that may happen in *London*; and particularly, upon account of the Inſult upon the Ambaſſador of *Spain*; dated *September* 10. 1618[a].

Declaration about Tumults. 113.

13. ORDER for the Execution of Sir *Walter Raleigh*, who was condemned 14 Years before; dated *October* 28. 1618[b].

Order for executing Sir Walter Raleigh. 115.

14. A Patent for the Office of Lord High-Admiral for the Marquis of *Buckingham*; dated *January* 28. 1619[c].

Lord High Admiral's Patent. 124.

15. A Proclamation, declaring his Majeſty's Royal Grace to confirm to his Subjects their defective Titles or Eſtates; dated *February* 13. 1619[d].

Proclamation about defective Titles. 136.

" THIS was one of the Methods put " in practice for raiſing Money."

126.

16. A Commiſſion for renewing the Defenſive Alliance with the Princes of *Germany*; dated *May* 6. 1619[e].

Alliance with the German *Princes.* 160.

THIS Commiſſion was iſſued at the Requeſt of the Baron *de Dhona*, the Elector Palatine's Ambaſſador.

17. ANOTHER to the Earl of *Worceſter* and others, for ſelling certain Jewels belonging to the late Queen, who was Wife to the King; dated *Auguſt* 10. 1619[f].

Sale of the Queen's Jewels. 176.

18. A Commiſſion for diſcharging out of Priſon ten Popiſh Recuſants, notwithſtanding their Refuſal to take the Oath of Allegiance, on condition that they depart the Kingdom; dated *April* 24. 1620[g].

The Diſcharge of 10 *Popiſh Recuſants.* P. 193.

19. ANOTHER for ſelling ſome of the King's Jewels; dated *April* 27. 1620[h].

Sale of the King's Jewels. P. 194.

20. AN Eccleſiaſtical Commiſſion for trying Hereticks, Schiſmaticks, *&c.* dated *April* 29. 1620[i].

Commiſſion for the Trial of Hereticks. P. 200.

" THIS Commiſſion was renewed from " time to time according to the good Plea- " ſure of the King. It was founded upon " an Act of Parliament paſs'd in the Reign " of Queen *Elizabeth*. 'Tis the ſame " that was called the High Commiſſion " Court under the Reign of *James* II. The " ſole View of this Commiſſion was to vex " the Puritans, tho' the Jeſuits, Prieſts, and " others were alſo inſerted."

21. ANOTHER for examining and reforming the Abuſes committed in the Execution of the Orders of the High Commiſſion, and by the Delegates of that Court; dated *May* 13. 1620[k].

Another for executing the Orders of the High Commiſſion. 212.

22. A Proclamation to prohibit and aboliſh Suits between the Borderers of *England* and *Scotland*, under pretence of that called Tenant's Right; dated *July* 28. 1620[l].

Proclamation about Tenant's Right. 249.

" ALL Proceſſes of this King inferred " that the two Kingdoms were ſtill ſeparate. " But the King laid it down as a Founda- " tion that they were united by his Procla- " mation (formerly mentioned) tho' the " Parliament had rejected the Union."

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23. A Commiſſion for Eccleſiaſtical Cauſes within the Province of *York*; dated *October* 24. 1620[m].

Eccleſiaſtical Commiſſion. P. 250.

24. A Proclamation for the better Election of Members for the Paliament that was to meet on the 16th of *January* 1621. dated *November* 6. 1620[n].

Election of Members. P. 270.

" THE King gives his Opinion as to the " Qualifications of the Men whom the Peo- " ple are to chuſe for their Repreſentatives, " *viz. That they be not Puritans, nor* " *Bankrupts, nor young Men*, &c. He " adds however, that by this admonition, he " does not pretend to deprive People of the " Freedom of Election, according to the " Laws of the Realm."

25. ANOTHER forbidding laviſh Diſcourſe about State-Affairs; dated *December* 24. 1620[o].

Proclamation againſt talk of State-affairs. 275.

26. Another for proroguing the Parliament to the 23d of *January* 1621, dated *December* 28. 1620[p].

Parliament prorogud. P. 276.

27. A Commiſſion for obliging thoſe that depart the Kingdom, to take the Oath appointed by the Parliament in the 3d Year of this Reign; dated *Jan.* 24. 1621[q].

Oath to be taken by thoſe who go out of the Kingdom. P. 277.

28. A Patent for creating Sir *Francis Bacon* Lord *Verulam*, Viſcount of *St. Albans*; dated *January* 27. 1621[r].

Lord Verulam's Patent. P. 279.

29. A Proclamation for apprehending Sir *Giles Mompeſſon*; dated *March* 3. 1621[s].

Proclamation for apprehending Sir Giles Mompeſſon. P. 284, 289.

30. ANOTHER for baniſhing him out of the Realm, over and above the Puniſhment inflicted by the Sentence of Parliament; dated *March* 30. 1621[t].

31. ANOTHER for aboliſhing the Bills of Conformity; dated *March* 31. 1621[u].

Bills of Conformity. P. 289.

" THESE were Times of Forbearance " which the King granted to Debtors, to ſe- " cure them from being proſecuted by their " Creditors."

32. A Memorandum relating to the Great Seal taken from *Bacon*, and delivered into the Cuſtody of *John Williams*[v].

Williams has the Great Seal. 296.

33. A COMMISSION to Baron *Digby* of *Sherborn*, to go and treat with the Emperor *Ferdinand*; dated *May* 18. 1621.

Lord Digby's *Commiſſion.* P. 299.

" THE King ſays, that he has received a " full Power from the Elector *Palatine* to " treat in his Name."

34. ANOTHER to the ſame, to treat with the King of *Spain* concerning the Marriage of Prince *Charles* to the Infanta *Maria*[x].

P. 300.

35.

[a] At *White-hall.* [b] At *Weſtminſter.* [c] Ibid.
[d] At *White-hall.* [e] At *Weſtminſter.* [f] Ibid. [g] At *Weſtminſter.*
[h] At *Weſtminſter.* [i] Ibid. [k] At *Weſtminſter.*
[l] At *Charlton.* [m] At *Weſtminſter.* [n] At *Theobalds.*
[o] At *White-hall.* [p] At *Weſtminſter.* [q] Ibid. [r] Dated at *Weſtminſter Jan.* 24. 1621.
[s] At *Weſtminſter.* [t] Ibid. [u] At *Weſtminſter.*
[v] He was then only Dean of *Weſtminſter*, but ſoon after Biſhop of *Lincoln.* [x] Dated the 14th, ditto.

35. A Proclamation for reſtraining the Freedom of Diſcourſe upon Affairs of State; dated [a] *July* 26. 1621.

Proclamation againſt talk of State-matters. P.314.

" WE certify to all Men, that we will " extend the like Severity to thoſe who " ſhall conceal ſuch ſeditious Diſcourſe, as " to thoſe who ſhall be guilty of it."

King's Bond for Money borrowed of the King of Denmark. 315.

36. THE King's Bond for 100,000 *Thalers*, borrowed of the King of *Denmark* for two Years; dated *Auguſt* 4. 1621[b].

Diſcharge for thoſe who kept the Jewels. P.315.

37. THE King's Acknowledgement that he had diſpoſed of certain Jewels belonging to the late Queen *Anne*; by way of Diſcharge of thoſe who had the Cuſtody of them; dated as above.

Proclamations for adjourning the Parliament. 324.

38. A Proclamation for adjourning the Parliament from the 14th of *November* to the 8th of *February* following; dated *Oct.* 6. 1621[c].

P.326.

39. ANOTHER for altering the adjournment, *viz.* from the 14th of *November* to the 20th of the ſame Month; dated *November* 3. 1621.

Sale of more of the late Queen's Jewels. 334.

40. ANOTHER Acknowledgement of the Sale of the Queen's Jewels; dated *Nov.* 13. 1621[d].

Pardon of the Archbiſhop of Canterbury for killing a Man. 337.

41. A Pardon to *George Abbot* Archbiſhop of *Canterbury*, for having kill'd a Man by chance; dated *November* 22. 1621[e].

P.339.

42. A ſpecial Commiſſion for diſpenſing the Archbiſhop of *Canterbury* from canonical Pains or other Cenſures, which he may have incur'd on account of the Murder, *&c.* dated *Nov.* 22. 1621.

Proclamation diſſolving the Parliament. P.334.

43. A Proclamation for the Diſſolution of the Parliament; dated *Jan.* 6. 1622[f].

" 'TIS a tedious Apology for the Diſſo- " lution of the Parliament, the true cauſe " of which was the Diſputes in the lower " Houſe, touching the Royal Prerogative, " and the Privileges of Parliaments."

Diſcharge of the Earl of Somerſet. P.349.

44. A Commiſſion for diſcharging the Earl of *Somerſet* and his Counteſs out of Priſon; dated *Jan.* 17. 1622[g].

This was not a Pardon.

Horace Vere Captain General. 352.

45. A Patent appointing Sir *Horatio de Vere* to be Captain General in the *Palatinate*; dated *Feb.* 16. 1622.

Lord Chicheſter's Commiſſion. P.354.

46. A Commiſſion to *Arthur* Lord *Chicheſter* to treat of a Peace with the Emperor[h].

Commiſſions to Lord Digby. P.355.

47. ANOTHER to confirm the Baron *Digby* in the Power of treating with *Philip* IV. Son and Succeſſor of *Philip* III. King of *Spain*, touching a Treaty of Friendſhip and Alliance, *&c.* dated *March* 13. 1622[i].

P.356.

48. ANOTHER to the ſame Lord, to treat of the Prince of *Wales*'s Marriage with the Infanta. Of the ſame Date as the former.

49. ANOTHER on the ſame Subject, which is alſo of the ſame Date.

P.357. Commiſſion about Jeſuits. P.367.

50. A Commiſſion [k] relating to the Jeſuits, *&c.* like the former; dated *April* 20. 1622[l].

Defective Titles confirmed. 388.

51. ANOTHER for the Confirmation of defective Titles; dated *July* 4. 1622[m].

Sir Richard Weſton's Commiſſion. P.394.

52. ANOTHER to Sir *Richard Weſton* to treat concerning a Truce with the Infanta; dated in the ſame Month.

Order to the Nobility, &c. to keep their Chriſtmas in the Country. P.417.

53. A Proclamation commanding the Great Men to keep to their Country Seats; dated *Nov.* 20. 1622[n].

" THIS was on purpoſe to revive the " antient Hoſpitality in the approaching " Feſtival of *Chriſtmas*, which had been " too much decayed by the Reſort of the " Nobility and Gentry to the great Towns."

Proclamatin for Inquiry into the Subjects Grievances. P.452.

54. A Proclamation giving notice that the King has appointed certain Commiſſioners to hear and examine the Complaints of the People againſt Monopolies, and the other Grievances; dated *February* 14. 1623[o].

" THERE were five Commiſſioners, of " whom the Marquis of *Buckingham* was " the firſt."

Sequeſtration of Frankendal. P.461.

55. A Treaty for the Sequeſtration of *Frankendal*; dated in *March* 1623[p].

" 'TIS agreed that the *Engliſh* Gariſon " ſhall march out of *Frankendal* with Co- " lours flying, and may retire thro' the " *Palatinate* and other Countries, either " by Land or Water, to the Dominions of " his Catholick Majeſty, and thoſe of the " Emperor, and that from thence they " ſhall have free Liberty to return to their " Native Country, *&c.*

" 'TIS alſo agreed, that when the ſaid " Towns and Forts are to be reſtored to the " King of *Great Britain*, his Majeſty " may tranſport the Troops and Proviſions " ſtipulated by the Treaty, thro' the Pro- " vinces of the *Netherlands*, ſubject to his " Catholick Majeſty, if it be required, and " that both by Land and Water."

Order to the Nobility to reſide in the Country 466.

56. A Proclamation commanding Perſons of Quality to reſide at their Houſes in the Country; dated *March* 26. 1623[q].

Ratification of the Treaty about Frankendal. 473.

57. THE Infanta's Ratification of the Treaty concerning *Frankendal*; dated *April* 5. 1623[r].

58. A Treaty of Truce for the *Palatinate*; dated *April* 21. 1623[s].

Earl of Rutland's Commiſſion. 486.

59. A Commiſſion to the Earl of *Rutland*, to command the Fleet deſign'd to fetch home the Prince from *Spain*; dated *April* 25. 1623[t].

60. A Proclamation ordering a Regiſter to be kept of the Knights created by the King; dated *April* 27. 1623[u].

" HE

[a] At the Court of *Aſhby*. [b] At *Weſtminſter*. [c] At the Court at *Royſton*.
[d] At *Weſtminſter*. [e] Ibid. [f] At *Weſtminſter*.
[g] At *Weſtminſter*. [h] *It has no Date*. [i] At *Weſtminſter*.
[k] To the Archbiſhop of *Canterbury* and others. [l] At *Weſtminſter*.
[m] At *Weſtminſter*. [n] At *Newmarket*. [o] At the Court of *Theobalds*. [p] At *London*.
[q] At *Newmarket*. [r] At *Bruſſels*. [s] At *London*. [t] At *Weſtminſter*. [u] At *Windſor*.

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"HE had created such a great number "of them, that it gave some a pretence to "challenge that Dignity, on whom the "same was never conferr'd."

Creation of the Duke of Bucks. 495.

61. LETTERS Patent for creating the Marquis of *Buckingham* a Duke with that Title: dated *May* 18. 1623[a].

Truce for the Palatinate. *P.* 499.

62. RATIFICATION of the Treaty of Truce for the *Palatinate* by the King; dated *May* 30. 1623[b].

"IN the Treaty above mentioned, "there's a Blank left for the Term of the "Truce: but here 'tis said to be for 15 "Months."

Acquittance for the King's Jewels. 508.

63. AN Aquittance for those who have had the custody of the King's Jewels; dated *July* 15. 1623[c].

"THE King's frequent Broils with his "Parliament, often put him under a neces-"sity of selling his Jewels."

Defective Titles. 512.

64. A Commission relating to defective Titles; dated *July* 26. 1623[d].

This like that mentioned p. 542, *was to raise Money.*

Proclamation against Libels. P. 522.

65. A Proclamation against the Licentiousness of Libels; dated[e] *September* 25. 1623.

For Supplying the Realm with Corn. P. 526.

66. ANOTHER for supplying the Realm with Corn; dated[f] *December* 27. 1623.

"BY this Proclamation the King gran-"ted certain Privileges to those who would "undertake to erect Magazines of Corn."

Parliamentary Proceedings. 552.

67. A Memorandum of what pass'd in the Parliament which began the 19th of *February* 1624.

"IN this Account we have the Duke "of *Buckingham*'s Speech at the Confe-"rence betwixt the two Houses, wherein "he proposed to give an exact Relation "of all that pass'd in the Prince's Marriage-"Treaty. Mention was made of this Nar-"rative in the last Number of this Volume."

Protection of foreign Ministers. 593.

68. A Proclamation for protecting the Ambassadors of foreign Princes against the Insults of the Populace; dated *March* 8 1624[g].

Banishment of Jesuits, &c. P. 598.

69. ANOTHER for banishing Jesuits, Seminary Priests, *&c.* out of the Realm; dated *May* 6. 1624[h].

Treaty of perpetual Peace with France. *P.* 599.

70. A Commission to the Earl of *Carlisle*, and the Baron of *Kensington*, to treat of a perpetual Peace with the King of *France*; dated *May* 11. 1624[i].

"THIS Baron of *Kensington* was "*Henry Rich*, who was not yet made "Earl of *Holland*."

And of the French *Match.* 600.

71. ANOTHER to the same Persons to treat of the Marriage of Prince *Charles*, and the Princess *Henrietta Maria*, Sister to *Lewis* XIII. dated as the former.

72. A Proclamation against Seditious, Popish and Puritanical Books and Pamphlets; dated *August* 15. 1624[k].

JAMES I. *Proclamation against Libels.* 616.

"IT must be observed, that tho' 'tis said "in the Title, that the Proclamation is a-"gainst Popish Books; yet there's no men-"tion in it of any but Puritanical Books."

73. A Proclamation for proroguing the Parliament from the 2d of *November*, to the 16th of *February* following; dated *October* 1. 1624[l].

For proroguing the Parliament. 625.

74. A Pardon for *Robert Carr*, late Earl of *Somerset*; dated *Oct.* 7. 1624[m].

Somerset's *Pardon.* 625.

75. A Grant to *Robert Stokes*, of the Power to make Foreigners Denizens of *England*; dated *October* 25. 1624[n].

Power to Stokes *to make Denizens.* 632.

76. A Commission to the Duke of *Buckingham* to oblige those who depart the Kingdom, to take the Oath; dated *December* 20. 1624[o].

Commission to oblige those who depart the Kingdom to take the Oath. 638.

77. A Commission to banish the Jesuits, *&c.* of the same nature with the preceding ones; dated *December* 24. 1624[p].

78. A Commission to the Mayor of *Dover* about certain Troops that are to be embarked there; dated *December* 30. 1724[q].

Commission to the Mayor of Dover. 647.

Prorogation of the Parliament. 648.

79. A Proclamation for proroguing the Parliament to the 15th of *March* 1625. dated *Jan.* 19[r].

Letters of Reprisal against Spain. 667.

80. LETTERS of Reprisal granted to the Lord High Admiral against *Spain*; dated *Feb.* 14. 1625[s].

Marriage Treaty with Henrietta Maria. 673.

THE last Act in this XVIIth Tome of Mr. *Rymer's Fœdera* is the Marriage Treaty betwixt *Charles* I. King of *Great Britain*, and *Henrietta Maria* of *France*; which is dated *May* 8. 1625. and ratified by King *Charles*[t] the 21st of *June* following.

"THIS Treaty is as much in favour of "the Roman Catholicks as that which had "been made in *Spain*." *

There are many other Acts in this Tome relating to various Subjects, among which are these that follow.

Sir Francis Bacon *Keeper of the Great Seal.* 1.

1. A Patent appointing Sir *Francis Bacon* Keeper of the Great Seal; dated *March* 30. 1617[u].

Heralds Office reformed. 3.

2. A Commission for reforming the Heralds-Office; dated *April* 5. 1617[u].

Camden's *Pension.* 5.

3. GRANT of a Pension of 20 *l.* a Year *Sterling* to *William Camden*, *Clarencieux* King at Arms; dated *April* 5. 1617[x].

Lord Verulam's *Patent.* 17.

4. A Patent for creating Sir *Francis Bacon*, Baron of *Verulam* in *Hertfordshire*; dated *June* 11. 1617[y].

Commissions for the Court of Wards in Ireland. 20.

5. A Commission concerning the Court of Wards in *Ireland*; dated[z] *Sept.* 23. 1617.

6.

[a] At *Greenwich*. [b] At *London*. [c] At *Westminster*. [d] Ibid.
[e] At *Hampton-Court*. [f] At *Whitehall*. [g] Ibid. [h] At *Greenwich*.
[i] At *Westminster*. [k] At *Nottingham*. [l] At *Whitehall*. [m] At *Westminster*.
[n] At *Westminster*. [o] Ibid. [p] At *Westminster*.
[q] At *Cambridge*. [r] At *Newmarket*. [s] At *Westminster*. [t] Ibid.
[u] At *Westminster*. [v] Ibid. [x] At *Westminster*. [y] At *Wansted*.
[z] At *Westminster*.

* 'Tis inserted at length in the 2d Volume of the *Collection of Treaties* printed for *J. Darby*, and sold by *F. Clay*, *&c.* and manifestly shews, notwithstanding what has been suggested by some to the contrary, that the Origine of the Growth of Popery and Arbitrary Power is older than the Expulsion of the Royal Family of the *Stuarts* by the Usurpation and Rebellion.

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"IN this Tome there are many more "upon the ſame Subject."

Reporters of the Law. 27.

6. AN Order for conſtituting Reporters of the Law in the Courts of *Weſtminſter*; dated *Oct.* 24. 1617[a].

Commiſſion of Array. 43.

7. A Commiſſion of Array, to keep the Militia in a good Poſture dated[b] *November* 24.

Government of Northern *Counties.* 47.

8. AN Order for the Government of the *Northern* Counties; dated *December* 23. 1617[c].

"THE King calls thoſe Counties the "middle Shires with regard to the Union.

Commiſſion for a Trade to the Eaſt-Indies. 56.

9. A ſpecial Commiſſion to Sir *Thomas Dale* and Capt. *William Parker*, concerning a Voyage and Trade to the *Eaſt-Indies*; dated[d] *Jan.* 16. 1618.

Proclamations for reſtraining new Buildings. 107. 143, 608.

10. A Proclamation calling in the Licences granted for new Buildings in *London*; dated[e] *July* 21. 1618.

THERE are ſeveral others for theſame purpoſe.

Pardons. 109, 185, 281, 342, 371, 617.

11. A Pardon for the Crime of Adultery[f].

THERE are many others of the ſame Nature.

Proclamation againſt eating Fleſh in Lent. 131, 134. 349, 447. 528, 661.

12. A Proclamation to forbid the eating of Fleſh in *Lent*; dated[g] *Jan.* 29. 1616.

THERE are many others of the like kind.

Againſt converting the Coin into Plate. 133.

13. A Proclamation prohibiting the Exchange of Monies for Profit, the making of Plate of any of his Majeſty's Coins, and the exceſſive uſe of Gold and Silver Foliate; dated[h] *February* 4. 1619.

Commiſſion to receive the Oath of Lewis XIII. 159.

14. A Commiſſion to receive the Oath of *Lewis* XIII. concerning a Treaty of Commerce; dated[i] *May* 6. 1619.

Grant of Somerſet's *Forfeited Eſtates.* 164.

15. A Grant of the forfeited Eſtates of the late Earl of *Somerſet*[k], dated *June* 24. 1619[l].

Earl of Hamilton's *Penſion.* 168.

16. THE Grant of a Penſion of 2500 *l. Sterling* to *James* Marquiſs of *Hamilton*, Earl of *Cambridge*; dated *July* 10. 1619[m].

Treaty with the Dutch. 170.

17. A Treaty with the States-General relating to the *Eaſt-India* Trade; dated[n] *July* 7. 1619.

18. THE King's Ratification of it; dated the 16th of the ſame Month[o].

Alliance with the Turks. 178.

19. A Commiſſion[p] to renew the Alliance with Sultan *Oſman Han*, the Emperor of the *Turks*; dated *Sept.* 14 1619[q].

Prince Charles *his Penſion.* 181.

20. A Penſion of 20867 *l.* 5 *s.* 7 *d.* granted to the Prince of *Wales*; dated *Oct.* 5. 1619[r].

Commiſſion for Garbling of Tobacco. 190, 233, 621, 668.

21. A Commiſſion for the Garbling of Tobacco; dated *April* 7. 1620[s].

THERE are ſeveral Proclamations on this head.

22. THE King's Declaration for depriving *Andrew Knox*, Biſhop of the Iſles in *Scotland*, of his Penſion of 100 *l.* dated *May* 19. 1620[t].

Mathematical Lectures founded at Oxford. 217.

23. THE Foundation of two Mathematical Lectures in the Univerſity of *Oxford*; dated *May* 25. 1620[u].

Licence to dig for Mines, 252.

24. A Commiſſion for ſuppreſſing the Pirates; dated *July* 20. 1620[v].

25. A Licence to dig for Mines in the Kingdom; dated *October* 3. 1620[w].

Treaty with Denmark. 329.

26. A Treaty with the King of *Denmark*, concluded at *London*, *April* 29. 1621[x].

27. KING *James's* Ratification of it; dated *October* 11. 1621[y].

Government of Ireland. 358, 429.

28. A Commiſſion for eſtabliſhing good Government in *Ireland*; dated *March* 20. 1622[z].

THERE are ſome others for the ſame purpoſe.

Grants to Boreel *and* Huygens. 370.

29. A Grant of Nobility to *John Boreel* of *Zealand*; dated *April* 20. 1622[aa].

30. THE like for *Conſtantine Huygens*[aa].

Pardon for Adultery. 371.

31. A Pardon granted[bb] for the Crime of Adultery; dated *April* 29. 1622[cc].

Privileges for Foreigners. 372, 437

32. COMMISSIONS for maintaining Foreigners reſiding in *England* in their Liberties and Privileges; dated *June* 5. and *December* 23. 1622[dd].

Proclamation about Coin and Bullion. 376.

33. A Proclamation for reſtraining the Exportation and Waſte of Coin and Bullion; dated *June* 11. 1622[ee].

Grant to Lady Anne Chandos. 393.

34. A Grant to the Lady *Anne Chandos*, Relict of the Lord *Gray*, of the ſame Rank ſhe held before her Marriage, as eldeſt Daughter of *Ferdinand* Earl of *Derby*; dated *July* 8. 1622[ff].

Cloth Trade. 410.

35. A Commiſſion for re-eſtabliſhing the Woollen Cloth Trade, *&c.* dated *October* 21. 1622[gg].

Court of Wards in Ireland. 429.

36. THE Eſtabliſhment of a Court of Wards and Liveries in *Ireland*, dated *Dec.* 23. 1622[hh].

East-India *Company's Grant.* 450.

37. A Grant to the *Eaſt-India* Company; dated *Feb.* 4. 1623[ii].

38. A Proclamation againſt the carrying of Ammunition to *Algier* and *Tunis*; dated *April* 6. 1623.

Regulation of the Virginia *Colony.* 490.

39. A Commiſſion to Sir *William Jones* for regulating the Affairs of the Colony ſettled at *Virginia*; dated *May* 9. 1623.

Commerce with Muſcovy. 504.

40. A Treaty of Commerce between *James* I. and *Michael Phædorowitz* Great

[a] At *Weſtminſter*. [b] Ibid. [c] Ibid. [d] Ibid. [e] Ibid.
[f] Granted to *Thomas Trafford* of *Bridge Trafford* in the County of *Cheſter*; dated *July* 25. 1618. at *Weſtminſter*.
[g] At *Newmarket*. [h] At *Whitehall*. [i] At *Theobalds*.
[k] To Sir *Thomas Howard*, Sir *Robert Carr*, and *Henry Gibb* Eſq; [l] At *Weſtminſter*.
[m] At *Weſtminſter*. [n] *London*. [o] At *Weſtminſter*. [p] To Sir *John Ayre*.
[q] At *Theobalds*. [r] At *Weſtminſter*. [s] Ibid. [t] Ibid. [u] Ibid. [v] Ibid.
[w] At *Weſtminſter*. [x] Ibid. [y] Ibid. [z] Ibid. [aa] Of the ſame Date.
[bb] To *Walter Wikes* and *Joan Proſſer*. [cc] At *Weſtminſter*. [dd] Ibid.
[ee] At *Greenwich*. [ff] At *Weſtminſter*. [gg] Ibid.
[hh] At *Weſtminſter*. [ii] Ibid.

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Great Duke of *Muſcovy*; dated *June* 16. 1623[a].

Government of Ireland. *P.* 531.

41. A Commiſſion to the Lord Viſcount *Falkland* and others, concerning the Government of *Ireland*; dated *Dec.* 29, 1623[b].

Reſtraint of new Buildings. P. 540.

42. A Commiſſion for reſtraining the New Buildings about *London*[c].

Proclamation for the Diſcovery of Mines. P. 606.

43. A Proclamation containing certain Privileges granted to ſuch as ſhall ſearch for, and find Mines, either in the King's Lands or elſewhere; dated *July* 10, 1624[d].

44. A Commiſſion for eſtabliſhing a new Colony at *Virginia*; dated *July* 15, 1624[e].

Defence of Ireland. *P.* 615.

45. A Commiſſion for eſtabliſhing a Council of War to concert ways and means for the defence of *Ireland*, &c. dated *July* 20, 1624[f].

Prince Charles *his Penſion. P.* 618.

46. THE Grant of a Penſion of 2000 *l.* Sterling to Prince *Charles*; dated *Sept.* 24, 1624[g].

Government of Virginia. *P.* 618.

47. A Commiſſion relating to the Government of *Virginia*[h].

Proclamation againſt all but Virginia *Tobacco. P.* 668.

48. A Proclamation againſt the Importation of any kind of Tobacco, which is not of the growth of *Virginia*; dated *March* 2, 1625[i].

JAMES I.

IN this Tome of the *Fœdera*, we find a great number of Acts relating to private Perſons, ſuch as Pardons, Penſions, Benefices, *Conge d'Elires* for Biſhopricks, *&c.* as may be ſeen in the Collection.

THE ſecond Part of this XVIIth Tome has a General Alphabetical Index of the Names of Perſons contained in all the Tomes.

THE third contains Alphabetical Indexes of the Places and Things mention'd in each Tome.

AND the fourth Part concludes the whole with an Index of Manuſcript Acts collected by Mr. *Rymer* in 59 Tomes, (beſides the Collection in the 17 printed Tomes,) from the Reign of *Henry* I. to the end of the Reign of *Elizabeth*. Among theſe Acts there's a great number which deſerve to be printed, as being of very great ſervice for illuſtrating the Hiſtory of *England*, were it only for the Dates.

[a] At *Weſtminſter*. [b] Ibid. [c] Dated *Jan.* 27, 1624, at *Weſtminſter*. [d] At *Weſtminſter*. [e] Ibid. [f] At *Nonſuch*. [g] At *Weſtminſter*. [h] Dated at *Weſtminſter*, *Aug.* 26, 1624. [i] At *Theobalds*.

THE Eighteenth Tome of the *Fœdera* was firſt publiſhed in the year 1726, by Order of the late King, and dedicated to his Majeſty by Mr. *Robert Sanderſon*, who, as was formerly obſerv'd, aſſiſted the deceaſed Mr. *Rymer* in compiling the other Tomes; and who in his Dedication of this, applauds his Felicity in having had the Honour of ſerving three Crown'd Heads (*viz.* King *William*, Queen *Anne*, and King *George* I.) for more than thirty Years, in a Work declared by the three greateſt Potentates in the World, as a Work highly conducing to their Service, and the Honour of their Crowns.

'THIS, ſays he, is the Eighteenth Tome 'of that Work, wherein your Majeſty may 'pleaſe to obſerve a certain Prophetic Care 'and Regard by your Royal Predeceſſor 'King *Charles* I. for that ILLUSTRIOUS 'FAMILY, from which hath been derived 'to us the choiceſt Bleſſing that Heaven 'cou'd beſtow upon a Loyal People, the 'GREATEST KING and BEST OF MEN, *&c.*'

The Reign of King *CHARLES* I.

ANNO 1625.

FOEDERA Tom. XVIII.

The Rule obſerved by Rapin *in writing this Reign.*

MR. *Rapin* being aware of the great Difficulties which an Hiſtorian, who has no other View than to ſpeak truth, muſt encounter with in writing this Reign, and how impoſſible 'tis for him to avoid the Imputation of Partiality, or to keep a juſt Medium between two Parties, whoſe Principles are diametrically oppoſite, and to whom perhaps the ſiding with neither, is equally odious; has laid it down for a Rule, 1. To reject alike all extravagant Encomia's and immoderate Invectives. 2. To compare the Facts related by the ſeveral Hiſtorians; to receive as true, ſuch as they agree in, and admit none wherein they differ, but what are found to be ſupported by ſtrong Proofs. And as one and the ſame Action is good or bad, according as the Principle is from whence it flows, he has taken care to explain the Principles of the two Parties, and to ſupport them with the ſtrongeſt Arguments they are capable of. After that, he leaves the Readers to judge of the particular Actions, according to the Principles they are pleaſed to adopt. If he has any where deviated from this Rule, 'tis only where one of the Principles appears manifeſtly to be falſe. However, tho' he has a Reſpect for both Parties, yet as he was unwilling to be a Slave to either, he has not pretended to make his court to both, by forbearing to ſhew upon occaſion, the Faults of one or the other. Of this we have a Proof in his Syſtem with regard to the Reign of *Charles* I. which 'tis neceſſary juſt to mention in this Place, as Mr *Rapin* has laid it down himſelf in the Plan of his Hiſtory.

CHARLES I.

Our

FOEDERA Tom. XVIII. *His Opinion of King Charles and of the Presbyterians, &c.*

OUR Author was perſuaded that King *Charles* I. made a very ill uſe of his Power in the firſt fifteen Years of his Reign, and that he deſign'd to eſtabliſh in *England* ſomething very like a deſpotic Government. That in 1640 and afterwards, when he found it impracticable, he would willingly have been ſatisfied with the Power allotted him by the Laws, and that he was ſincere in his Promiſes to keep within thoſe Bounds; the rather, becauſe it was not likely that he would have again attempted what had ſucceeded ſo ill.

PROBABLY, ſays he, Expedients would have been found to remove the Parliament's Diſtruſt of the King's Promiſes, had not the Presbyterians us'd their utmoſt Endeavours to inflame that Diſtruſt, under pretence of ſeeking Means to cure the People of their Fears. The Severity that had been exerciſed againſt them during the firſt fifteen Years of this Reign, and the King's invincible Averſion to their Sect, were the Cauſe, that they thought there was no Safety for them, but in an entire Breach between the King and Parliament; and this was the thing that occaſioned the Civil Wars. Mr. *Rapin* was far from approving their principal Deſign of deſtroying the Church of *England*, or the Means they employed to that end; as, on the other hand, he could not approve of the Animoſity expreſs'd againſt them by the King, Council, Biſhops, Star-Chamber, and the High Commiſſion-Court, during the firſt fifteen Years of this Reign. Such were our Author's Principles, that he thought the Presbyterians were no leſs in the wrong to endeavour the ſetting up of their Eccleſiaſtical Government upon the Ruins of the Church of *England*, than the *Engliſh* Epiſcopalians had been in ſtriving to force the *Scots* to conform to their Church. He was of opinion, that if King *Charles* could have been a little more indulgent to the Presbyterians, he might have prevented the fatal Effects of this Rupture; and that if the Presbyterians, when they were grown powerful, had kept themſelves within the Bounds of Reaſon and Equity, and been contented with a moderate Liberty, they wou'd have avoided the Blame juſtly caſt upon their Conduct. He adds, *in fine*, that the Independents, who had conceal'd themſelves among the Presbyterians 'till the Concluſion of the War, and under the Name of Preſbyterians had help'd to puſh things to Extremities, made the Wound incurable, by making uſe of the Army entirely to deſtroy the *Monarchy*, the *Church of England* and Presbyterianiſm; and that to theſe alone ought to be imputed the Tragical Death of King *Charles*, and all the Alterations afterwards in Church and State. Thus have we given Mr. *Rapin*'s Syſtem, which ſurely no Man can tax with Partiality, who is not acted by Paſſion and a Spirit of Party.

WE proceed now to the Hiſtory, which we ſhall divide into Annals in the ſame manner as Mr. *Rapin* treated that of King *James*; and the Reader will obſerve that the Acts in this and the XIXth Tome of the *Fœdera*, on which it is chiefly founded, form the firſt DECADE of King *Charles*'s Reign.

Proclamation of King Charles.

THIS Prince, who was at the Manor of *Theobalds* in *Hertfordſhire*, on the 27th of *March*, when his Father died, was that very Afternoon, by an Order of the Privy Council, proclaimed King of *Great-Britain*, *France* and *Ireland*, both at *Theobalds* and *London*, with the general Acclamations of the People, as he was in all other Places, as ſoon as the News came, being then in the 26th year of his Age, and admired for his Endowments both of Mind and Body. On the 28th of *March* he came to *St. James's*, and next Day iſſued an Order for continuing all the Privy-Counſellors, that had ſerved his Father in their reſpective * Places; for which ſpecial Favour, in a Council that was held, on the Day following, the Lord Keeper *Coventry*, in the name of all the reſt, gave his Majeſty their humble Thanks for his good Opinion of them, and adviſed his Majeſty to ſolemnize his Father's Funeral, and his own Nuptials before the Sitting of the Parliament. Accordingly on the 23d of *April*, the Body of King *James* was brought from *Theobalds* to *Denmark-Houſe* † by the Nobility and Principal Officers of the Crown, and there lay in ſtate till the 7th of *May*, when it was ſolemnly interred in *Henry* VII's Chapel at *Weſtminſter*, where the King was chief Mourner, ſupported by the Earls of *Arundel* and *Pembroke*, and his Train was borne by twelve Peers, and Biſhop *Williams* preached his Funeral Sermon.

Interment of King James.

THE King, that he might be early in his Preparations for the War for recovery of the *Palatinate*, without ſtaying for the Advice of Parliament, cauſed general Muſters to be made in ſeveral Counties, and 12000 Men were raiſed; Coat and Conduct-Money were ordered to be paid by

* Mr. *Rapin* ſays, he had the ſame Favourite, the ſame Council, the ſame Miniſters, and all the Places at Court and in the Country continued in the hands of the Duke of *Buckingham*'s Creatures; ſo that there was nothing new but the King's Perſon.

† *Somerſet-Houſe* was call'd by this Name, as a Compliment to *Anne* of *Denmark*, who was Wife to the Deceaſed King.

'Father hath ſo happily begun.

by the County, and they to be reimburs'd at the King's Exchequer. And on complaint of the Forces being diſorderly in their March, a Proclamation was firſt iſſued for their good Behaviour, and then a commiſſion to execute a ſtrict Diſcipline by Martial-Law: Which Methods gave occaſion to ſome Debates among the Judges, and Diſcontents among the Populace.

King Charles's *Marriage celebrated at* Paris.

THE King's Marriage with *Henrietta Maria*, Daughter of *France*, which had been concluded in his Father's Life-time, was ſolemnized at *Paris* with great Magnificence, on the 11th of *May*, by Cardinal *Richelieu*, on a Theatre erected for that purpoſe before the Church of *Notre Dame*, the Duke of *Chevreuſe* officiating as Proxy for the King of *England*. And now *George Villiers*, the Duke of *Buckingham*, was ſent to *France* to conduct the Queen hither; to whom, by the *French* King's Order, all Honours were paid in all Places through which ſhe paſſed. The Royal Navy of *England* attended her at *Boulogne*, and in 24 Hours landed her at *Dover*, which was on the 12th of *June* †. The King met her there next day, and conducted her to *Canterbury*, where in the Evening the Marriage was conſummated.

And conſummated at Canterbury.

His Arrival with his Queen at London.

ON the 16th the King and Queen came to *London*, where great Preparations were made for their Reception, but much of the Pomp was omitted, becauſe of the Plague, which at that time was increaſing both in the City and Suburbs, as will appear from ſeveral Acts of this Tome of the *Fœdera* hereafter mentioned.

IMMEDIATELY upon their Arrival, all the Judges were ſent for by Lord-Keeper *Williams*, who told them, that the King deſired to change his Stile, and to uſe the Title of King of *Great-Britain*, in all Acts both of Law and State; but all the Judges anſwered unanimouſly, that it could not be done, and their Opinion was afterwards confirmed by that of the Lords and Commons.

THE King in the mean while had called a Parliament, which met on the 18th ††, at the Opening of which he made the following Speech to both Houſes.

The King's Speech to his firſt Parliament.

My LORDS *and* Gentlemen,

'I thank God, that the Buſineſs to be 'treated on at this time is of ſuch a nature, 'that it needs no Eloquence to ſet it forth; 'for I am neither able to do it, neither 'doth it ſtand with my nature to ſpend 'much Time in Words. It is no new Bu'ſineſs, being already happily begun by 'my Father of *bleſſed Memory*, who is 'with God; therefore it needeth no Nar'rative; I hope in God you will go on to 'maintain it, as freely as you adviſed my 'Father to do it. It is true, he may ſeem 'to ſome to have been ſlack to begin ſo 'juſt and ſo glorious a Work; but it was 'his Wiſdom that made him loth to begin 'a Work, until he might find a Means to 'maintain it: But after that he ſaw how 'much he was abuſed in the Confidence he 'had with other States, and was confirmed 'by your Advice to run the Courſe we are 'in, with your Engagement to maintain it, 'I need not preſs to prove how willingly 'he took your Advice; for the Prepara'tions that are made, are better able to 'declare it, than I to ſpeak it. The Aſ'ſiſtance of thoſe in *Germany*, the Fleet 'that is ready for Action, with the reſt of 'the Preparations, which I have only fol'lowed my Father in, do ſufficiently prove 'that he entered into this Action.

'My LORDS and *Gentlemen*, I hope 'that you do remember, that you were 'pleaſed to employ me to adviſe my Fa'ther to break off thoſe two Treaties that 'were on foot; ſo that I cannot ſay that I 'came hither a free, unengaged Man. It 'is true, I came into this Buſineſs willing'ly and freely, like a young Man, and 'conſequently raſhly; but it was by your 'Intereſt, your Engagement: So that tho' 'it was done like a young Man, yet I can'not repent me of it, and I think none can 'blame me for it, knowing the Love and 'Fidelity you have borne to your King, 'having myſelf likewiſe ſome little Expe'rience of your Affections. I pray you re'member, that this being my firſt Action, 'and begun by your Advice and Intreaty, 'what a great Diſhonour it were to you 'and me, if this Action, ſo begun, ſhould 'fail for that Aſſiſtance you are able to give 'me. Yet knowing the Conſtancy of your 'Love, both to me and this Buſineſs, I 'needed not to have ſaid this, but only to 'ſhew what Care and Senſe I have of your 'Honours and my own. I muſt entreat 'you likewiſe to conſider of the Times we 'are in, how that I muſt adventure your 'Lives *, (which I ſhould be loth to 'do) ſhould I continue you here long; and 'you muſt venture the Buſineſs, if you be 'ſlow in your Reſolutions. Wherefore I 'hope you will take ſuch grave Counſel, 'as you will expedite what you have in 'hand to do; which will do me and your 'ſelves an infinite deal of Honour; you, 'in ſhewing your Love to me; and me, 'that I may perfect that Work which my

'Laſt

† *Ruſhworth* ſays, That when the Queen landed, ſhe ſent to his Majeſty not to come 'till the Morrow, becauſe ſhe had been indiſpoſed at Sea.

†† This Parliament was ſummoned to begin *May* 17, but was prorogued till now, to give time for the King's going to *Dover* to receive the Queen.

* By reaſon of the Plague.

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'LAST of all, becauſe ſome malicious 'Men may, and, as I hear, have given 'out, that I am not ſo true a Keeper and 'Maintainer of the true Religion that I 'profeſs; I aſſure you that I may with 'St. *Paul* ſay, that *I have been trained 'up at* Gamaliel's *Feet:* And although I 'ſhall never be ſo arrogant as to aſſume 'unto myſelf the reſt, I ſhall ſo far ſhew 'the end of it, that all the World may ſee, 'that none hath been, nor ever ſhall be 'more deſirous to maintain the Religion I 'profeſs, than I ſhall be.

'NOW becauſe I am unfit for much 'ſpeaking, I mean to bring up the Faſhion 'of my Predeceſſors, to have my Lord-'Keeper ſpeak for me in moſt things: 'Therefore I have commanded him to 'ſpeak ſomething unto you at this time, 'which is more for Formality, than any 'great matter he hath to ſay unto you.

The Speech of the Lord-Keeper Coventry.

My LORDS *and* Gentlemen,

'THE King's main reaſon of calling this 'Parliament, beſides the beholding of his 'Subjects Faces, is to mind you of the 'great Engagements for the Recovery of 'the *Palatinate*, impoſed on his Majeſty 'by the late King his Father, and by your-'ſelves, who broke off the two Treaties 'with *Spain*. Alſo to let you underſtand, 'That the ſucceeding Treaties and Allian-'ces, the Armies ſent into the *Low-Coun-'tries*, the Repairing of the Forts, and 'the Fortifying of *Ireland*, do all meet in 'one Centre, the *Palatinate*; and that 'the Subſidies granted in the laſt Parlia-'ment are herein already ſpent, whereof 'the Account is ready, together with as 'much more of the King's own Revenue.

'I muſt alſo commend to you three Cir-'cumſtances:

'FIRST, the *Time*; all *Europe* being at 'this Day as the Pool of *Bethesda*, the firſt 'ſtirring of the Waters muſt be laid hold 'on: Wherefore his Majeſty deſires you 'to beſtow this Meeting on him, or rather 'on your Actions; and the next ſhall be 'yours, as ſoon, and as long as you pleaſe, 'for domeſtick Buſineſs.

'SECONDLY, *Supply*; if Subſidies be 'thought too long and backward, his Ma-'jeſty deſires to hear, and not to propound 'the way.

'THIRDLY, The *Iſſue* of *Action*; 'which being the firſt, doth highly con-'cern his Majeſty's Honour and Reputa-'tion, for which he relies upon your Loves, 'with the greateſt Confidence that ever 'King had in his Subjects; witneſs his roy-'al Poeſy, *Amor Civium Regis Muni-'mentum:* And he doubts not, but as 'ſoon as he ſhall be known in *Europe* to 'be your King, ſo ſoon ſhall you be 'known to be a loving and loyal Nation 'to him.'

CHARLES I. A°. 1625.

Petition preſented againſt Recuſants.

BOTH Houſes joined immediately in preſenting a Petition to the King againſt Recuſants, to which the King returned anſwer, that he was very glad to ſee their Zeal for Religion, and was ready to concur with them in whatever they ſhould propoſe on that ſcore, but he deferred anſwering every particular Article of the Petition till he had examined it.

Supply granted.

THE Commons however gave two Subſidies, the Act for which was no ſooner paſſed, but by reaſon of the Plague which raged very much in *London*, the King adjourned the Parliament to *Oxford*, where it met on the firſt of *Auguſt*.

Parliament adjourned to Oxford.

Our Ships employed againſt Rochel.

DURING this, *Lewis* XIII. of *France*, who had a little before the Death of King *James* borrowed ſome of our Ships, on pretence of employing them againſt the *Genoeſe*, wanted them for the Siege of *Rochel*, and by means of the Duke of *Bucks* prevailed with King *Charles* that he might employ them where he pleaſed; and accordingly, ſays *Ruſhworth*, the *Vantguard*, a large Man of War, with ſeven ſtout Merchant Ships, were ſent to *Diep*, under Command of Vice-Admiral *Pennington*, who by expreſs Orders both from the Duke and the King himſelf, put them into the hands of the *French*, to be employed againſt *Rochel*, contrary to the Sollicitation of the Proteſtants of *France*; but the Maſters and Mariners all deſerted, utterly refuſing to ſerve againſt *Rochel*.

Engliſh Seamen deſert rather than ſerve againſt Rochel.

THIS Affair made a great noiſe at *Oxford*, where the Duke of *Buckingham*'s ill Conduct, in this and other reſpects, was hardly complained of by the Commons.

The King's Application to the Parliament for more Money.

THE King on the fourth of *Auguſt* ſent for both Houſes to *Chriſt-church-Hall*, and acquainted them with his Wants for ſetting out a Fleet; with the many Debts his Father had contracted on the Public Account, and likewiſe what he himſelf had contracted and expended on the ſame.

Seconded by one of his Secretaries.

WHEN the King had done ſpeaking, the Lord *Conway* and Secretary *Cook*, by his Majeſty's Command, demonſtrated the 'abſolute neceſſity the Commons were under to grant his Majeſty a large Sum for 'the War in which he was engaged; a War, 'which, *they added*, was entered into by 'his late Majeſty, at the ſuit of both Houſes 'of Parliament'*. The King thought this was an unanſwerable reaſon; but as the Parliament began now to be better informed how the King and Duke got the former Parliament to give that Advice, theſe two Speeches had no great effect. The Commons being returned to their Houſe, had ſeveral Debates upon the Subſtance of the King's Speech, and the State of the Nation, all tending to the Arraignment of the Government, and in particular of the Duke of *Buckingham*. Some urged that our Neceſſities aroſe from Improvidence, that the King was guided by evil Counſellors, and that though the former Parliament engaged the King in a War, yet if things were managed with contrary Views, and the Money miſapplied, this Parliament was not obliged to ſupport the Court's Extravagancies, nor grant Subſidies upon Subſidies, before their Grievances were removed. It was complained alſo, that great Sums of Money were given for Places; and that it was too late in the Year for the Navy to go out, and that Popery was not only tolerated, but even countenanced, contrary to the King's expreſs Promiſe; and Pardons granted to Recuſants, ſigned by the Lord *Conway*, Secretary of State, who pretended to be authorized by the King; and that theſe Pardons ſtopped the Courſe of Juſtice, and the Execution of the Laws: Whereupon the King thought himſelf obliged to return poſitive Anſwers to the Petition preſented to him at *London* by the two Houſes; to which, as was juſt now obſerved, he had only reply'd before in general.

Complaints and Murmurs in the Houſe of Commons.

The Parliament's Petition *againſt Recuſants, and the King's* Anſwers *to each Article.*

Moſt Gracious Sovereign,

'It being infallibly true, that nothing 'can more eſtabliſh the Throne, and aſ'ſure the Peace and Proſperity of the Peo'ple, than the Unity and Sincerity of Re'ligion; we your moſt humble and loyal 'Subjects, the Lords Spiritual and Tempo'ral, and Commons in this preſent Parlia'ment aſſembled, hold ourſelves bound 'in Conſcience and Duty, to repreſent the 'ſame to your ſacred Majeſty, together 'with the dangerous Conſequences of the 'increaſe of Popery in this Land, and what 'we conceive to be the principal Cauſes 'thereof, and what may be the Remedies.

'The Dangers appear in theſe Parti'culars.

'I. In their deſperate Ends, being both 'the Subverſion of Church and State; and 'the Reſtleſſneſs of their Spirits to attain 'their Ends; the Doctrine of their Teach'ers and Leaders, perſuading them, that 'herein they do God good Service.

'II. THEIR evident and ſtrict Depen'dency upon ſuch Foreign Princes, as no 'way affect the Good of your Majeſty and 'this State.

'III. THE opening a way of Popula'rity to the Ambition of any who ſhall 'adventure to make himſelf Head of ſo 'great a Party.

'The principal Cauſe of the Increaſe of Papiſts.

'I. THE want of the due Execution of 'the Laws againſt Jeſuits, Seminary-Prieſts, 'and Popiſh Recuſants; occaſioned partly 'by the Connivance of the State, partly by 'Defects in the Laws themſelves, and part'ly by the manifold Abuſe of Officers.

'II. THE interpoſing of Foreign Princes 'by their Ambaſſadors and Agents in fa'vour of them.

'III. THEIR great Concourſe to the 'City, and frequent Conferences and Con'venticles there.

'IV. THE open and uſual Reſort to the 'Houſes and Chapels of Foreign Ambaſ'ſadors.

V.

* It appears from *Ruſhworth*, that Lord *Conway* and Sir *John Cook*, who by the King's Command gave a particular Deduction to the Houſes, of the State of Affairs in *Germany*, *France*, the *Low-Countries*, *Sweden*, and other Kingdoms, computed the Charge of the War at 700,000 *l.* a year, beſides the Navy and *Ireland*. The Treaſurer alſo acquainted them, that the late King when he died owed the City of *London* 120,000 *l.* beſides Intereſt; that he was indebted for *Denmark* and the *Palatinate*, 150,000 *l.* and for his Wardrobe 40,000 *l.* That theſe Debts lay upon his preſent Majeſty, who was indebted alſo to *London* 70,000 *l.* that he had laid out for his Navy 20,000 *l.* and 20,000 *l.* for Count *Mansfield*; 42,000 *l.* for his Father's Funeral, and 40,000 *l.* for his own Marriage; and that no leſs than 300,000 *l.* would be requiſite for the Navy.

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'V. THE Education of their Children in 'Seminaries, and Houſes of their Religion 'in Foreign Parts, which of late have been 'greatly multiplied and enlarg'd for the 'Entertainment of the *Engliſh*.

'VI. THAT in ſome Places of your 'Realm, your People be not ſufficiently in-'ſtructed in the Knowledge of true Religion.

'VII. THE licentious Printing and diſ-'perſing of Popiſh and Seditious Books.

'VIII. THE Employment of Men ill-'affected to Religion in Places of Govern-'ment, who do, ſhall, or may countenance 'the Popiſh Party.

The Remedies againſt this outrageous and dangerous Diſeaſe, we conceive to be theſe enſuing;

'I. THAT the Youth of this Realm be 'carefully educated by able and religious 'Schoolmaſters, and they to be enjoined 'to catechiſe and inſtruct their Scholars 'in the Grounds and Principles of true Re-'ligion. And whereas by many Complaints 'from divers Parts of the Kingdom it doth 'plainly appear, that ſundry Popiſh Scho-'lars, diſſembling their Religion, have craf-'tily crept in, and obtained the Places of 'Teaching in divers Counties, and thereby 'infected and perverted their Scholars, and 'ſo fitted them to be tranſported to the Po-'piſh Seminaries beyond Sea: That there-'fore there be great Care in the Choice and 'admitting of Schoolmaſters, and that the 'Ordinaries make diligent Enquiries of their 'Demeanours, and proceed to the removing 'of ſuch, as ſhall be faulty or juſtly 'ſuſpected.

His Majeſty's ANSWER.

'THIS is well allowed of; and for the 'better Performance of what is deſired, 'Letters ſhall be written to the two Arch-'biſhops, and from them Letters to go to 'all the Ordinaries of their ſeveral Provinces 'to ſee this done; the ſeveral Ordinaries to 'give an account of their Doings herein to 'the Archbiſhops reſpectively, and they 'to give an account to his Majeſty of their 'Proceedings herein.

II. 'THAT the ancient Diſcipline of the 'Univerſities be reſtor'd, being the famous 'Nurſeries of Literature and Virtue.

ANSWER.

'THIS is approv'd by his Majeſty, and 'the Chancellor of each Univerſity ſhall be 'required to cauſe due Execution of it.

III. 'THAT ſpecial Care be taken to 'enlarge the Word of God throughout all 'the Parts of your Majeſty's Dominions, as 'being the moſt powerful Means for plant-'ing of true Religion, and rooting out of 'the contrary: To which end, among other 'things, let it pleaſe your Majeſty to adviſe 'your Biſhops, by Fatherly Intreaty and 'tender Uſage, to reduce to the peaceable 'and ordinary Service of the Church ſuch 'able Miniſters as have been formerly ſilen-'ced, that there may be a profitable Uſe 'of their Miniſtry in theſe needful and dan-'gerous Times; and that Non-Reſidency, 'Pluralities, and Commendams may be mo-'derated. Where we cannot forbear moſt 'humbly to thank your Majeſty for dimi-'niſhing the Number of your own Chap-'lains; not doubting of the like Princely 'Care for the well-beſtowing of the reſt of 'your Benefices, both to the Comfort of 'the People, and the Encouragement of 'the Univerſities, being full of grave and 'able Miniſters unfurniſh'd of Livings.

ANSWER.

'THIS his Majeſty likes well, ſo as it 'be applied to ſuch Miniſters as are peace-'able, orderly, and conformable to the 'Church Government. For Pluralities and 'Non-Reſidencies, they are now ſo mode-'rated, that the Archbiſhops affirm there 'be now no Diſpenſations for Pluralities 'granted; nor no Man now is allowed 'above two Benefices, and thoſe not above 'thirty Miles diſtant: And for avoiding 'Non-Reſidence; the Canon in that Caſe 'provided ſhall be duly put in execution. 'For Commendams, they ſhall be ſparingly 'granted, only in ſuch Caſe where the 'Exility and Smallneſs of the Biſhoprick 'requireth: Alſo his Majeſty will cauſe 'that the Benefices belonging to him ſhall 'be well-beſtowed. And for the better 'propagating of Religion, his Majeſty re-'commendeth to the Houſe of Parliament, 'that Care may be taken, and Proviſion 'made, that every Pariſh ſhall allow a 'competent Maintenance for an able Mi-'niſter; and that the Owners of Parſonages 'impropriate wou'd allow to the Vicars, 'Curates, and Miniſters in Villages and 'Places belonging to their Parſonage, ſuf-'ficient Stipend and Allowance for preach-'ing Miniſters.

IV. 'THAT there may be ſtrict Proviſion 'againſt tranſporting of *Engliſh* Children 'to the Seminaries beyond the Seas, and 'for

'for the recalling of them who are already 'there placed, and for the Puniſhment of 'ſuch of your Subjects as are Maintainers 'of thoſe Seminaries, or of the Scholars; 'conſidering that, beſides the ſeducing of 'your People, great Sums of Money are 'yearly expended upon them, to the impo-'veriſhing of this Kingdom.

ANSWER.

'THE Law in this Caſe ſhall be put in 'execution: And further, there ſhall be Let-'ters written to the Lord-Treaſurer, and 'alſo to the Lord-Admiral, that all the Ports 'of this Realm, and the Creeks and Mem-'bers thereof, be ſtrictly kept, and ſtrait 'Searches made to this end: A Proclamation 'ſhall be to recall both the Children of No-'blemen, and the Children of any other 'Men, and they to return by a Day; alſo 'Maintainers of Seminaries of Scholars 'there, ſhall be puniſhed according to 'Law.

V. 'THAT no Popiſh Recuſant be per-'mitted to come within the Court, unleſs 'your Majeſty be pleaſed to call him upon 'ſpecial Occaſion, agreeable to the Statute 'of 3 *Jac.* And whereas your Majeſty, for 'the preventing of apparent Miſchiefs both 'to your Majeſty and the State, hath in your 'Princely Wiſdom taken order, that none of 'your natural-born Subjects not profeſſing 'the true Religion, as by Law eſtabliſhed, 'be admitted into the Service of your Royal 'Conſort the Queen; we give your Majeſty 'moſt humble Thanks, and deſire that your 'Order herein may be obſerv'd.

ANSWER.

'IF his Majeſty ſhall find, or be inform'd 'of any Concourſe of Recuſants to the 'Court, the Law ſhall be ſtrictly follow'd: 'And his Majeſty is pleaſed that by Pro-'clamation the *Britiſh* and *Iriſh* Subjects 'ſhall be put in the ſame Caſe. And as 'his Majeſty hath provided in his Treaty 'with *France*, ſo his Purpoſe is to keep it, 'that none of his Subjects ſhall be admit-'ted into his Service, or into the Service of 'his Royal Conſort the Queen, that are Po-'piſh Recuſants.

VI. 'THAT all the Laws now ſtanding 'in force againſt Jeſuits, Seminary Prieſts, 'and others, having taken Orders by Au-'thority derived from the See of *Rome*, be 'put in execution. And to the intent they 'may not pretend to be ſurpriſed, that a 'ſpeedy and certain day be prefix'd by your 'Majeſty's Proclamation for their Departure 'out of this Realm, and all other your Do-'minions, and not to return upon the ſe-'vereſt Penalties of the Law now in force 'againſt them; and that all your Majeſty's 'Subjects may be thereby admoniſh'd not 'to receive, comfort, entertain, or conceal 'any of them upon the Penalties which may 'be lawfully inflicted: And that all ſuch 'Papiſts, Jeſuits, and Recuſants, who are, 'and ſhall be impriſoned for Recuſancy, 'or any other Cauſe, may be ſo ſtrictly re-'ſtrain'd, as that none ſhall have Confe-'rence with them, thereby to avoid the 'Contagion of their corrupt Religion. And 'that no Man who ſhall be ſuſpected of 'Popery, be ſuffered to be a Keeper of any 'of your Majeſty's Priſons.

ANSWER.

'THE Law in this Caſe ſhall be put in 'execution, and a Proclamation ſhall be to 'the Effect deſired; and ſuch Reſtraint ſhall 'be made as is deſired; and no Man that 'is juſtly ſuſpected of Popery, ſhall be ſuf-'fer'd to be a Keeper of any of his Ma-'jeſty's Priſons.

VII. 'THAT your Majeſty be pleaſed 'to take ſuch Order as to your Princely 'Wiſdom ſhall be expedient, That no na-'tural-born Subject, or ſtrange Biſhops, 'nor any other by Authority from the See 'of *Rome* confer any Eccleſiaſtical Orders 'to exerciſe any Eccleſiaſtical Function 'whatſoever, toward, or upon your Ma-'jeſty's natural Subjects within your Do-'minions.

ANSWER.

'THIS is fit to be order'd, according 'as is provided, and it ſhall be ſo publiſhed 'by Proclamation.

VIII. 'THAT your Majeſty's learned 'Council may receive Order and Com-'mandment to conſider of all former Grants 'of Recuſants Lands, that ſuch of them 'may be avoided as are made to the Re-'cuſant's Uſe or Intereſt, out of which the 'Recuſant receiveth any Benefit, which 'are either void, or voidable by the Law.

ANSWER.

'THE King will give order to his learned 'Counſel to conſider of the Grants, and 'will do according as is deſired.

IX. 'THAT your Majeſty will be like-'wiſe pleaſed ſtrictly to command all your 'Judges and Miniſters of Juſtice, Eccleſi-'aſtical

'astical and Temporal, to see the Laws 'of this Realm against Popish Recu-'sants be duly executed; and namely, 'that the Censure of Excommunication 'be declared and certified against them; 'and that they be not absolv'd but upon 'publick Satisfaction, by yielding to 'Conformity.

ANSWER.

'HIS Majesty leaves the Laws to 'their Course, and will order in the point 'of Excommunication as is desired.

X. 'THAT your Majesty will be 'pleased to remove from Places of Au-'thority and Government, all such Per-'sons as are either Popish Recusants, 'or, according to Direction of former Acts 'of State, to be justly suspected.

ANSWER.

'THIS his Majesty thinks fit, and 'will give Order for it.

XI. 'THAT present Order be taken 'for disarming all Popish Recusants le-'gally convicted, or justly suspected, ac-'cording to the Laws in that Behalf, and 'the Orders taken by his late Majesty's 'Privy-Council upon Reason of State.

ANSWER.

'THE Laws and Acts in this Case 'shall be followed, and put in due Exe-'cution.

XII. 'THAT your Majesty be also 'pleased, in respect to the great Resort 'of Recusants to and about *London*, to 'command forthwith, upon pain of your 'Indignation and severe Execution of the 'Laws, that they retire themselves to 'their several Countries, there to remain 'confin'd within five Miles of their Places.

ANSWER.

'FOR this the Laws in Force shall be 'forthwith executed.

XIII. 'AND whereas your Majesty 'hath strictly commanded and taken or-'der, that none of the natural-born Sub-'jects repair to the hearing of Masses, or 'other superstitious Service at the Cha-'pels or Houses of Foreign Ambassadors, 'or in any other Places whatever; we 'give your Majesty most humble Thanks, 'and desire that your Order and Com-'mandment therein may be continued 'and observed, and that the Offenders 'herein may be punished according to 'the Laws.

ANSWER.

'THE King gives Assent thereto, and 'will see that observ'd, which herein 'hath been commanded by him.

XIV. 'THAT all such Insolencies as 'any that are Popishly affected have 'lately committed, or shall hereafter 'commit, to the Dishonour of our Re-'ligion, or to the Wrong of the true 'Professors thereof, be exemplarily pu-'nished.

ANSWER.

'THIS shall be done as desired.

XV. 'That the Statute of 1 *Eliz.* for 'the Payment of 12*d.* every Sunday by 'such as shall be absent from Divine Ser-'vice in the Church, without a lawful 'Excuse, may be put in due Execution; 'the rather, for that the Penalty by Law 'is given to the Poor, and therefore not 'to be dispensed withal.

ANSWER.

'IT is fit that this Statute be executed, 'and the Penalties shall not be dispensed 'withal.

XVI. 'LASTLY, That your Majesty 'would be pleased to extend your Princely 'Care also over the Kingdom of *Ireland*, 'that the like Courses may be there taken, 'for the restoring and establishing of true 'Religion.

ANSWER.

'HIS Majesty's Cares are, and shall be 'extended over the Kingdom of *Ireland*; 'and he will do all that a Religious King 'should do for the restoring and esta-'blishing true Religion there.

'AND thus (most Gracious Sovereign) 'according to our Duty and Zeal to God 'and Religion, to your Majesty and your 'Safety, to the Church and Common-'wealth, and their Peace and Prosperity, 'we have made a faithful Declaration of 'the present Estate, the Causes and Re-'medies of this increasing Disease of Po-'pery; humbly offering the same to your 'Princely Care and Wisdom. The An-'swer of your Majesty's Father, our late 'Sovereign of famous Memory upon the 'like Petition, did give us great Comfort 'of Reformation; but your Majesty's most 'gracious Promises made in that kind do 'give us Confidence and Assurance of 'the continual Performance thereof. In 'which Comfort and Confidence reposing 'ourselves, we most humbly pray for

FOEDERA Tom XVIII.

CHARLES I.

'your Majesty's long Continuance in all 'Princely Felicity.'

THE Answers, however satisfactory, did not produce suitable Effects, the Promises they contained were not perform'd, and when the Supply was again debated in the House, the Commons aimed to excuse themselves from granting the King fresh Supplies for a War rashly undertaken without any Likelihood of Success: At least if they should be forc'd to give any more Sums, rather than enter into a Debate concerning the Causes of the Kingdom's being engag'd in this War, they intended the King should purchase them in some measure with the Redress of the Grievances, which the Nation groan'd under; wherefore instead of beginning with the Money-Bill, as the King desired, they fell to examining, and even inquiring into the Grievances of the People, and the State of Religion. In this Debate the Ministry, and especially the Duke of *Bucks* were not spar'd. The Duke in particular was charg'd as the Author of all Miscarriages; the Duke, whom the very Parliament before in King *James*'s Reign extoll'd as the Honour of the *English* Nation, and sole Preserver of his Country, and whose Merits no Honour was thought great enough to requite. They also drew up a Remonstrance on purpose to discredit him, and to remove him from the King's Councils and Favour, the Expressions of which were very sharp, and Style unusual from Subjects to their Sovereign: They mov'd, that it might be enquir'd whether the Duke had not broke the Match with *Spain* out of Spleen to *Olivarez*, and whether he had not made the Match with *France* upon harder Terms. The Duke return'd a plausible Answer to these and many other things; but the King, seeing how Matters were like to go in the House of Commons, was extremely offended: *First*, Because by their Slowness, they had broke all the Measures he had taken for the present Campaign. *Secondly*, He reckoned it an Affront and a manifest Contempt of his Person, to presume openly to attack his Favourite and Ministers, or rather himself in their Names: So perceiving no Likelihood of speedily obtaining the Money he demanded, which was his sole end of calling the Parliament, he dissolv'd it on the 12th of *August*, when it had not sate to do Business above three Weeks both at *Westminster* and *Oxford*: The King pretended to dissolve it, on account of the spreading of the Plague; but the true Reason was, because he did not find a Compliance and Disposition in the Houses fit for his Purpose. The Commons having some previous notice of it, made haste and drew up the following Declaration, in order to cast the Odium of the Dissolution upon the King, for fear he himself shou'd lay the blame of it upon them, under colour that they were not very ready to keep their Word.

Their Enquiry into the Nation's Grievances.

Their Remonstrance against the Duke of Bucks.

The King so disgusted that he dissolves them.

A°. 1625. *The Commons draw up a Declaration in order to throw the blame of it from themselves.*

The COMMONS DECLARATION.

'WE the Knights, Citizens, and Burgesses of the Commons House of 'Parliament, being the Representative 'Body of the whole Commons of this 'Realm, abundantly comforted in his 'Majesty's late gracious Answer touching 'Religion, and his Message for the Care 'of our Health, do solemnly protest and 'vow before God and the World, with 'one Heart and Voice, that we are all 'resolv'd, and do hereby declare, that 'we will ever continue most loyal and 'obedient Subjects to our most Gracious 'Sovereign Lord King *Charles*; and 'that we will be ready in convenient 'Time, and in a Parliamentary Way, 'freely and dutifully to do our utmost 'Endeavours to discover and reform the 'Abuses and Grievances of the Realm 'and State, and in like sort to afford all 'necessary Supply to his most excellent 'Majesty, upon his present, and all other 'his just Occasions and Designs; most 'humbly beseeching our said Dear and 'Dread Sovereign, in his Princely Wisdom and Goodness, to rest assured of 'the true and hearty Affections of his 'poor Commons, and to esteem the same 'to be (as we conceive it is indeed) the 'greatest worldly Reputation and Security, that a just King can have; and 'to account all such as Slanderers of the 'People's Affections, and Enemies to the 'Commonwealth, that shall dare say to 'the contrary.'

FROM this Declaration 'tis very visible, that the Aim of the Commons was to let the People see that it was not their Intent to deny the King Money for his just Wants, but that they thought they had a Right to demand the Redress of Grievances as a Preliminary; tho' they avoided calling it so.

Remark upon it.

NOTWITHSTANDING the Dissolution, the King was now determin'd to push on the War with *Spain* for the Recovery of the *Palatinate*; which, tho' it was resolv'd on in the last Year of his Father's Reign, yet there had been no Action since the Breach of the Treaty; the sending of Count *Mansfield* into the *Palatinate* being almost the only thing that could be deem'd as a sort of Declaration against *Spain*, tho' the Project miscarried.

carried. King *Charles* therefore ſent the Duke of *Buckingham* and the Earl of *Holland* Ambaſſadors to the United Provinces *, where they met thoſe of *France*, *Holland* and *Denmark*, and concluded a League againſt the Emperor and the King of *Spain* for reſtoring the *Palatinate*, and the Liberties of *Germany*. Hereupon the King of *Denmark* took up Arms, but was unſucceſsful, which he imputed to the King's not performing of what he promis'd; and that was occaſioned by the Parliament's failing to ſupply him with Money, which was the Reaſon alſo that the Fleet, which was fitting out in *England*, and ſhould have put to Sea in the Beginning of Summer, to attempt ſomething on the Coaſts of *Spain*, could not ſet out 'till *October* following; nor cou'd it have gone then, if the King had not levied Monies on his Subjects by way of Loan, of which the Reader will find a particular Account in the enſuing Extract of this Tome.

King Charles's League for reſtoring the Palatinate, &c.

The King of Denmark unſucceſsful, and why?

MEAN time, to ſoften People's Minds, and move them to part freely with their Money, a Proclamation was iſſued out to put the Laws in Execution againſt Popiſh Recuſants, and to call home all ſuch Children as were ſent to be educated in Popiſh Schools and Seminaries beyond Sea, as well as all the *Engliſh*, *Scotch*, and *Iriſh* in the Service of the Houſe of *Auſtria*; and forbidding any Popiſh Biſhop or Prieſt to confer Orders, or exerciſe his Function here. On the other hand, the Privy-Council iſſued out Warrants to diſarm the Recuſants; which ſeem not to have been very ſtrictly executed, becauſe it was a Thing which the Houſe of Commons frequently required afterwards.

Engliſh, Scotch and Iriſh under Foreign Education and Service recall'd.

ABOUT the Beginning of *October*, the Fleet abovementioned, which, with the addition of ſome *Dutch* Veſſels, conſiſted of 80 Sail of ſtout Ships, with 10 Regiments on board, put to Sea under the Command of Sir *Edward Cecil* (third Son to the Earl of *Exeter*) lately created Viſcount *Wimbleton*, who had for Vice-Admiral the Earl of *Eſſex*, Son to that Earl who was beheaded in the Reign of Queen *Elizabeth*.

A°. 1625. *Expedition of the Earl of* Eſſex *to* Spain.

THE Intent of this Expedition was to go and wait in ſome convenient Place for the *Spaniſh* Plate-Fleet, which was to come from the *Indies* in *November*. The Earl of *Eſſex*, out of a ſtrong Ambition to equal the Glory which his Father gain'd at *Cadiz*, propos'd attacking a good Number of *Spaniſh* Ships which lay in that Harbour; but there were ſo many Difficulties in the Enterprize, and ſo long a time was ſpent in the Debate, that the *Spaniſh* Coaſt was alarm'd, and prepar'd for their Defence: So that when they ſail'd to *Cadiz*, they landed their Men there with great Danger and Oppoſition. The firſt Place they attempted was the *Puntal* Caſtle, under whoſe Shelter and Protection the *Spaniſh* Ships rode. Twenty *Engliſh* and five *Dutch* were order'd to attack it; but after they had ſpent 2000 Shot againſt it to little or no purpoſe, they were forced to give it over. Thereupon, Lord *Wimbleton* ſent Sir *John Burroughs* with a choice Regiment of Foot to attack the Fort on the Land-ſide; who defeating a great Body of *Spaniards* in ſight of the Caſtle, the Governor reſigned it, with fifteen Barrels of Powder, and eight Pieces of Ordnance. But his Men, after plundering ſome Villages, and glutting themſelves with Wine, which did them more hurt than they did the Enemy, were forced to be embarked again with all ſpeed. At the ſame time the *Spaniards* had hauled moſt of their beſt Ships under *Port-Royal*, to the Diſappointment of Sir *Samuel Argale*, who was ſent to burn them.

FROM hence the *Engliſh* ſailed to the *Southward Cape*, where they waited twenty Days in expectation of the Plate-Fleet; but by the Inclemency of the Air, and the Intemperance of the Soldiers and Seamen, ſo great a Contagion happened in the Fleet, that they had ſcarce Men enough to hand their Sails,

* Sir *Henry Wotton* in his Life of the Duke of *Buckingham* tells us, that theſe two Noblemen, after a dangerous Paſſage from *Harwich*, wherein three of their Ships were founder'd, arriv'd on the fifth Day at the *Hague*, and that the Negociation took up a Month before the Duke's Return to *England*. He mentions a Noble Act of the Duke during his Employment here, which deſerves to be recorded.

There was a Collection of rare Manuſcripts, exquiſitely written in *Arabic*, which that eminent Linguiſt *Erpenius* had pick'd up in remote Parts, after the moſt diligent Enquiry, and which, after his Death, the Jeſuits (at *Antwerp*) who are liquoriſh Chapmen of ſuch Ware, were treating with his Widow for. The Duke being inform'd of it by his worthy and learned Secretary Dr. *Maſon*, interverted the Bargain, and gave the poor Widow 500 *l.* for them, a Sum above their Weight in Silver, and a mix'd Act both of Bounty and Charity, the more laudable, becauſe it was out of his natural Element. Theſe were the MSS. which after the Duke's Death were as nobly preſented, as they had been bought, to the Univerſity of *Cambridge* by the Dutcheſs Dowager, as ſoon as ſhe underſtood, by the aforeſaid Dr. *Maſon*, her Husband's Intention, who purpos'd alſo (as I am well inform'd) to raiſe in the ſaid Univerſity (of which he was Chancellor) a fair Caſe for ſuch Monuments, and to furniſh it with other choice Collections from all Parts, at his own Charge.

His ill Success, and Return.

Sails, which forced the Admiral to go away four Days before the Plate Fleet came in. Accordingly the Squadron returned to *England* in *November*, but the Officers were very unwelcome to the King, and the Duke of *Bucks*, who was looked on as the Contriver and Director of the Court-Projects. Nevertheless, though many were blamed, and some little Inquiries made into their Mismanagement, none were punished for their ill Conduct.

Anno 1626.

THE King opened this Year with an Injunction to the Archbishops and Bishops of both Provinces, to proceed against Popish Recusants by Excommunication, and other Censures of the Church, and not to omit any lawful means of bringing them to publick Justice: He recommended it to them in a special manner to unmask and suppress those who, tho' not professed Papists, yet were disaffected to the true Religion, and concealed their wicked and dangerous Principles, and by secret Arts encouraged the growth of Popery.

THIS Command was seconded by a Proclamation, requiring that all convicted Papists should, according to the Laws of this Realm, remain confined to their dwelling Places, or within five Miles thereof, without special License obtained in Cases of necessity.

P. 275. ABOUT the same time the King, by a Proclamation dated *Jan.* 17 at *Whitehall*, declared his purpose to celebrate the Coronation of himself and his Queen, on *Candlemas*-Day, at the Palace of *Westminster*; as also a Procession to be made from the *Tower* through the City on the first of *March*; and required all Persons, who by reason of their Offices and Tenures were bound to perform any Duties at the Solemnity, to give their Attendance, and to be furnished in all respects answerable to an Action of such high State, according to their Places and Dignities. Wherefore by a Commission P. 276. under the great Seal of *England*, dated *Jan.* 24. Sir *Thomas Coventry*, Lord-Keeper of the great Seal; *James* Lord *Say*, High-Treasurer of *England*; *Edward* Earl of *Worcester*, Keeper of the Privy-Seal; *Thomas* Earl of *Arundel* and *Surry*, Earl Marshal of *England*; *William* Earl of *Pembroke*, Lord-High-Chamberlain; *Edward* Earl of *Dorset*; and Sir *Randal Crew*, Chief Justice of the Common-Pleas, were authorised to receive and determine the Claims exhibited by any Person, concerning Services to be performed at the approaching Coronation. And the more to credit the Solemnity, the King resolving to make certain of his Servants and other Subjects, in regard of their Birth, good Service, and other Qualities, Knights of the *Bath*, authorised the Earl-Marshal of *England*, and the Lord-High-Chamberlain, to perform in his Majesty's Name and behalf, all the Rites and Ceremonies belonging thereto.

AT the same time Writs were directed to all the Sheriffs in *England* and *Wales*, commanding them to make Proclamation, ordering all such Gentlemen as had 40 *l.* a year, or upwards, and were not yet Knights, to come and receive the Order of Knighthood, previous to his Coronation, which was celebrated on the second of *February*, by Dr. *Abbot*, Archbishop of *Canterbury*, assisted by *Laud*, Bishop of *Bath* and *Wells**: But the intended Pomp and triumphant Cavalcade through the City was omitted, because of the Plague. *The King's Coronation.*

WE shall only mention some Particulars of the Ceremony, which gave Offence, occasion'd Exceptions, and were afterwards severely charg'd upon Bishop *Laud* as his arbitrary Innovations.

1. HE found an old Crucifix among the Regalia, and took care to place it upon the Altar.

2. HE restor'd a Clause in one of the Prayers, not us'd since *Henry* VII's Coronation, and now put in these Words, 'Let him obtain Favour for this People, 'like *Aaron* in the Tabernacle, *Elisha* 'in the Waters, *Zacharias* in the Temple, 'and give him *Peter*'s Key of Discipline, 'and *Paul*'s Doctrine.'

3. WHEN the King was seated on his Throne, after the Coronation was over, to receive the Homage of the Nobility, *Laud* came up, and read the following extraordinary Exhortation to him, the like of which is not to be found in any former Coronations, *viz.*

'STAND and hold fast from hence-'forth the Place to which you have been 'Heir by the Succession of your Fore-'fathers, being now deliver'd to you by 'the Authority of Almighty God, and by 'the Hands of us, and all the Bishops 'and Servants of God. And as you see 'the

* There is an apparent Mistake of Mr. *Rapin*, where he says, the King was crowned by his Favourite, *William Laud*, Bishop of *Bath* and *Wells*; and that *Abbot*, Archbishop of *Canterbury*, was then in Disgrace. For the Truth is, that the King was anointed and crowned by the Archbishop of *Canterbury*, and that *Laud* officiated only as Dean of *Westminster*, in the room of *Williams*, Bishop of *Lincoln*, who was at that time out of Favour; whereas the Archbishop had obtained a Pardon, and a Dispensation from all Canonical Pains and Censures which he had incurred by accidentally killing a Man in the late Reign, and was therefore now *Rectus in Curia*, 'till he was suspended some Months after this, for refusing to license Dr. *Sibthorp*'s Sermon. A Book was printed of the Form and Ceremonies to be used at the Coronation, which was drawn up by *Laud* and other Bishops that met at *Whitehall* the 4th of *January*: And there's a Letter of *Symonds d'Ewes* to Sir *Martin Stuteville*, Knt. dated the 4th of *February* at the *Middle-Temple*, and to be found in *Harley*'s MSS. 38. c. 8. giving a full Account of what he had seen at the Coronation.

'the Clergy come nearer to the Altar than others, ſo remember that in all Places convenient you give them greater Honour, that the Mediator of God and Man may eſtabliſh you in the Kingly Throne, to be a Mediator betwixt the Clergy and the Laity, and that you may reign for ever with Jeſus Chriſt, the King of Kings, and Lord of Lords.'

MR. *Echard* aſſerted that the Oath this King took at his Coronation was the ſame that had been taken by his Predeceſſors, but the Author of the *Hiſtory of the Stuarts* quotes Lord Chief-Juſtice *Atkins*, *Cook*, Dr. *Fuller*, *Lilly*, and other Writers, to prove that *Laud* emaſculated the Coronation-Oath, by leaving out the moſt eſſential Clauſe of it, *viz. That the King ſhall conſent to ſuch Laws as the People ſhou'd chuſe*, and inſerting theſe Words, *Saving the King's Royal Prerogative*, which was become the only Topic, ſays our Author, for Court-Preachers, Cathedral-Preachers, and all the Preachers in *England*, who courted *Laud* for Preferment.

He calls his ſecond Parliament.

THE King finding himſelf unable to carry on the War for want of Money, reſolved to try, or rather tempt his Fortune, in another Parliament, which was ſummoned to meet on the 6th of *February*. And in order to keep ſuch Perſons out of the Houſe as had oppoſed the King moſt, and exclaimed the loudeſt againſt the Duke in the laſt Parliament, the Court contrived to make them Sheriffs, ſo that they could not be choſe Members of Parliament. The Perſons ſuppoſed to be chiefly aimed at, were Sir *Edward Coke*, Sir *Robert Philips*, and Sir *Thomas Wentworth*, who were made Sheriffs of *Bucks*, *Somerſet*, and *Yorkſhire*. Sir *Edward Coke* excepting againſt the following Clauſe in the Sheriffs Oath, it was ever after left out. 'Tis thus recited by *Ruſhworth*, 'You 'ſhall do all your Pain and Diligence 'to deſtroy and make to ceaſe, all manner of Hereſies and Errors, commonly 'called Lollardies, within your Bailywic from time to time; and aſſiſt all 'Ordinaries and Commiſſioners of the 'holy Church, and favour and maintain them as often as you ſhall be required.'

His Stratagem for keeping ſome Perſons out of it.

A Clauſe turned out of the Sheriff's Oath for ever.

THE Parliament being aſſembled, as aforeſaid, the Lord-Keeper *Coventry* ſpoke thus to both Houſes in the King's Name.

Lord-Keeper's Speech to Parliament.

My LORDS, *and you the Knights, Citizens, and Burgeſſes of the Houſe of* COMMONS;

'YOU are here aſſembled by his 'Majeſty's Writs and royal Authority, 'to hold a new Parliament, the general, ancient, and powerful Council of 'this renowned Kingdom; whereof if 'we conſider aright, and think of that 'incomparable diſtance between the 'ſupreme Height and Majeſty of a 'mighty Monarch, and the ſubmiſſive 'Awe and Lowlineſs of a loyal Subject, 'we cannot but receive exceeding Comfort and Contentment in the Frame 'and Conſtitution of this higheſt Court, 'wherein not only the Prelates, Nobles, 'and Grandees, but the Commons of all 'Degrees, have their Part, and wherein 'that high Majeſty doth deſcend to admit, or rather to invite the humbleſt 'of his Subjects to Conference and Council with him, of the great, weighty, 'and difficult Affairs of the King and 'Kingdom; a Benefit and Favour 'whereof we cannot be too ſenſible 'and thankful; for ſure I am, that all 'good Hearts would be both ſenſible 'and ſorrowful, if we did want it; and 'therefore it behoveth all with united 'Hearts and Minds, free from Diſtraction and Diverſion, to fix their Thoughts 'upon Counſels and Conſultations worthy of ſuch an Aſſembly, remembring, 'That in it is preſented the Majeſty and 'Greatneſs, the Authority and Power, 'the Wiſdom and Knowledge of this 'great and famous Nation; and it behoveth us to magnify and bleſs God, 'that hath put the Power of aſſembling 'Parliaments in the hands of him, the 'virtue of whoſe Perſon doth ſhine with 'the Greatneſs of his Princely Lineage 'and Deſcent, whether he ſhould be accounted *Major* or *Melior*, a greater 'King, or a better Man; and of whom 'you have had ſo much Tryal and Experience, that he doth as affectionately 'love, as he doth exactly know and 'underſtand the true Uſe of Parliaments; 'witneſs his daily and unwearied Acceſs 'to this Houſe, before his Acceſs to the 'Crown; his gracious Readineſs to all 'Conferences of importance; his frequent and effectual Interceſſion to his 'bleſſed Father, of never-dying Memory, for the Good of the Kingdom, with 'ſo happy Succeſs, that both this and 'future Generations ſhall feel it, and 'have cauſe to rejoice at the Succeſs 'of his Majeſty's Interceſſion: And 'when the royal Diadem deſcended upon himſelf, preſently, in the midſt of 'his Tears and Sighs for the Departure 'of his moſt dear and royal Father, in 'the very firſt Conſultation with his 'Privy-Council, was reſolved to meet 'his People in Parliament: And no 'ſooner did the heavy hand of that deſtroying Angel forbear thoſe deadly 'Strokes, which for ſome time did make

'this Place inacceſſible, but his Majeſty 'preſently reſolved to recall it, and hath 'now brought you together, and in a 'happy time, I truſt, to treat and con'ſult with uniform Deſires and united 'Affections, of thoſe things that con'cern the general Good.

'AND now being thus aſſembled, 'his Majeſty hath commanded me to 'let you know, that his Love and Af'fection to the Public moved him to call 'this Parliament; and looking into the 'Danger, and the ſpreading of that late 'Mortality, and weighing the multitude 'of his Majeſty's preſſing Occaſions, and 'urging Affairs of State, both at home 'and abroad, much importing the Safe'ty and State of this Kingdom; the ſame 'Affection that moved him to call it, 'doth forbid him to prolong the ſitting 'of this Parliament: And therefore his 'Majeſty reſolving to confine this Meet'ing to a ſhort time, hath confined me 'to a ſhort Errand; and that is, That 'as a thing moſt agreeable to the King'ly Office, to the Example of the beſt 'Times, and to the Frame of modern 'Affairs, his Majeſty hath called you 'together to conſult and to adviſe of 'provident and good Laws, profitable 'for the Public, and fitted for the pre'ſent Times and Actions; for upon ſuch 'depends the Aſſurance of Religion 'and of Juſtice, which are the ſureſt Pil'lars and Buttreſſes of good Govern'ment in a Kingdom: For his Majeſty 'doth conſider, that the royal Throne, 'on which God out of his Mercy to us 'hath ſet him, is the Fountain of all 'Juſtice, and that good Laws are the 'Streams and Quits by which the Bene'fit and Uſe of this Fountain is diſpers'd 'to his People; and it is his Majeſty's 'Care and Study, that his People may 'ſee with Comfort and Joy of heart, 'that this Fountain is not dry, but they 'and their Poſterity may reſt aſſured 'and confident in his Time, to receive 'ample Benefit from this Fountain, by 'his Majeſty's Mercy and Juſtice, as e'ver Subjects did in the time of the moſt 'eminent Princes amongſt his noble Pro'genitors; wherein as his Majeſty ſhews 'himſelf moſt ſenſible of the Good of 'the Public, ſo were it an Injury to this 'great and honourable Aſſembly, if it 'ſhould be but doubted that they ſhall 'not be as ſenſible of any thing that may 'add to his Majeſty's Honour, which 'cannot but receive a high degree of 'Love and Affection, if his Majeſty, 'ſucceeding ſo many religious, wiſe, and 'renowned Princes, ſhould begin his 'Reign with ſome Additions to thoſe 'good Laws which their happy and 'glorious Times have afforded. And 'this his Majeſty hath cauſed me to de'ſire at this time eſpecially above o'thers; for his Majeſty having at his 'royal Coronation, lately ſolemnized 'the ſacred Rites of that bleſſed Mar'riage between his People and him, 'and therein by a moſt holy Oath vow'd 'the Protection of the Laws, and Main'tenance of Peace, both to Church and 'People, no Time can be ſo fit for his 'Majeſty to adviſe and conſult at large 'with his People, as at this preſent 'Time, wherein ſo lately his Majeſty 'hath vowed Protection to his People, 'and they have proteſted their Allegi'ance and Service to him.

'THIS is the Sum of that Charge which 'I have received from his Majeſty to de'liver unto you; wherein you ſee his 'Majeſty's Intent to the Public: And 'therefore his Deſire is, that according 'to that Conveniency of Time which 'his Affairs may afford, you may apply 'yourſelves to diſpatch the Buſineſs of 'this Parliament.'

The King is thanked for his Anſwer to the Petition againſt Recuſants.

THE Commons, after chuſing Sir *Heneage Finch*, Recorder of *London*, for their Speaker, and thanking his Majeſty for his gracious Anſwer to the Petition againſt Recuſants, began where they left off at *Oxford*, with the Examination of Matters of Religion, and publick Grievances, particularly the Miſcarriage of the Fleet to *Cadiz*, evil Counſellors about the King, the Miſ-employment of the three Subſidies and three Fifteenths granted to the late King for the Recovery of the *Palatinate*, and certain precipitant Repriſals made upon *France*, to the great Damage of the *Engliſh* Merchants. They alſo voted two Books, compoſed by the King's Chaplain, Dr. *Richard Mountague*, viz. *An Anſwer to the late Gagg of Proteſtants*, and *An Appeal to Cæſar*, to contain falſe, erroneous, Papiſtical, and Arminian Opinions, repugnant to the Articles of the Church of *England*. It appears from *Ruſhworth*, &c. that in thoſe Tracts he had aſſerted, 'That the Church of *Rome* hath ever 'remained firm upon the ſame Founda'tion of Sacraments and Doctrines inſti'tuted by God: That the controverted 'Points (between the Churches of *Eng*'land* and *Rome*) are of ſuch an infe'rior nature, that a Man may be igno'rant of 'em without any Danger of his 'Soul at all: That Images may be u'ſed for the Inſtruction of the Ignorant, 'and Excitation of Devotion: That Men 'juſtified may fall away, and depart 'from the State of Grace.' And alſo it appears from the ſame Hiſtorian, that in another Book of his, concerning the

Parliament's farther Enquiry into Grievances.

Their Cenſure of Mountague's Books.

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Invocation of Saints, he affirmed, that *there are Titular Saints as well as Angels.* See more of this under the Article *Church*, in our Account of the Acts of this Tome.

THE King being informed that there was a great Reſort of People to Maſs at a Foreign Ambaſſador's Lodgings at *Durham-Houſe*, required the Biſhop of *Durham* to apprehend and impriſon all his Subjects that went to Maſs; and ordered his Attorney to acquaint his Judges (on the Circuits) that it was his Pleaſure they ſhould proceed with rigour againſt the Recuſants. Then his Majeſty preſſed the Commons to conſider of the Supply, and the Lords alſo uſed ſome Endeavours to perſuade them to it, in a Conference which they deſired on this Occaſion; and they adviſed one Fleet to be fitted out forthwith againſt the King of *Spain*, and another to guard the Coaſts and Merchants; but it was to no purpoſe. On the contrary, they received the Report of the Committee concerning the Nation's Grievances, and Reſolved, 1. That the Diminution of the Kingdom in it's Strength and Honour; 2. the Increaſe and Countenancing of Papiſts; 3. the not Guarding of the Narrow Seas; 4. Pluralities of Offices in one hand; 5. Sales of Honours and Places of Judicature; 6. Delivery up of Ships to the *French*; 7. Miſ-employment of three Subſidies and three Fifteenths, are preſent Grievances; and that the Duke, on whom theſe Miſdemeanors chiefly reflected, ſhould have notice of the Articles on which the Complaints againſt him were grounded, and of the Intention of the Houſe of Commons to reſume the Debate of theſe things very ſoon.

The King's Declaration concerning Recuſants.

His Sollicitation for a Supply.

National Grievances.

AN Author of good Credit, ſpeaking of theſe times, laments to ſee how ſtrangely they were degenerated from the Peaceableneſs of the former; inſomuch that the People, under pretences of Reformation, with ſome petulant Diſcourſes of Liberty, extended their Enquiries even into the Chamber and private Actions of the King. Committees, *ſays he*, were actually ſent from the Houſe to the Signet-Office to ſearch for Originals of his Letters for reprieving ſome Prieſts condemn'd at *York*: And when the King ſent a Letter to the Speaker, with a Meſſage to the Houſe, by Sir *Richard Weſton* Chancellor of the Exchequer, acquainting them, that the Fleet was return'd, Victuals ſpent, the Men in great Neceſſity ready to mutiny for want of Pay, and that the Ships and Land-Forces, which were to guard the Coaſts, were in want of Men, Victuals and Clothes, yet they could not be prevail'd upon, to go upon the Supply; but one *Clement Coke*, among many other Invectives, ſaid, *It was better to die by a Foreign Enemy, than to be deſtroy'd at home.*

The petulant Humour that prevailed at this Time in the Commons.

The ill Reception of the King's Meſſage to the Houſe for a Supply.

AS the Letter offended the Commons we chuſe to inſert it.

TRUSTY and WELL-BELOVED, *&c.*

The King's Letter to the Speaker.

'HAVING aſſembled the Parliament 'early in the Beginning of the Year, for 'the more timely Help and Advice of 'our People in our great and important 'Affairs; and having of late, not only 'by Meſſage, but alſo of Ourſelf, put 'our Houſe of Commons in mind of our 'preſſing Occaſions, and of the preſent 'Eſtate of Chriſtendom, wherein they 'have equal Intereſt with us, as well in 'reſpect of their own former Engage-'ments, as of the common Cauſe; we 'ſhall not need to tell them with what 'Care and Patience we have in the midſt 'of our Neceſſities attended their Reſo-'lutions; but becauſe their unſeaſonable 'Slowneſs may produce at home as ill 'Effects as a Denial, and hazard the 'whole Eſtate of Things abroad, we 'have thought fit by you the Speaker, 'to let them know, that without more 'loſs of time, we look for a full and 'perfect Anſwer of what they will give 'for our Supply, according to our Ex-'pectation, and their Promiſes; wherein, 'as we preſs for nothing beyond the 'preſent State and Condition of our Sub-'jects, ſo we accept no leſs than is pro-'portionable to the Greatneſs and Good-'neſs of the Cauſe: Neither do we preſs 'them to a preſent Reſolution in this, 'with a purpoſe to precipitate their 'Counſels, much leſs to enter upon their 'Privileges, but to ſhew that it is unfit 'to depend any longer upon Uncertain-'ties, whereby the whole Weight of 'the Affairs of Chriſtendom may break 'in upon us on the ſudden, to our Diſ-'honour and the Shame of this Nation. 'And for the Buſineſs at home, we com-'mand you to promiſe them in our Name, 'that after they have ſatisfied us in this 'our reaſonable Demand, we ſhall not 'only continue them together at this 'time, ſo long as the Seaſon will per-'mit, but call them ſhortly again to per-'fect thoſe neceſſary Buſineſſes which 'ſhall be now left undone; and 'now we ſhall willingly apply fit 'and ſeaſonable Remedies to ſuch juſt 'Grievances, which they ſhall preſent 'unto us in a dutiful and mannerly way, 'without throwing an ill Odour upon 'our preſent Government, or upon the

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'Government of our late bleſſed Father. 'And if there be yet any who deſire to 'find fault, we ſhall think him the wiſeſt 'Reprehender of Errors paſt, who with-'out reflecting backward, can give 'us counſel how to ſettle the preſent 'Eſtate of Things, and to provide for 'the future Safety and Honour of the 'Kingdom.'

Reaſons of the Commons Diſguſt.

THE Commons were the more diſguſted with this Letter for theſe Reaſons, 1. The Supply was demanded more like an Obligation upon them than a free Gift. 2. The King ſet them a time, by ordering it ſhou'd be done out of hand, and all other Matters poſtpon'd to it. 3. His ſpecifying to them, as it were, the very Sum that they were to give. 4. The Money was demanded with a Haughtineſs never practis'd by any King before. 5. The King founded his Demand upon a Promiſe fraudulently obtained of King *James*'s laſt Parliament by the Duke of *Buckingham*'s falſe Narrative. 6. The War for which ſo much Money was to be given had been raſhly undertaken at a Juncture when there was no Proſpect of Succeſs; and every one knew the King and the Duke of *Bucks* to be the Authors of it, tho' the King perpetually charg'd it upon the Parliament's Advice to the King his Father. However the Commons reſolv'd to ſend a reſpectful and ſubmiſſive Anſwer to the King's Letter, containing Expreſſions of their Zeal for his Service, and general Promiſes of helping him in his Wants; but they artfully intimated to him, that they expected Redreſs of Grievances before they ſhou'd vote him a Supply; for as the King himſelf had hinted that the Aid of Money he now demanded, wou'd not be the laſt; they cou'd not be ſure, but that in the next Seſſion, the King wou'd again expect that the Money-Bill ſhou'd come before the Grievances, and ſo there would never be an end.

The Anſwer which the Commons ſent to the KING was as follows.

Moſt Gracious Sovereign,

The Commons Anſwer.

'YOUR Majeſty's Dutiful and Loyal 'Subjects, the Commons now aſſembled 'in Parliament, in all Humility, preſent 'unto your Royal Wiſdom, this their 'Loyal Anſwer to the Meſſage, which 'your Majeſty was pleas'd, by the Chan-'cellor of your Exchequer, to ſend unto 'them, deſiring to know, without any 'further deferring of Time, what Sup-'ply they would give to your Majeſty, 'for your preſent and extraordinary Oc-'caſions, that you might accordingly 'frame your Counſels.

'FIRST of all, they moſt humbly 'beſeech your Majeſty to know and reſt 'aſſured, that no King was ever dearer 'to his People than your Majeſty, no 'People more zealous to maintain and 'advance the Honour and Greatneſs of 'their King than they; which, as upon 'all Occaſions they ſhall be ready to 'expreſs, ſo eſpecially in the Support 'of that Cauſe, wherein your Majeſty 'and your Allies are now juſtly engag'd. 'And becauſe they cannot doubt, but 'your Majeſty in your great Wiſdom, 'even out of Juſtice, and according to 'the Example of your moſt famous Pre-'deceſſors, will be pleaſed graciouſly 'to accept the faithful and neceſſary In-'formation and Advice of your Parlia-'ment, which can have no end but the 'Service of your Majeſty, and Safety 'of your Realm, in diſcovering the 'Cauſes, and propoſing the Remedies 'of theſe great Evils, which have oc-'caſioned your Majeſty's Wants, and 'your People's Grief:

'THEY therefore in Confidence and 'full Aſſurance of Redreſs therein, do 'with one Conſent propoſe (though in 'former time ſuch Courſe hath been un-'uſed) that they really intend to aſſiſt 'and ſupply your Majeſty in ſuch a way, 'and in ſo ample a meaſure, as may 'make you ſafe at home, and feared 'abroad; for the Diſpatch whereof they 'will uſe ſuch Diligence, as your Ma-'jeſty's preſent and preſſing Occaſions 'ſhall require.

THE King replied to the Commons in Terms, which ſhewed that he was not ſo much upon the Reſerve as they were; and indeed it was his Intereſt to ſpeak his Mind freely, for fear that by concealing his Principles and Pretenſions he ſhould encourage the Commons to fall on the Duke of *Buckingham*, who was counted the Prime Author of the Grievances. His Majeſty's Reply was as follows.

Mr. Speaker,

The King's Reply.

'THE Anſwer of the Commons de-'livered by you, I like well of, and 'do take it for a full and ſatisfactory 'Anſwer, and I thank them for it, 'and I hope you will with all Ex-'pedition take a Courſe for performance 'thereof, the which will turn to your 'own Good as well as mine; but for 'your Clauſe therein, of preſenting of 'Grievances, I take that but for a Pa-'rentheſis in your Speech, and not a 'Condition; and yet for Anſwer to that

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'part, I will tell you, I will be as willing 'to hear your *Grievances* as my Predeceſſors have been, ſo that you will apply your ſelves to *redreſs* Grievances, 'and not to *enquire after* Grievances. I 'muſt let you know, that I will not allow any of my Servants to be queſtioned amongſt you, much leſs ſuch as 'are of eminent Place, and near unto me. 'The old Queſtion was, *What ſhall be done to the Man whom the King delighteth to honour?* But now it has been 'the Labour of ſome, to ſeek what may 'be done *againſt* him whom the King 'thinks fit to honour. I ſee you ſpecially 'aim at the Duke of *Buckingham*: I wonder what hath ſo altered your Affections 'towards him! I do well remember that 'in the laſt Parliament in my Father's time, 'when he was the Inſtrument to break the 'Treaties, all of you (and yet I cannot 'ſay all, for I know ſome of you are changed, but yet the Houſe of Commons is 'always the ſame) did ſo much honour 'and reſpect him, that all the Honour 'conferred on him was too little, and what 'he hath done ſince to alter and change 'your Minds, I wot not; but can aſſure 'you, he hath not meddled or done any 'thing concerning the Public or Commonwealth, but by ſpecial Directions and Appointment, and as my Servant, and is ſo 'far from gaining or improving his Eſtate 'thereby, that I verily think he hath rather impaired the ſame. I wiſh you would 'haſten for my Supply, or elſe it will be 'worſe for your ſelves; for if any Ill 'happen, I think I ſhall be the laſt ſhall 'feel it.'

THIS Reply did not diſcourage the Commons from proceeding in the Examination of the Duke of *Buckingham*'s Conduct, whom they were reſolv'd to impeach in Form. Dr. *Turner*, a Phyſician, Member for *Shaftesbury*, mov'd a Queſtion, *Whether Common Fame be a good Ground of proceeding for the Houſe?* Which after conſulting ſome eminent Lawyers, *viz.* Sir *Thomas Wentworth*, Mr. *Noy*, and others, was carry'd in the Affirmative.

Dr. Turner's Motion for impeaching the Duke of Buckingham.

HIS Majeſty was extremely offended at theſe Proceedings, and expreſs'd his Diſpleaſure to the Commons in an angry Meſſage, which he ſent next Day by Sir *Richard Weſton*, wherein he alſo demanded Juſtice againſt the abovemention'd *Coke* and *Turner*, that he be not conſtrain'd to uſe his Royal Power againſt the Delinquents.

The King's Demand of Juſtice againſt Coke and Turner.

Dr. *Turner* immediately ſtood up and explain'd himſelf, ſaying, *That to accuſe upon Common Fame was warranted by the Imperial Laws, and by the Canons of the Church; That this Houſe, in the Time of Henry* VI, *did, upon Common Fame, accuſe the Duke of Suffolk; and that Sir* Richard Weſton *himſelf did preſent the common Undertakers upon particular Fame.* And the next Day, when the Meſſage was to be again debated, the Doctor wrote a Letter to the Speaker, to excuſe his not attending the Houſe, by reaſon of Sickneſs, and ſubmitting to their Judgments, but not acknowledging any Fault. Mean time this Reſentment of the King only increaſed the Ferment againſt the Duke. Sir *John Elliot* made a bold and ſharp Speech againſt the Duke, and Grievances; and Sir *William Walter* told the Houſe, that the Cauſe of all the Grievances was that which happen'd in the Court of King *Lewis* XI of *France, when all the King's Council rode upon one Horſe*; all which Council was only *Oliver* the Barber, who govern'd *Lewis*, as much as *Villiers* govern'd *Charles*. However, to qualify theſe Heats with all reſpect to the King, and with a Deference to the neceſſity of Publick Affairs, the Commons, on the 27th of *March*, unanimouſly voted his Majeſty three Subſidies and three Fifteens, to be paid the laſt Day of *June*, and the laſt Day of *October* following; to which a fourth Subſidy was added a Month afterwards; but withal they reſerved to themſelves the Liberty of paſſing this Vote into an Act, without which it would be of no effect to the King, when they ſhould think fit. Now according to their Intent, this Act was not to paſs 'till after they had receiv'd Satisfaction on the point of Grievances. Thus they deprived the King of any Pretence to complain of Delays, while what they did for him could be of no Advantage to him, but in Suppoſition that he would regard their Deſires. This very much pinch'd the King, who plainly perceiving that the Proceedings of the Commons were aim'd at the Duke of *Buckingham*, or rather at his own Royal Perſon, tho' he had before declar'd publickly that the Duke had done nothing but by his Orders, he reſolv'd to let them know how much he was diſpleaſed at their Proceedings; and that he might frighten them into other Meaſures, he ſent for the two Houſes to *Whitehall*, where, on the 29th of *March*, he made the following Speech to them.

The Commons grant him a Supply, with a Reſtriction for the redreſs of Grievances.

The KING's *Speech.*

My LORDS *and* GENTLEMEN,

'I HAVE called you hither to Day, I mean '*both* Houſes of Parliament; but 'tis for 'ſeveral and diſtinct Reaſons: My *Lords*, 'You of the Upper-Houſe, to give you 'Thanks for the Care of the State of the 'Kingdom now; and not only for the 'Care of your own Proceedings, but ex-

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'citing your Fellow-Houſe of the Commons to take that into their Conſideration: Therefore, my Lords, I muſt not only give you Thanks, but I muſt alſo avow, That if this Parliament do not redound to the Good of the Kingdom (which I pray God it may) it is not your Faults. And you, Gentlemen of the Houſe of Commons, I am ſorry that I may not juſtly give the ſame Thanks to you; but I muſt tell you, that I am come here to ſhew you your Errors, and, as I may call it, unparliamentary Proceedings in this Parliament. But I do not deſpair, becauſe you ſhall ſee your Faults ſo clearly by the Lord Keeper, that you may ſo amend your Proceedding that this Parliament ſhall end comfortably and happily, though in the beginning it hath had ſome Rubs.'

Then the Lord Keeper, by the King's Command, ſpoke next.

My LORDS, *and you the Knights, Citizens and Burgeſſes of the Houſe of Commmons,*

'YOU are here aſſembled by his Majeſty's Commandment to receive a Declaration of his Royal Pleaſure; which although it be intended only to the Houſe of *Commons*, yet his Majeſty hath thought meet, the Matter being of great Weight and Importance, it ſhould be deliver'd in the Preſence of both Houſes, and both Houſes make one General Council: And his Majeſty is willing that the Lords ſhould be Witneſſes of the Honour and Juſtice of his Reſolutions. And ſince the Errand, which by his Majeſty's Direction I muſt deliver, hath relation to the Houſe of *Commons*, I muſt addreſs myſelf therefore to you, Mr. *Speaker*, and the reſt of that Houſe.

'AND firſt his Majeſty would have you to underſtand, that there was never any King more loving to his People, or better affection'd to the right uſe of Parliaments, than his Majeſty has approved himſelf to be, not only by his long Patience ſince the ſitting down of this Parliament, but by thoſe mild and calm Directions which from time to time that Houſe hath received both by Meſſage and Letter, and from his Royal Mouth; when the irregular Humours of ſome particular Perſons wrought Diverſions and Diſtractions there, to the Diſturbance of thoſe great and weighty Affairs which the Neceſſity of the Times, the Honour and Safety of the King and Kingdom, called upon. And therefore his Majeſty doth aſſure you, that when theſe great Affairs are ſettled, and that his Majeſty hath received Satisfaction of his reaſonable Demands, he will, as a juſt King, hear and anſwer your juſt Grievances, which in a dutiful way ſhall be preſented unto him; and this his Majeſty doth avow.

'NEXT his Majeſty would have you know of a ſurety, That as never any King was more loving to his People, nor better affectioned to the right uſe of Parliament, ſo never King more jealous of his Honour, nor more ſenſible of the Neglect and Contempt of his Royal Rights, which his Majeſty will by no means ſuffer to be violated by any pretended Colour of Parliamentary Liberty; wherein his Majeſty doth not forget, that the Parliament is his Council, and therefore ought to have the Liberty of a Council; but his Majeſty underſtands the Difference betwixt Council and Comptrolling, and between Liberty and the Abuſe of Liberty.

'THIS being ſet down in general, his Majeſty hath commanded me to relate ſome particular Paſſages, and Proceedings, whereat he finds himſelf aggrieved.

'*Firſt*, Whereas a ſeditious Speech was uttered amongſt you by Mr. *Cook*, the Houſe did not, as they ought to do, cenſure and correct him. And when his Majeſty underſtanding it, did by a Meſſage of Mr. *Chancellor* of the Exchequer deliver'd to the Houſe, require Juſtice of you, his Majeſty hath ſince found nothing but Protracting and Delays. This his Majeſty holds not agreeable to the Wiſdom and the Duty which he expected from the *Houſe of Commons*.

'*Secondly*, Whereas Dr. *Turner*, in a ſtrange unparliamentary Way, without any Ground of Knowledge in himſelf, or offering any particular Proof of the Houſe, did take upon him to adviſe the Houſe to enquire upon ſundry Articles concerning the Duke of *Buckingham*, as he pretended, but in truth he wounds the Honour and Government of his Majeſty, and of his renowned Father; and his Majeſty, firſt, by a Meſſage, and after by his own Royal Mouth, did declare, That that Courſe of an Enquiry was an Example which by no way he could ſuffer, though it were againſt his meaneſt Servant, much leſs againſt one ſo near him; and that his Majeſty did much wonder at the fooliſh Inſolency of any Man that can think that his Majeſty ſhould be drawn out of any End to offer ſuch a Sacrifice ſo unworthy of a King, or a good Maſter; yet for all this you have been ſo far from correcting the Inſolency of *Turner*, that ever ſince that time, your Committees have walk'd in the Steps of *Turner*, and proceeded in

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'an unparliamentary Inquiſition, running 'upon Generals, and repeating that 'whereof you have made Fame the 'Ground-Work. Here his Majeſty hath 'Cauſe to be exceeding ſenſible, that up-'on every Particular he finds the Honour 'of his Father ſtain'd and blemiſh'd, and 'his own no leſs; and withal you have 'manifeſted a great Forwardneſs rather 'to pluck out of his Boſom thoſe who 'are near about him, and whom his Ma-'jeſty hath cauſe to affect, than to truſt 'his Majeſty with the future Reformation 'of theſe things which you ſeem to aim 'at; and yet you cannot deny that his 'Majeſty hath wrought a greater Refor-'mation in Matters of Religion, Execu-'tion of the Laws, and concerning Things 'of great Importance, than the Short-'neſs of his Reign (in which he hath 'been hindred partly through Sickneſs, 'and the Diſtraction of things, which 'we could have wiſh'd had been other-'wiſe) could produce.

'CONCERNING the Duke of *Buckingham*, 'his Majeſty hath commanded me to tell 'you, that himſelf does better know than 'any Man living, the Sincerity of the 'Duke's Proceedings; with what Cautions 'of Weight and Diſcretion he hath been 'guided in his publick Employments 'from his Majeſty and his bleſſed Father; 'what Enemies he hath procur'd at home 'and abroad; what Peril of Perſon, and 'Hazard of his Eſtate he ran into, for 'the Service of his Majeſty, and his ever 'bleſſed Father; and how forward he 'hath been in the Service of this Houſe 'many times ſince his return from *Spain*. 'And therefore his Majeſty cannot believe 'that the Aim is at the Duke of *Bucking-'ham*, but findeth that theſe Proceedings 'do directly wound the Honour and Juſ-'tice of himſelf, and of his Father. It 'is therefore his Majeſty's expreſs and 'final Commandment, That you yield 'Obedience unto thoſe Directions which 'you have formerly receiv'd, and ceaſe 'this unparliamentary Inquiſition, and 'commit unto his Majeſty's Care, and 'Wiſdom, and Juſtice, the future Re-'formation of the Things which you 'ſuppoſe to be otherwiſe than they ſhould 'be: And his Majeſty is reſolv'd, that 'before the End of this Seſſion he will 'ſet ſuch a Courſe, both for the amend-'ing of any thing that may be found a-'miſs, and for the ſettling of his own 'Eſtate, as he doubteth not but will give 'you ample Satisfaction and Comfort.

'NEXT to this, his Majeſty takes notice, 'that you have ſuffer'd the greateſt Coun-'cil to be cenſured and traduced in the '*Houſe*, by Men whoſe Years and Edu-'cation cannot attain to that Depth: That 'foreign Buſineſſes have been entertain'd 'in the Houſe, to the Hindrance and 'Diſadvantage of his Majeſty's Negotia-'tions. That the ſame Year, yea, the firſt 'Day of his Majeſty's Inauguration, you 'ſuffered his Council, Government, and 'Servants to be parallelled with the Times 'of moſt Exception: That your Commit-'tees have preſum'd to examine Letters 'of Secretaries of State, nay, his own; 'and ſent a general Warrant to his Sig-'net-Office, and commanded his Officers 'not only to produce and ſhew the Re-'cords, but their Books and private Notes 'which they made for his Majeſty's Ser-'vice. This his Majeſty holds as unſuf-'ferable, and it was in former Times un-'uſual.

'NEXT I am to ſpeak concerning your 'Supply of three *Subſidies* and three '*Fifteenths*, which you have agreed to 'tender to his Majeſty. You have been 'made acquainted with the Greatneſs of 'his Affairs, both at Home and Abroad, 'with the ſtrong Preparation of the Ene-'my, with the Importance of upholding 'his Allies, ſtrengthening and ſecuring 'both *England* and *Ireland*; beſides the 'encountring and annoying the Enemy by 'a powerful Fleet at Sea, and the Charge 'of all. This having been calculated un-'to you, you have proteſted unto his 'Majeſty, by the Mouth of your Speaker, 'your Carefulneſs to ſupport the Cauſe 'wherein his Majeſty and his Allies are 'juſtly engag'd; your unanimous Conſent 'and real Intention to ſupply his Majeſty 'in ſuch a Meaſure as ſhould make him 'ſafe at Home, and fear'd Abroad; and 'that in the Diſpatch hereof, you would 'uſe ſuch Diligence as his Majeſty's preſ-'ſing and preſent Occaſions did re-'quire.

'AND now his Majeſty having erected 'a Proceeding ſuitable to this Engagement, 'he doth obſerve, that in two Days only 'of twelve this Buſineſs was thought of, 'and not begun, 'till his Majeſty by a Mes-'ſage put you in mind of it, whilſt your 'Inquiſition againſt his Majeſty's Direction 'proceeded Day by Day.

'AND for the Meaſure of this Supply, 'his Majeſty findeth it ſo far from making 'himſelf ſafe at Home and feared Abroad, 'as contrariwiſe it expoſes him both to 'Danger and Diſeſteem; for his Majeſty 'cannot expect without better help, but 'that his Allies muſt preſently disband, 'and leave him alone to bear the Fury 'of a provoked and powerful Enemy: 'So as both he and you ſhall be unſafe 'at Home, and aſhamed and deſpiſed A-'broad. And for the Manner of the Sup-'ply, it is in itſelf very diſhonourable, 'and full of Diſtruſt; for although you 'have

'have avoided the literal Word of a 'Condition, whereof his Majeſty himſelf 'did warn you, when he told you of 'your Parentheſis, yet you have put to 'it the Effect of a Condition, ſince the 'Bill is not to come into your *Houſe*, un-'til your Grievances be both preferred 'and anſwer'd. No high thing was in 'that Expreſſion and Engagement deli-'vered by your Speaker, from which his 'Majeſty holdeth that you have receded 'both in Matter and Manner, to his great 'Diſadvantage and Diſhonour. And 'therefore his Majeſty commandeth, that 'you go together, and by *Saturday* next 'return your final Anſwer, what further 'Supply you will add to this you have 'already agreed on, and that to be with-'out Condition, either directly or indi-'rectly, for the Supply of theſe great 'and important Affairs of his Majeſty; 'which for the Reaſons formerly made 'known unto you, can endure no longer 'Delay; and if you ſhall not by that time 'reſolve on a more ample Supply, his 'Majeſty cannot expect a Supply this way, 'nor promiſe you to ſit longer together; 'otherwiſe, if you do it, his Majeſty is 'well content that you ſhall ſit ſo long as 'the Seaſon of the Year will permit; and 'doth aſſure you, that the preſent Ad-'dition to the Supply to ſet forward the 'Work, ſhall be no Hindrance to your 'ſpeedy Acceſs again.

'HIS Majeſty hath commanded me to 'add this, That therein he doth expect 'your chearful Obedience, which will 'put a happy Iſſue to this Meeting, and 'will enable his Majeſty, not only to a 'defenſive War, but to employ his Sub-'jects in foreign Actions, whereby will 'be added to them both Experience, Safe-'ty, and Honour.

'LAST of all, his Majeſty hath com-'manded me, in Explanation of the 'gracious Goodneſs of his Royal Intenti-'on, to ſay unto you, that he doth well 'know that there are among you many 'wiſe and well-temper'd Men, well af-'fected to the Public, and to his Majeſty's 'Service; and that thoſe that are willing-'ly faulty are not many: And for the 'reſt his Majeſty doubteth not, but after 'his gracious Admonition, they will, in 'due time, obſerve and follow the better 'Sort; which if they ſhall do, his Ma-'jeſty is moſt ready to forget whatſoever 'is paſt.'

Then his Majeſty ſpoke again.

'I MUST withal put you in mind a little 'of Times paſt: You may remember, 'that in the Time of my bleſſed Father, 'you did with your Council and Perſua-'ſion perſuade both my Father and Me 'to break off the Treaties. I confeſs I 'was your Inſtrument, for two Reaſons; 'one was, the Fitneſs of the Time; the 'other, becauſe I was ſeconded by ſo 'great and worthy a Body, as the whole 'Body of Parliament: Then there was 'no body in ſo great Favour with you as 'this Man, whom you ſeem now to touch, 'but indeed my Father's Government and 'mine. Now that you have all things 'according to your Wiſhes, and that I am 'ſo far engag'd that you think there is no 'Retreat; now you begin to ſet the Dice, 'and make your own Game: But I pray 'you be not deceived, it is not a Parlia-'mentary Way, nor it is not a Way to 'deal with a King.

'Mr *Cook* told you, *It was better to 'be eaten up by a foreign Enemy*, than *to 'be deſtroyed at Home*. Indeed I think 'it more Honour for a King to be invaded, 'and almoſt deſtroyed by a foreign Ene-'my, than to be deſpis'd by his own Sub-'jects.

'REMEMBER that Parliaments are alto-'gether in my Power for their Calling, 'Sitting and Diſſolution; therefore as I 'find the Fruits of them good or evil, 'they are to continue, or not to be: 'And remember, that if in this Time, in-'ſtead of mending your Errors, by Delay 'you perſiſt in your Errors, you make 'them greater and irreconcilable: Where-'as, on the other ſide, if you do go on 'chearfully to mend them, and look to 'the Diſtreſſed State of *Chriſtendom*, and 'the Affairs of the Kingdom, as it lieth 'now by this great Engagement; you 'will do your ſelves Honour, you ſhall 'encourage me to go on with Parliaments, 'and, I hope, all *Chriſtendom* ſhall feel 'the Good of it.'

As ſoon as the Commons were return-ed to their own Houſe, they went into a Grand Commitee, order'd the Doors to be lock'd, and the Keys to be laid on the Table; which his Majeſty having notice of, order'd a Conference immedi-ately between the two Houſes, and com-manded the Duke of *Buckingham* to ex-plain his Intentions, which he did, in the Painted Chamber, in a Style and Senſe not ſo offenſive as what had been delivered from the Throne, and by the Lord Keeper.

The Duke's Speech was as follows;

'WHEREAS it is objected by ſome, who 'wiſh good Correſpondency betwixt the 'King and People, that to prefix a Day 'to give or to break, was an unuſual thing, 'and might expreſs an Inclination in the 'King to break: To remove this, as his 'Majeſty was free from ſuch Thoughts, 'he hath deſcended to make this Expla-'nation.

'THAT

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'THAT as his Majeſty would not have you condition with him directly or indirectly, ſo he will not lie to a Day, for giving farther Supply; but it was the preſſing Occaſion of *Chriſtendom* that made him pitch upon a Day.

'HIS Majeſty hath here a Servant of the King of *Denmark*, and another from the Duke of *Weymer*, and Yeſterday received a Letter from his Siſter the Queen of *Bohemia*; who ſignify'd that the King of *Denmark* hath ſent an Ambaſſador, with Power to perfect the Contract which was made at the *Hague*; ſo it was not the King, but Time, and the Things themſelves that preſſed a Time.

'THEREFORE his Majeſty is pleaſed to give longer, hoping you will not give him cauſe to put you in Mind of it again; ſo that you have a greater Latitude, if the Buſineſs require to think farther of it.

'I am commanded farther to tell you, that if his Majeſty ſhould accept of a leſs Sum than will ſuffice, it will deceive your Expectations, diſappoint his Allies, and conſume the Treaſure of the Kingdom: Whereas, if you give largely now, the Buſineſs being at the Criſis, it comes ſo ſeaſonably, it may give a Turn to the Affairs of *Chriſtendom*.

'But while we delay and ſuffer the Time to paſs, others abroad will take Advantage of it, as the King of *Spain* hath done, by concluding a Peace, as it is thought, in *Italy*, for the *Valteline*, whereby our Work is become the greater, becauſe there can be no Diverſion that way.

'As it was a good Rule to fear all Things and Nothing, and to be liberal was ſome times to be thrifty; ſo in this particular, if you give largely, you ſhall carry the War to the Enemy's Door, and keep that Peace at Home that hath been: Whereas, on the contrary, if you draw the War Home, it brings with it nothing but Diſturbance and Fear, all Courſes of Juſtice ſtopt, and each Man's Revenue leſſen'd, and nothing that can be profitable.

'ANOTHER Explanation I am commanded to make, touching the Grievances; wherein his Majeſty means no way to interrupt your Proceedings, but hopes you will proceed in the ancient ways of your Predeceſſors; and not ſo much ſeek Faults, as the Means to redreſs them.

'I am farther commanded to tell you, That his Majeſty intends to elect a Committee of both Houſes, whom he will truſt to take the View of his Eſtate, the Defects of which are not ſo fit for the Eyes of a Multitude; and this Committee will be for your Eaſe, and may ſatisfy you, without caſting any ill Odour on his Government, or laying open any Weakneſs that may bring Shame upon us Abroad. That which is propoſed is ſo little, that when the Payment comes, it will bring him to a worſe Eſtate than now he is in; therefore wiſhes you to inlarge it, but leaves the Augmentation to your ſelves; but is ſorry and touch'd in Conſcience, that the Burden ſhould lie on the pooreſt, who want too much already; yet he will not preſcribe, but wiſh that you, who were the Abettors and Counſellors of this War, would take a greater Part of the Burden to your ſelves; and any Man that can find out that way ſhall ſhew himſelf beſt affected, and do the beſt Service to the King and State.

AFTER the Duke had thus ſpoke for the King, he made his Addreſs to them in his own behalf. The Lord *Conway*, Secretary of State, who ſpoke next, undertook alſo in Vindication of the Duke, among other Things, to ſhew that the three Subſidies and the three Fifteenths granted to the late King had been imploy'd according to the Intent of the Parliament, becauſe nothing was diſburſed but by the King's expreſs Orders; a Reaſon which doubtleſs the Houſe of Commons thought very frivolous.

THE Explanation of the King's Intentions however ſeem'd to pacify them a little: and how much ſoever they had been diſguſted at what the King ſaid about Parliaments, they contented themſelves with preſenting an Addreſs to the King with the following Remonſtrance.

Moſt Gracious Sovereign,

'WHEREAS Your Majeſty hath been pleaſed of late, at ſundry Times, and by ſeveral Means, to impart unto us your Royal Pleaſure touching ſome Paſſages and Proceedings in this preſent Parliament; We do firſt, with unſpeakable Joy and Comfort acknowledge your Majeſty's Grace and Favour, in that it hath pleaſed you to cauſe it to be deliver'd unto us by the Lord Keeper of your Great Seal, in your own Royal Preſence, and before both Houſes of Parliament, that never King was more loving to his People, nor better affected to the right uſe of Parliaments; withal, profeſſing your moſt gracious Reſolution to hear and redreſs our juſt Grievances. And with like Comfort we acknowledge your Majeſty's Goodneſs ſhining at the very Entrance of your Glorious Reign, in commanding the Execution of the Laws eſtabliſh'd to preſerve the True Religion of Almighty God, in whoſe Service conſiſteth the Happineſs of all Kings and Kingdoms.

'Yet

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'YET let it not displease your Majesty, 'that we also express some Sense of just 'Grief, intermixed with that great Joy, 'to see the careful Proceedings of our 'sincere Intentions so misreported, as to 'have wrought Effects unexpected, and, 'we hope, undeserved.

'*First*, Touching the Charge against 'us in the Matter concerning Mr. *Cook*, 'We all sincerely protest, That neither 'the Words mentioned in your Majesty's 'Message, nor any other of seditious Ef-'fect, were spoken by him, as hath been 'resolved by the House, without one ne-'gative Voice. Howsoever, in a Speech 'occasionally uttered, he let fall some 'few Words, which might admit an ill 'Construction; whereat the House being 'displeased at the delivery of them, as 'was expressed by a general and instant 'Check, he forthwith so explained Him-'self and his Intention, that, for the pre-'sent, we did forbear to take them into 'Consideration; which since we have 'done: And the Effect thereof had be-'fore this appeared, if by importunate 'Businesses of your Majesty's Service we 'had not been interrupted.

'THE like Interruption did also befal 'us in the Case of Dr. *Turner*; wherein 'the Question being formerly stated, a 'Resolution was ordered to be taken that 'very Day, on which we received your 'Majesty's Command to attend you.

'But for our own Proceedings, we hum-'bly beseech your Majesty to be truly 'informed, That before that Overture 'from Dr. *Turner* (out of our great 'and necessary Care for your Honour and 'Welfare of your Realm) we had taken 'into serious Consideration the Evils 'which now afflict your People, and the 'Causes of them, that we might apply 'ourselves unto the fittest Remedies. In 'the pursuit whereof, our Committees '(whatsoever they might have done) have 'in no Particular proceeded otherwise, 'than either upon Ground of Knowledge 'in themselves, or Proof by Examination 'of Witnesses, or other Evidence. In 'which Course of Service for the publick 'Good, as we have not swerved from the 'Parliamentary Ways of our Predeces-'sors, so we conceive, that the discovery 'and reforming of Errors is so far from 'laying an Aspersion upon the present 'Time and Government, that it is rather 'a great Honour and Happiness to both, 'yielding Matter to great Princes, where-'in to exercise and illustrate their noblest 'Virtues.

'AND although the grievous Complaints 'of the Merchants from all Parts, together 'with the common Service of the Sub-'jects, well affected to those who profess 'our Religion, gave us occasion to de-'bate some Businesses that were partly 'foreign, and had relation to Affairs of 'State; yet we beseech your Majesty to 'rest assured, it was exceeding far from 'our Intention, either to traduce your 'Counsellors, or disadvantage your Ne-'gociations. And though some Exam-'ples of great and potent Ministers of 'Princes, heretofore questioned in Parlia-'ment, have been alledged, yet was it 'without paralleling your Majesty's Go-'vernment or Councils to any Times at 'all, much less to Times of Exception.

'TOUCHING the Letter of your Ma-'jesty's Secretary, it was first alledged by 'your Advocate for his own Justification, 'and after by Direction of the Committee 'produced to make good his Allegation.

'AND for the Search at the Signet-Of-'fice, the Copy of a Letter being di-'vulged as in your Majesty's Name, with 'pregnant Cause of Suspicion, both in the 'Body and Direction thereof to be sup-'posititious, the Committee, out of desire 'to be cleared therein, did, by their Order, 'send some of themselves to the Signet-'Office to search whether there were any 'Records of Letters of that Nature, with-'out Warrant to the Officer for any, 'much less for a general Search.

'BUT touching publick Records, we 'have not forborn, as often as our Busi-'nesses have required, to make search in-'to them, wherein we have done nothing 'unwarrantable by the Laws of your 'Realm, and the constant Usage of Par-'liaments. And if for the Ease of their 'Labours any of our Committees have 'desired the help of the Officers, Reper-'tories or Breviates of Direction, we con-'ceive it is no more than any Subject in 'his own Affairs might have obtained for 'ordinary Fees.

'Now concerning your Majesty's Ser-'vants, and namely, the Duke of *Buck-'ingham*, we humbly beseech your Ma-'jesty to be informed by us your faithful 'Commons, who can have no private 'End but your Majesty's Service, and the 'Good of our Country, That it hath 'been the ancient, constant, and undoubt-'ed Right and Usage of Parliaments, to 'question and complain of all Persons of 'what Degree soever, found grievous 'to the Commonwealth, in abusing the 'Power and Trust committed to them by 'their Sovereign. A Course approved not 'only by the Examples in your Father's 'Days, of famous Memory, but by fre-'quent Precedents in the best and most 'glorious Reigns of your noble Progeni-'tors, appearing both in Records and Hi-'stories: Without which Liberty in Par-'liament, no private Man, no Servant to 'a King, perhaps no Counsellor, without 'exposing himself to the Hazard of great

'Enmity

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'Enmity and Prejudice, can be a Means 'to call great Officers in Queſtion for 'their Miſdemeanors, but the Common-'wealth might languiſh under their Preſ-'ſures without Redreſs: And whatſo-'ever we ſhall do accordingly in this 'Parliament, we doubt not but it ſhall 'redound to the Honour of the Crown, 'and Welfare of your Subjects.

'*Laſtly*, We moſt humbly beſeech 'your Majeſty graciouſly to conceive, 'that tho' it hath been the long Cuſtom 'of Parliaments to handle the Matter of 'Supply with the laſt of their Buſineſſes, 'yet at this Time, out of the extraordi-'nary Reſpect to your Perſon, and Care 'of your Affairs, we have taken the ſame 'into more ſpeedy Conſideration, and moſt 'happily on the very Day of your Ma-'jeſty's Inauguration, with great Alacrity 'and unanimous Conſent, after a ſhort 'Debate, we grew to the Reſolution for a 'preſent Supply, well known to your Ma-'jeſty.

'To which, if Addition may be made 'of other great Things for your Service, 'yet in Conſultation amongſt us, we doubt 'not but it will appear that we have not 'receded from the Truth of our firſt In-'tention, ſo to ſupply you, as may make 'you ſafe at Home, and feared Abroad, 'eſpecially if your Majeſty ſhall be plea-'ſed to look upon the Way intended in 'our Promiſe, as well as to the Meaſure 'of the Gift agreed.

'WITH like Humility we beſeech your 'Majeſty not to give Ear to the officious 'Reports of private Perſons for their own 'Ends, which hath occaſioned ſo much 'loſs of Time, nor to judge our Proceed-'ings whilſt they are in Agitation, but 'to be pleaſed to expect the Iſſue and 'Concluſion of our Labours, which we 'are confident will manifeſt and juſtify 'to your Majeſty the Sincerity and 'Loyalty of our Hearts, who ſhall ever 'place in a high Degree of Happineſs, the 'performing of that Duty and Service in 'Parliament, which may moſt tend to 'your Majeſty's Honour, and the Good 'of your Kingdom.'

THE King deſired Time to prepare an Anſwer to this Remonſtrance, and prevail-ed with the Commons to adjourn for a Week, as the Lords had done. Mean time being in great Perplexity for want of Money, and convinced that the Com-mons would not paſs the Subſidy Bill 'till they had done with the Duke of *Buck-ingham*, he conſented, at length, that the Houſe ſhould proceed in the Examination of his Favourite's Conduct; but the Sequel ſhews that he intended to ſtop Proceed-ings, in caſe Matters were puſhed too far. For while the Commons were paſſing Ar-ticles of Accuſation againſt the Duke, of which they allowed him to take a Copy from the Clerk's Book, an unexpected In-terruption was given to the Impeachment, and conſequently to the Subſidy Bill, by the King's Charge of High-Treaſon a-gainſt the Earl of *Briſtol*, which it will be neceſſary briefly to mention in this Place.

The Earl of BRISTOL's *Affair.*

THE Reader will remember that in the laſt Reign, we gave an Account of the Earl's Embaſſy to *Spain* about the Mar-riage of Prince *Charles* with the *Infanta*; and that tho' he brought it to a Conclu-ſion, according to King *James's* Deſire, he had the Misfortune however to diſ-pleaſe both the Prince and the Duke of *Buckingham*, whoſe Aim being to hinder the Earl from giving the Parliament an exact Account of what paſſed in *Spain*, they managed it ſo that at his Return he was confined to his Houſe, and afterwards ſent to the *Tower*, where he remained without being Tried or Charged 'till this ſecond Parliament, that is about two Years; for King *James*, tho' fully ſatiſ-fied of the Earl's Innocence, durſt not protect him, as obſerved in his Reign, but was conſtrained by the Prince and the Duke, on various Pretences, to keep him in Priſon, that he might have no Opportu-nity of ſpeaking with him: And after King *James's* Death the Earl's Caſe be-came ſo much the worſe, becauſe the new King and Favourite, his profeſſed Enemies, were no longer obliged to keep any Mea-ſures with him. But the Earl finding at laſt how the Commons ſtood affected to the Duke, reſolved to lay hold of this Op-portunity to attempt the Recovery of his Liberty and the Vindication of his Con-duct from the Aſperſions of the Duke: He therefore preſented a Petition to the Houſe of Lords, ſetting forth that tho' he was a Peer of the Realm he had received no Summons to the Parliament, and deſiring their Interceſſion for him, that he might enjoy his Privilege. Upon this the Lords prayed his Majeſty to ſend a Writ of Sum-mons to the Earl, and the other Peers, who had not received theirs, which the King granted, and a Writ was accordingly ſent to the Earl; but withal he received a Letter under the Great Seal, acquainting him that his Majeſty would rather have him make Excuſe for his Abſence than come in Perſon to the Houſe. Upon this the Earl addreſſed himſelf a ſecond Time to the Houſe of Lords, to whom he alſo ſent the Letter he received, and told them it was done by the Credit of the Duke of *Bucks*, whoſe Aim was to prevent him from making his Miſdemeanor known.

Moreover,

Moreover, he prayed the Lords to permit him to bring an Accuſation againſt the Duke, wherein he would demonſtrate how much the Duke had deceiv'd the late King, his preſent Majeſty, the State, and the Parliament. The King was ſo offended at the Earl of *Briſtol*'s Boldneſs, that he ſent a Meſſage to the Lords, declaring that he was determin'd to charge the Earl of *Briſtol* with High-Treaſon; upon which the Lords could not help committing the Earl to the Cuſtody of the Black-Rod.

His Accuſation of the Duke of Buckingham.

Some Days after (*viz. May* 1.) the Earl being brought to the Bar of the Houſe, the Attorney General read a Charge of eleven Articles againſt him in the King's Name, who had corrected it in ſeveral Places with his own Hand. Nevertheleſs before it was read, the Lords alſo received the Accuſation enter'd by the Earl of *Briſtol* againſt the Duke of *Buckingham* and the Lord *Conway*, Secretary of State, which conſiſted of twelve Articles. The Houſe cauſed the Articles to be read, remitted the Earl to the Black-Rod, and order'd that the King's Charge againſt him ſhould be proceeded upon before that of the Earl againſt the Duke, which the King took very well, and that his Teſtimony againſt the Duke ſhould not be prejudiced. The Articles on both ſides laboured with one Deſign, which was to render each other ſuſpected in their Loyalty and Religion, and was Matter of Sport for their Enemies, and Concern for their Friends. The Earl made ſuch a De-

And his own Defence.

fence, however, as confounded his Accuſers, and he ſhew'd how much the Duke had impoſed upon the Parliament in his Narrative of what paſſed in *Spain*; which the King taking as a Reflection on himſelf, who had not only atteſted the Relation, but ſtill perſiſted to atteſt it as true, he did not think fit to proſecute the Earl to the utmoſt.

As the Charge againſt the Earl, his Defence, and his Accuſation of the Duke of *Buckingham* and Lord *Conway* relate rather to the former Reign than to this, and would moreover exceed the Bounds of this Extract, we chooſe to refer the curious Reader to *Ruſhworth* and Mr *Rapin*'s larger Hiſtory, where he will find ſeveral Papers upon this Progreſs which are worthy of his Peruſal.

Commons Impeachment of the Duke of Buckingham.

On the 8th of *May*, which was ſome Days after the Earl of *Briſtol* had given in his Anſwer and preſented his Charge againſt the Duke and the Lord *Conway*, the Commons ſent up ſome of their Members to the Houſe of Lords with their Declaration and Impeachment againſt the Duke of *Buckingham*, conſiſting of thirteen Articles of Impeachment manag'd by eight Members and ſixteen more as Aſſiſtants. The eight chief Managers were Sir *Dudley Diggs*, Sir *John Elliot*, Mr. *Selden*, Mr. *Glanville*, Mr. *Pym*, Mr. *Sherland*, Mr. *Wandesford*, and Mr. *Herbert*.

Sir *Dudley Diggs*, who was appointed to explain and ſupport the beginning of the Charge, read the Preamble to the Bill drawn up in the uſual Form, in which the Duke's Titles and Offices were enumerated in the Manner following:

George, Duke, Marquis, and Earl of *Buckingham*, Earl of *Coventry*, Viſcount *Villers*, Baron of *Whaddon*, Great Admiral of the Kingdoms of *England* and *Ireland*, and of the Principality of *Wales*, and of the Dominions and Iſlands of the ſame, of the Town of *Calais*, and of the Marches of the ſame, and of *Normandy*, *Gaſcoigne*, and *Guienne*, General Governour of the Seas and Ships of the ſaid Kingdom, Lieutenant-General, Admiral, Captain-General and Governour of his Majeſty's Royal Fleet and Army lately ſet forth, Maſter of the Horſe of our Sovereign Lord the King, Lord Warden, Chancellor and Admiral of the Cinque-Ports, and of the Members thereof, Conſtable of *Dover* Caſtle, Juſtice in Eyre of all the Foreſts and Chaces on this Side the River *Trent*, Conſtable of the Caſtle of *Windſor*, Gentleman of his Majeſty's Bed-Chamber, One of his Majeſty's moſt Honourable Privy-Council in his Realms, both in *England*, *Scotland* and *Ireland*, and Knight of the moſt noble Order of the Garter.

When Sir *Dudley* had read the Preamble, he reduced the Charge to four principal Heads. In the Firſt he ſhew'd the Abuſes which followed from ſo many Offices conferr'd on a ſingle Perſon, and maintain'd it to be one of the chief Cauſes of the Calamities which afflicted *England*, as Decay of Trade, Loſſes at Sea, and the Contempt the Nation was fallen into. In the Second he ſpoke in general of Honours being ſold or procured by the Duke to undeſerving Perſons. In the Third he ſaid, as the Duke had raiſed all his poor Kindred to Honours, ſo he had exhauſted and miſemploy'd his Majeſty's Lands and Revenues. In the Fourth he ſpoke of the Remedies apply'd and given to the late King in his laſt Sickneſs; but he only juſt mention'd them, becauſe that Article was to be enlarged upon by another Manager.

As this Charge never came to any Judgment, 'tis unneceſſary to relate Particulars: But that the Reader may ſee in general what the Duke was accuſed of, the following Abſtract is inſerted of each of the Articles: Of which I, II, III, were enlarged upon by Mr. *Herbert*; IV, V, by Mr. *Selden*; VI, VII, VIII, by Mr. *Glanville*; IX, X, XI, by *Pym*; XII, by Mr. *Sherland*, &c.

I. He was accuſed of engroſſing into his own Hands a great Number of Offices, ſome of which could hardly be executed by a ſingle Perſon; and of procuring them by ill Means.

II. Of

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II. Of purchaſing the Office of High-Admiral of the Earl of *Nottingham*, in the 16th of the late King.

III. Of buying the Office of Lord Warden of the Cinque-Ports of the late Lord *Zouch*, in the 22d of the late Reign.

IV. Of having neglected to guard the Seas and protect the Merchants.

V. Of confiſcating a *French* Ship call'd the *St. Peter* of *Newhaven*, worth 40,000*l.* Of detaining the ſaid Ship after the King's Order of the 28th of *December* laſt to reſtore her to the Owner, and of taking out ſeveral Things for his own uſe.

VI. Of oppreſſing the *Eaſt-India* Company, in the 21ſt of King *James*, by detaining under falſe Pretences their Ships which were ready to ſail, and of compelling them to give him 10,000*l.* that they might not loſe their Voyage.

VII, and VIII. Of delivering ſeveral Merchant Ships and a Man of War into the Hands of the *French* King, againſt the Will of the Owners, in *July* laſt, to ſerve at the Siege of *Rochel*.

IX. Of conſtraining ſeveral Perſons to purchaſe Titles of Honour.

X. Of ſelling the Office of High-Treaſurer for 20,000 *l.* and the Office of Maſter of the Wards and Liveries for 6000 *l.*

XI. Of procuring to his Kindred and Allies Titles of Peerage, without their having done the State any Service.

XII. Of embezling and engroſſing the King's Money and Lands.

XIII. Of applying a Plaiſter to the late King's Side in his laſt Sickneſs, and of giving him a *Potion* with his own Hand at ſeveral Times, in the Abſence, and without the Order of the Phyſicians.

Sir *John Elliot* was appointed to make a ſort of Epilogue to the Impeachment, in which he ſumm'd up what had been ſaid againſt the Duke, and ſpoke of him in very ſevere Terms, but ſaid not a Word of the Plaiſter or Potion.

Ruſhworth mentions a very remarkable Paper which was privately convey'd to the King upon his Impeachment, importing, 'That this great Oppoſition a-'gainſt the Duke was ſtirred up and main-'tain'd by ſuch as ſeek the Deſtruction of 'this free Monarchy; That ſince the 'Time of *Henry* VI theſe Parliamentary 'Diſcourſings were never ſuffer'd, as be-'ing Symptoms of Rebellions and the de-'throning of our King; That his Majeſty 'therefore ever ſtrengthen'd himſelf with 'ſome Favourite, as whom he might 'better truſt then many of the Nobility 'fond of this Oligarchy; That it be-'hoved his Majeſty to uphold the Duke, 'who if he be decourted, the Demoliti-'tion of his Monarchy will ſoon follow; 'and that if they prevail in this, they 'will pull the other Feathers of Royalty, 'and appoint him Counſellors, Servants, 'Sc. That the King and his Father are 'both concern'd in the Duke's Accuſati-'on; and that if he ſuffer for obeying 'his Sovereign, the next Attempt will 'be to call the King to an Account, Sc.

The ſame or the next Day *Diggs* and *Elliot* were by the King's Command ſent to the *Tower*; and on *May* 11th the King went to the Houſe of Lords, and made the following ſhort Speech to them.

Diggs *and* Elliot *committed to the* Tower.

My Lords,

'The Cauſe, and only Cauſe, of 'my coming to you this Day, is to ex-'preſs the Senſe I have of all your Ho-'nours; for he that toucheth any of you 'toucheth me in a very great Meaſure. 'I have thought fit to take Order for 'the Puniſhing ſome inſolent Speeches 'lately ſpoken. I have been too remiſs 'heretofore in puniſhing ſuch Speeches 'as concern my ſelf; not that I was gree-'dy of their Monies, but that *Buckingham*, 'through his Importunity, would not ſuf-'fer me to take notice of them, leſt he 'might be thought to have ſet me on, and 'that he might come the forwarder to his 'Tryal. And to approve his Innocency 'as touching the Matters againſt him, I 'my ſelf can be a Witneſs to clear him in 'every one of them.

King's Speech to the Lords concerning the Duke.

'I Speak not this to take any thing out 'of your Hands; but to ſhew the Reaſon 'why I have not hitherto puniſhed thoſe 'inſolent Speeches againſt my ſelf. And 'now I hope you will be as tender of my 'Honour, when Time ſhall ſerve, as I 'have been ſenſible of yours.

The King's aim in this Speech was undoubtedly, *Firſt*, to perſuade the Lords that they were all ſtruck at by the diſreſpectful Things ſpoke by the Managers, Sc. againſt the Duke of *Buckingham*, and that he had committed *Diggs* and *Elliot* to the *Tower*, on purpoſe to vindicate their injur'd Honour; *Secondly*, to reduce the Lords to a kind of *Dilemma*, which he thought they would not be able to get clear of, becauſe he offered to be a Witneſs for the Duke of *Buckingham*, and to clear his Innocence in every Article of his Impeachment. In which caſe they muſt either declare the Duke innocent upon the King's Evidence, or by condemning him openly, reject his Royal Teſtimony; which he imagin'd they would not eaſily be brought to do. But they were not impoſed upon by this Artifice, as we ſhall ſee hereafter.

The King was no ſooner departed from the Houſe, but the Commons ſent a Meſſage to the Lords, by Sir *Nathaniel Rich*, to deſire that the Duke

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of *Buckingham* might be taken into Custody; which the Lords durst not comply with, for fear of offending the King.

Resentment of the Commons at the Imprisonment of their Members.

MEAN time the House of Commons look'd upon the Imprisonment of *Diggs* and *Elliot* as an express Breach of their Privileges. Sir *Dudley Carleton*, one of the Court Party, observing the unusual and (as he term'd it) *sullen Silence* of the House, stood up and justify'd the King for committing those Members, who, he pretended, went beyond their Commission, in speaking of the Plaister and Potion given to the late King; mean time there was not a Word of Truth in what was ascribed to those two Members, except the little Respect they had shewn to the Duke of *Buckingham*; for *Elliot* had not mention'd the Plaister or *Potion*; and the Commons sign'd a Protest, importing that *Diggs* had said nothing like what he was accused of. Besides this, 36 Lords, who were present at the Conference where the Duke's Impeachment was brought in, attested under their Hands that they did not hear Sir *Dudley Diggs* speak any such Words. It followed therefore from the Testimony of the Lords, and the Protest of the Commons, either that the King was falsly and maliciously inform'd, or that the Charge against *Diggs* was invented, in order to have an Opportunity of punishing him for speaking of the Duke in so disrespectful a Manner.

Protest both of Commons and Lords in their Favour.

THE King seeing no way to support what he had done, caused the two imprisoned Members to be released. And on a Complaint and repeated Petitions of the House of Lords, insisting on their Privilege, the Earl of *Arundel*, whom the King had committed to the *Tower*, in Breach of it, about the beginning of *March* last, while the Parliament was sitting, was released *June* 8, much against his Majesty's Will, when he found that the Lords, to whom he had sent several Messages, were resolv'd to take no other Business into Consideration 'till they had received Satisfaction. The King pretended that the Lords ought not to take Exceptions at his Commitment of this Earl, because he might possibly be guilty of Felony or Treason; and, consequently, the House ought to wait 'till it should please the King to declare the Cause of his Imprisonment; but the Lords plainly saw that the Possibility alledg'd by the King was but an Artifice to elude their most undoubted Privileges; and they argued, that if on Pretence of such Cases, which were very rare, the King could imprison a Peer without the consent of the House, and without declaring the Cause, it would follow, that in all sorts of Cases he might detain the Peer in Custody as long as he pleased, and thereby abridge the Lords of their Privileges.

Their Release.

The Enlargement of the Earl of Arundel *committed to the* Tower.

Mr. *Rapin* says, this Earl was committed for speaking too freely in the House; but this does not appear from any other good History, and 'tis conjectur'd, with much more Probability, that it was for his Son's marrying the Duke of *Lenox*'s Sister, whom the King design'd for the Lord *Lorn*; which is confirm'd by *Rushworth* and *Whitlock*, who says, the King signify'd in his Message to the House of Lords upon this Occasion, *that he was committed for Personal Misdeameanours against the King, and not* for any Matters of Parliament. The Earl we are speaking of had five Proxies, which were lost by his Imprisonment, and no Precedent was found of any Peer's being committed in a Session without the Sentence of Parliament.

BEFORE the Duke of *Buckingham* had given in his Answer to the Commons Impeachment, he was on the 11th of *June*, by the King's Interest, elected Chancellor of the University of *Cambridge*, in the room of the deceas'd Lord *Howard*, Earl of *Suffolk*. The House of Commons thought it an Insult on their Proceedings, to choose the Duke whilst under an Impeachment, and when one of the Articles against him was the Plurality of Offices. Besides they argued, that there was a sort of Contradiction in this Election, because the University themselves, by their Representatives in Parliament, had given their consent to the said Impeachment: But the King stifly supported the Election in Spight of the Commons.

The Commons disgusted at the Duke of Buckingham's *being chose Chancellor of the University of* Cambridge.

AT length, on the eighth of *June*, the Duke gave in his Answer to the Impeachment, which was in such modest humble Terms, that many who expected a more proud and disdainful Defence, were changed into a good Opinion of him: For at the same time that he justify'd himself, he courted them saying, 'That his Accuser, 'Common Fame, was too subtil a Body 'for him to contest with; and he doubted 'not but in Time it would be found that 'Common Fame had abused both Them 'and Him.' As to his particular Answer to the several Articles, which the Reader may see at large in *Rushworth*, it was distinct and plausible, and seem'd to lay the greatest Stress *upon the Knowledge of the King and his Father, and their Direction of the particular Passages; with his Obedience thereto, and to the Advice of the* Council. He deny'd 'that he had 20,000*l.* 'of the Earl of *Manchester*, or 6000 *l.* 'of the Earl of *Middlesex*, or 10,000 *l.* 'of the *East-India* Company; but said 'the King had those Sums; that the Earl 'of *Manchester* had Satisfaction by the 'King's Lands for the 20,000*l.* and that 'the 6000 *l.* was given by the King to Sir 'Henry Mildmay. *He absolutely de-* 'nied that he apply'd the *Plaister*, or

The Duke's Answer to his Impeachment.

gave

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'gave the Potion to King *James* in his 'Sickneſs; but the King knowing that he '(the Duke) had been cur'd of an Ague 'by a Plaiſter and a Drink, the King 'would have them, and took them, ſome 'of his Phyſicians being then preſent, 'and allowing them, and taſting the 'Drink.

UPON the whole, as there was little in the Impeachment beſides what was tranſacted in the Reign of the late King, and ſo not legally cognizable in this, he claimed the Benefit of the General Pardon in the 21ſt of King *James*, and of this King's Pardon iſſued on his Coronation.

THE Commons having deſir'd a Copy of the Duke's Anſwer, the King wrote the following Letter next Day to the Speaker, to quicken the Houſe about the Supplies.

TRUSTY and WELL-BELOVED, *&c.*

The King's Letter to the Speaker of the Houſe of Commons on the 9th of June, *for a ſpeedy Supply.*

'OUR Houſe of Commons cannot forget 'how often and how earneſtly we have 'called upon them for the ſpeeding of 'that Aid which they intended us for our 'great and weighty Affairs, concerning 'the Safety and Honour of us and our 'Kingdoms: And now the Time being 'ſo far ſpent, that unleſs it be preſently 'concluded, it can neither bring us 'Money nor Credit by the Time which 'themſelves have prefix'd, which is the 'laſt of this Month, and being farther de'ferr'd, would be of little uſe, we being 'daily advertiſed from all Parts of the 'great Preparations of the Enemy ready 'to aſſail us; We hold it neceſſary by theſe 'our Letters to give them our laſt and fi'nal Admonition, and to let them know, 'that we ſhall account all farther Delays 'and Excuſes to be expreſs Denials. And 'therefore we will and require you to 'ſignify unto them, that we do expect 'they forthwith bring in their Bill of 'Subſidy to be paſſed without Delay or 'Condition, ſo as it may fully paſs the 'the Houſe by the end of the next Week 'at fartheſt; which if they do not, it 'will force us to take other Reſolutions. 'But let them know, if they finiſh this 'according to our Deſire, that we are 'reſolved to let them ſit together for the 'Diſpatch of their other Affairs ſo long 'as the Seaſon will permit, and after their 'Receſs to bring them together again the 'next Winter. And if, by their Denial 'or Delay, any thing of ill Conſequence 'ſhall fall out either at Home or Abroad, 'we call God and Man to witneſs that 'we have done our Part to prevent it, 'by calling our People together to adviſe 'with us, by opening the Weight of our 'Occaſions unto them, and by requiring 'their timely Help and Aſſiſtance in theſe 'Actions, wherein we ſtand engag'd by 'their own Counſels. And we will and 'command you that this Letter be read 'publickly in the Houſe.'

CHARLES I. *Anno* 1626.

'Tis manifeſt, ſays *Rapin*, 'that this 'Letter, written at the Time that the 'Duke of *Buckingham*'s Trial was coming 'on, was a meer Artifice to evade it.' The Commons not thinking fit to comply with the King's Will, and to ſhew the Publick that his Anſwer to the Petition of the *Oxford* Parliament contain'd only empty Promiſes without Effect, and that the Male-Adminiſtration of the Duke of *Buckingham* was not the only Grievance which they wanted to be redreſs'd, preſented a freſh Petition to him againſt *Popiſh* Recuſants, which was as follows:

Rapin's *Remark on it.*

To the KING's *moſt excellent Majeſty,*

Commons Petition to the King againſt Recuſants.

'YOUR Majeſty's moſt obedient and 'loyal Subjects the Commons in this pre'ſent Parliament aſſembled, do with great 'Comfort remember the many Teſtimonies 'which your Majeſty hath given of your 'Sincerity and Zeal for the True 'Religion eſtabliſh'd in this Kingdom, 'and in particular your Gracious Anſwer 'to both Houſes of Parliament at *Ox'ford*, upon their Petition concerning the 'Cauſes and Remedies of the Increaſe of 'Popery; that your Majeſty thought fit, 'and would give order to remove from 'all Places of Authority and Government, 'all ſuch Perſons as are either *Popiſh* Re'cuſants, or, according to Direction of for'mer Acts of State, juſtly to be ſuſpected; 'which was then preſented as a great and 'principal Cauſe of that Miſchief. But 'not having received ſo full Redreſs here'in, as may conduce to the Peace of this 'Church and Safety of this Regal State, 'they hold it their Duty once more to re'ſort to your Sacred Majeſty, humbly to 'inform you, that upon Examination, 'they find the Perſons under-written to 'be either Recuſants, *Papiſts*, or juſtly 'ſuſpected according to the former Acts 'of State, who now do, or ſince the firſt 'ſitting of the Parliament, did remain in 'Places of Government, and Authority, 'and Truſt, in your ſeveral Counties of 'this your Realm of *England* and Do'minion of *Wales*.'

THEN *followed* a Liſt of fifty-nine *Recuſants* and ſuſpected *Papiſts*, who were in Places of Truſt and Authority in ſeveral Counties; among whom were the Earl of *Rutland*, the Viſcounts *Montagu* and *Dunbar*, the Lords *Evry*, *Abergavenny*, *Tenham*, *Wotton*, *Morley*, *Mordaunt*, *St. John* of *Baſing*, and *Scroop*. The reſt were Commoners.

WHEREFORE

'WHEREFORE they humbly beſeech your Majeſty not to ſuffer your loving Subjects to continue any longer diſcouraged by the apparent Senſe of that Increaſe both in Number and Power, which by the Favour and Countenance of ſuch like ill-affected Governours accrueth to the Popiſh Party; but that, according to your own Wiſdom, Goodneſs, and Piety, (whereof they reſt aſſured) you will be graciouſly pleaſed to command that Anſwer of your Majeſty's to be effectually obſerved, and the Parties above-named, and all ſuch others, to be put out of ſuch Commiſſions and Places of Authority wherein they now are in your Majeſty's Realm of *England*, contrary to the Acts and Laws of States in that behalf.'

Rapin's Apology for King Charles's Delay of this Affair.

OUR Author makes ſome Apology for the King in ſuffering his Honour to be ſo often preſs'd to perform what he had ſo poſitively promis'd, becauſe of the Difficulty his Majeſty was under to withſtand the Sollicitations and Intrigues of the Queen, of the D. of *Buckingham*, whoſe Mother was a profeſs'd Papiſt, of Sir *Richard Weſton* his chief Counſellor, and of the Lord *Conway*, Secretary of State, both Papiſts; ſince theſe were the Men by whom he was in a manner always beſet.

A FEW Days after, the Commons reſolved to wait in a Body upon the King, and to preſent to him, by their Speaker, a Declaration of their Conduct, by way of Anſwer to his Letter; as alſo, a Petition to remove the D. of *Buckingham* from his Perſon. Having leave to attend the King, the Speaker, beforehe preſented thoſe two Papers, made the following Speech to him.

Commons Anſwer to the King's Letter by their Speaker.

Moſt Gracious and Dread Sovereign,

'ACCORDING to that Liberty of Acceſs and Liberty of Speech which your Majeſty and your Royal Progenitors have ever vouchſafed to your Houſe of Commons, your Majeſty's moſt humble and loyal Subjects, the Commons, now aſſembled in Parliament, have been Suitors for this Acceſs to your Royal Throne.

'AND out of their Conſideration of the Nature, and of the Weight and Importance of the Buſineſs, they have thought the Attendance of the whole Houſe, with their Speaker, not too ſolemn; and yet they have not thought fit barely to commit thoſe Words which expreſs their Thoughts, to the Truſt of any Man's Speech, but are bold to preſent them in Writing to your gracious Hands, that they may not vaniſh, but be more laſting than the moſt powerful Words of a more able Speaker are like to be.

'I HAVE much to read, and ſhall therefore as little as I can, weary your Majeſty with Speeches.

'THIS Parchment contains two Things, the one by way of Declaration, to give your Majeſty an Account and humble Satisfaction of their clear and ſincere Endeavours and Intentions in your Majeſty's Service; and the other, an humble Petition to your Majeſty, for the Removal of that great Perſon, the Duke of *Buckingham*, from Acceſs to your Royal Preſence.

'FOR the firſt, they beſeech your moſt Excellent Majeſty to believe that no earthly Thing is ſo dear and precious to them, as that your Majeſty ſhould retain them in your Grace and good Opinion; and it is Grief to them, beyond my Expreſſion, that any Miſinformation or Miſinterpretation, ſhould at any time render their Words or Proceedings offenſive to your Majeſty.

'IT is not proper for any one to hear the Eccho of a Voice, that hears not the Voice; and if Ecchos be ſometimes heard to double and redouble, the Eccho of the Eccho is ſtill fainter, and ſounds not louder.

'I NEED not make the Application. Words miſreported, though by an Eccho, or but an Eccho of an Eccho, at a third or fourth Hand, have oft a louder Sound than the Voice itſelf, and may ſound Diſloyalty, though the Voice had nothing undutiful or diſloyal in it. Such Miſinformations, they fear, have begot thoſe Interruptions and Diverſions which have delay'd the ripening and expediting of thoſe great Councils which concern your Majeſty's important Service, and have inforced this Declaration.

'I PASS from that to the Petition, in which my Purpoſe is not to urge thoſe Reaſons which your Majeſty may hear expreſſed in their own Words in the Language of the People.

'I AM only directed to offer to your great Wiſdom and deep Judgment, that this Petition of theirs is ſuch as may ſtand with your Majeſty's Honour and Juſtice to grant.

'YOUR Majeſty hath been pleaſed to give many Royal Teſtimonies and Arguments to the World, how good and gracious a Maſter you are; and that which the Queen of *Sheba* once ſaid to the wiſeſt King, may, without Flattery, be ſaid to your Majeſty, *Happy are thoſe Servants which ſtand continually before you.*

'BUT the Relations by which your Majeſty ſtands in a gracious Aſpect towards your People, do far tranſcend, and are more prevalent and binding than any Relation of a Maſter towards a Servant; and to hear and ſatisfy the juſt and neceſſary Deſires of your People, is more honourable than any Expreſſion of Grace to a Servant.

To

'To be a Master of a Servant, is communicable to many of your Subjects; 'to be a King of People, is Regal, and incommnicable to Subjects.

'YOUR Majesty is truly stiled with that 'Name which the greatest Emperors, 'though they borrowed Names and Titles 'from those Countries which they gained 'by Conquest, most delighted in, *Pater 'Patriæ*. And Desires of Children are 'preferred before those of Servants, and 'the Servant abideth not in the House 'for ever, but the Son abidethever.

'THE Government of a King was truly 'termed by your Royal Father, A politick Marriage between him and his People; and I may safely say, there was 'never a better Union between a married 'Pair, than is between your Majesty and 'your People.'

THE King was so displeased, however, both with the Declaration and Petition, that he came to a Resolution to dissolve the Parliament; which was so contraryto the Expectation of the Commons, that as soon as they had intimation of it, they determined to present a Remonstrance to him, of the same Complexion with the Impeachment against the *Duke*, and concerning the King's taking of *Tonnage and Poundage*, though not granted him by Parliament. Whilst it was preparing, the Lords being inform'd by the King himself of his Resolution, presented a Petition to him to divert him from his Purpose: But the King would hearken to nothing, and directed a Commission under the Great Seal, by which the Parliament was dissolved on the 15th of *June*.

Their Resolution to present a Remonstrance.

Parliament dissolv'd.

Cause and Effect of it.

No Body doubted but the Duke of *Buckingham's* Interest was the sole Cause of this Dissolution; and the Commons were so persuaded of it, that since they were thereby hinder'd from presenting their Remonstrance to the King, they dispers'd Copies of it abroad.

WHAT follows is a genuine Copy of it.

Most Gracious Sovereign,

Commons Remonstrance.

'WE Your loyal and faithful Subjects, 'the Commons, assembled by your Majesty's most Royal Authority in this 'present Parliament, having, with all 'dutiful Affection from the time of our 'first Meeting, earnestly endeavour'd to 'proceed speedily in those Affairs that 'might best and soonest conduce to our 'dispatch of the intended Supply of 'your Majesty's great Designs, to the Enlargement of your Support, and to the 'enabling of ourselves and them whom 'were present, to the full and timely Performance of the same, have, notwithstanding, by reason of diverse Informations, Interruptions, and other Preventions, been hitherto so retarded in the Prosecution of these Affairs, that we now 'thought it a necessary Part of our most 'humble Duties thus to declare both those 'Interruptions, and Preventions, with the 'true original and continual Cause of them; 'as also, our most earnest Devotion of the 'Parliamentary Service of your most excellent Majesty, and of the careful Safety and 'Defence of your Dominions, Crown, and 'Dignity: And we most humbly, therefore, 'beseech your most excellent Majesty, to be 'graciously pleased to cast your Eye on 'some Particulars, that have Relation as 'well to your first Parliament as to this; 'out of which we cannot doubt but that 'your great Goodness may receive most 'ample Satisfaction, touching our most 'loyal and faithful Intentions.

'IN the first Parliament of the first Year 'of your Majesty's most happy Reign 'over us, the Commons then assembled, after they had chearfully presented 'to your Majesty, as the first Fruits of 'their Affections, two entire Subsidies, 'were exceedingly pressed by the Means 'of the Duke of *Buckingham*, and for 'his own Ends, as we conceive, to enlarge that Supply; which when he conceived would not be there effected, 'he procured, for the same Ends, from 'your Majesty, an Adjourment of the 'Parliament to the City of *Oxford*; 'where the Commons taking into just Consideration the greatest Mischiefs which 'this Kingdom variously hath suffered, and 'that chiefly by reason of the exorbitant 'Power and frequent Misdoings of the 'said Duke, were entering into a Parliamentary Course of Examination of those 'Mischiefs, Power, and Misdoings: But no 'sooner was there any mention made of his 'Name to this Purpose, but that he, fearing lest his Actions might so have been 'too much laid open to the View of your 'most excellent Majesty, and to the just 'Censure that might then have followed, 'presently, through his Misinformations to 'your Majesty, of the Intentions of your 'said Commons (as we have just Cause 'to believe) procured a Dissolution of 'the said Parliament: and afterwards 'also in the same Year, through diverse 'Misreports made to your Majesty in his 'behalf, touching some Members of the 'said Commons, who had more particularly drawn his Name into just question, and justly professed themselves 'averse to his Ends there, procured (as 'we cannot but conceive) the said Members to be made the Sheriffs of several 'Counties for this Year, that followed, 'to the End that they might have all 'been precluded from being chosen Members of this present Parliament lest they 'should again have therein questioned him; 'and by the like Practice also (as we are 'persuaded) he procured, soon after the 'said

FOEDERA Tom. XVIII.

CHARLES I. Anno 1626.

'ſaid Diſſolution, another Member* of 'the ſaid Houſe, becauſe he had juſtly 'profeſſed himſelf againſt his Ends, to be 'ſent as Secretary of your Majeſty's laſt 'Fleet, hereby indeed to puniſh him, by 'ſuch drawing him from his Practice of 'the Law, which was his Profeſſion, un-'der colour of an honourable Employ-'ment.

'IT pleaſed your Majeſty afterwards, 'in *February* laſt, to call this preſent 'Parliament, wherein, tho' none of thoſe 'whom the ſaid Duke had ſo procured to 'be made High-Sheriffs, have ſat as Mem-'bers, yet we finding in our ſelves the 'like Affection, firſt to the Service of 'your Majeſty, and next to the Good of 'the Commonwealth, we took into ſeri-'ous Conſideration ſeveral Propoſitions, 'how for the Safety and Happineſs of 'your Majeſty's Kingdoms and Allies, 'we might enlarge your Support, add 'to the military Strength without Charge 'to the poorer ſort of your Subjects, and 'give a larger Supply to your Ma-'jeſty, for your inſtant and preſſing Oc-'caſions, than hath ever yet but once 'been given in Parliament: Whereupon, 'for the enabling of ourſelves, and thoſe 'whom we repreſent, we conceive it firſt 'neceſſary to ſearch into the Cauſes of this 'Miſchief which your Kingdom ſuffereth, 'and diverſe of the Grievances which over-'burden your Subjects; without doing of 'which, we could neither be faithful to 'your Majeſty, nor to the Country that 'doth truſt and employ us, as your Roy-'al Father alſo, of bleſſed Memory, ad-'moniſhed the Houſe of Commons in the 'fourth Seſſion of his firſt Parliament. 'In this Conſideration we found that the 'moſt preſſing and comprehenſive Miſ-'chief and Grievance that he ſuffered 'was fundamentally ſettled in the vaſt 'Power and enormous Actions of the ſaid 'Duke, being ſuch, that by reaſon of his 'Plurality of Offices, all gotten by Am-'bition, and ſome for Money, expreſly 'againſt the Laws of your Realm; his 'Breach of Truſt in not guarding the 'Seas; his high Injuſtice in the Admi-'ralty; his Extortion; his delivering 'over the Ships of this Kingdom into the 'Hands of a foreign Prince; his procuring 'the compulſory buying of Honour for 'his own Gain; his unexampled exhauſt-'ing of the Treaſures and Revenues of 'the Kingdom; his tranſcendent Pre-'ſumption of that unhappy applying of 'Phyſick to your Royal Father of bleſſed 'Memory, few Days before his Death, 'and ſome other of his Offences carefully 'and maturely examined by us, we made 'a Parliamentary Charge of the ſame 'Matters and Offences againſt him, to 'the Lords by your Majeſty aſſembled 'in Parliament, there expecting ſome Re-'medy by a ſpeedy Proceeding againſt 'him: But, may it pleaſe your moſt ex-'cellent Majeſty, not only during the 'Time of our Examination of the Mat-'ters and Offences of the ſame Charge, 'we were diverſly interrupted and di-'verted by Meſſages procured, through 'Miſinformation from your Majeſty, which 'with moſt humble Duty and Reverence 'we did ever receive; whence it firſt fell 'out, that ſo not only much Time was 'ſpent amongſt us before the ſame Charge 'was perfected, but alſo within two 'Days next after the ſame Charge was 'tranſmitted by us to the Lords, upon 'untrue and malicious Miſinformations 'privately, and againſt the Priviledge of 'Parliaments, given to your Majeſty of 'certain Words ſuppoſed to have been 'ſpoken by Sir *Dudley Diggs* and Sir '*John Elliot*, Knts. two of the Members 'of our Houſe, in their Service of the 'tranſmitting of the ſaid Charge, both of 'them having been eſpecially employed 'in the Chairs of Committees with us, 'about the Examination of the ſaid Mat-'ters and Offences, they were both by 'your Majeſty's Command committed to 'cloſe Impriſonment in the *Tower* of *Lon-'don*, and their Lodgings preſently ſearch-'ed, and their Papers there found pre-'ſently taken away; by reaſon whereof 'not only our known Priviledges of Par-'liament were infringed, but we ourſelves, 'that upon full Hope of ſpeedy Courſe 'of Juſtice againſt the ſaid Duke, were 'preparing with all dutiful Affection to 'proceed to the Diſpatch of the Supply, 'and other Services to your Majeſty, were 'wholly, as the Courſe and Priviledge of 'Parliament binds us, diverted for diverſe 'Days, to the taking only into Conſi-'deration ſome Courſes for the ratifying 'and Preſervation of the Priviledges ſo 'infringed; and we think it our Duties, 'moſt gracious Sovereign, moſt rightly to 'inform hereby your moſt excellent Ma-'jeſty of the Courſe held in the Commit-'ment of the two Members: For where-'as by your Majeſty's Warrant to your 'Meſſengers for the arreſting of them, 'you were pleaſed to command that they 'ſhould repair to their Lodgings, and 'there take them, your Majeſty's Prin-'cipal Secretary, the Lord *Conway*, gave 'the ſaid Meſſengers (as they affirmed) 'an expreſs Command, contrary to the 'ſaid Warrants, that they ſhould not go 'to their Lodgings, but to the Houſe of 'Commons, and there take them; and if 'they found them not there, they ſhould

* *Mr.* Glanvile.

ſtay

'ſtay until they were come into the Houſe, 'and apprehend them whereſoever elſe 'they ſhould find them. Which, beſides 'that, is contrary to your Majeſty's Com-'mand, is an apparent Teſtimony of ſome 'miſchievous Intention there had againſt 'the whole Houſe of Commons, and a-'gainſt the Service intended to your Ma-'jeſty. All which, with the ſeveral In-'terruptions that preceded it, and the 'Miſinformation that hath cauſed all of 'them, we cannot doubt but they were 'wrought, and procured by the Duke, 'to his own Behoof, and for his Advan-'tage, eſpecially becauſe the ſaid Inter-'ruptions have, through Miſinformation, 'come amongſt us only at ſuch Times 'wherein we have had the Matters and 'Offences charged againſt him in Agita-'tion; but your Majeſty, out of your 'great Goodneſs and Juſtice, being after-'wards informed truly of our Priviledge, 'and the Demerit of the Cauſe that con-'cerned our ſaid two Members, graci-'ouſly commanded the Delivery of them 'out of the *Tower*, for which we render 'unto your Majeſty moſt humble Thanks, 'and were then again, by reaſon of our 'Hopes of the Diſpatch of Proceedings 'with the Lords, upon our Charge againſt 'him the ſaid Duke, in a chearful Pur-'poſe to go on with the Matter of Sup-'ply, and other Services to your Ma-'jeſty, when again theſe Hopes failed in 'us, by reaſon of ſome new Exorbitan-'cies now lately ſhewed in the Exerciſe 'of his ſo great Power and Ambition; 'for by ſuch his Power and Ambition, 'notwithſtanding our Declaration againſt 'him for his ſo great Plurality of Offi-'ces, he alſo procured to himſelf, by the 'Sollicitation of his Agents, and of ſuch 'as depended upon him, the Office of 'Chancellor of the Univerſity of *Cam-'bridge*; whereas the ſame Univerſity 'having two Burgeſſes in Parliament, did, 'by the ſame Burgeſſes, a few Weeks be-'fore, conſent with us in the Charge 'againſt him for his Ambition, for pro-'curing ſuch a Plurality of Offices; ſuch 'was his Ambition to ſue for it, ſuch was 'his Power to make them give it him, 'contrary to what themſelves had agreed 'in Parliament with all the Commons of '*England*. And he procured alſo the 'ſame Office by the ſpecial Labours and 'Endeavours (as we are informed) of a 'factious Party who adhered to that dan-'gerous Innovation of Religion publiſh-'ed the ſeditious Words of one *Richard 'Montague*, Clerk, of whom it is thence 'alſo, and heretofore upon other Reaſons 'it hath been conceived, that the ſaid 'Duke is, and long hath been an Abettor 'and Protector.

'THESE Actions of the ſaid Duke have 'thus, among us, hindered the Service of 'your Majeſty, by reaſon both of the 'Interruptions that have ſo neceſſarily 'accompanied them, and of the Preven-'tion of our Chearfulneſs, which other-'wiſe had long ſince been moſt effectual-'ly ſhewed in us, that having nothing 'elſe in our Cares, next to our Duty to 'God, but the loyal Service of your Ma-'jeſty, the Safety of your Kingdom, and 'the Subſiſtence of our ſelves, and thoſe 'whom we repreſent, for the Continu-'ance of that Service and Safety: Which 'we cannot hope for, and we beſeech 'your moſt Excellent Majeſty graciouſly 'to receive this our humble and free Pro-'teſtation, that we cannot hope for it 'ſo long as we thus ſuffer under the 'Preſſures of the Power and Ambition 'of the ſaid Duke, and the diverſe and 'falſe Informations ſo given to your Ma-'jeſty on his Behalf, and for his Advan-'tage; eſpecially when we obſerve alſo 'that in ſuch his Greatneſs he preventeth 'the giving of true Information to your 'Majeſty in all things that may any ways 'reflect on his own Miſdoings, to ſhew 'unto your Majeſty the true State of your 'Subjects and Kingdoms, otherwiſe than 'as it may be repreſented for his own 'Ends. And to that Purpoſe alſo hath 'he procured ſo many Perſons depending 'on him, either by Alliance or Advance-'ment to Places of Eminency near your 'ſacred Perſon. Through his Miſinforma-'tions of that kind alſo, and Power, we 'have ſeen, to our great Grief, both in 'the Time of your Majeſty's Royal Fa-'ther, of bleſſed Memory, and of your 'Majeſty, diverſe Officers of the King-'dom ſo often by him diſplaced and al-'tered, that within theſe few Years paſt, 'ſince the Beginning of his Greatneſs, 'more ſuch Diſplacings and Alterations 'have, by his means happened, than in 'many Years before them: Neither was 'there in the Time of your Royal Father, 'of bleſſed Memory, any ſuch Courſe 'held, before it was by the Practice of 'the ſaid Duke thus induced. And ſince 'that Time diverſe Officers of the Crown 'not only in this your Kingdom of *Eng-'land*, but alſo in *Ireland*, as they 'have been made Friends, or adverſe to 'the ſaid Duke, have been either ſo com-'mended, or miſrepreſented by him to 'his Sovereign, and by his Procurement 'ſo placed or diſplaced, that he hath al-'ways herein, as much as in him lay, 'made his own Ends and Advantage the 'Meaſure of the Good or Ill of your 'Majeſty's Kingdoms.

'BUT now at length, may it pleaſe your 'moſt Excellent Majeſty, we have re-'ceived from the Lords a Copy of the

ſaid

FOEDERA Tom. XVIII.

CHARLES I. Anno 1626.

'ſaid Duke's Anſwer to our Charge tranſ-
'mitted againſt him; whereunto we ſhall
'preſently in ſuch ſort reply, according
'to the Laws of Parliament, that unleſs
'his Power and Practice again undermine
'our Proceedings, we do not doubt but
'we ſhall upon the ſame have Judgment
'againſt him.

'IN the Times alſo, moſt Gracious So-
'vereign, of theſe Interruptions which
'came amongſt us, by reaſon of the Pro-
'curement of two of our Members com-
'mitted, a gracious Meſſage was former-
'ly received from your Majeſty, wherein
'you had been pleaſed to let us know, that
'if you had not a timely Supply, your
'Majeſty would betake yourſelf to *new*
'*Counſels*; which we cannot doubt were
'intended by your moſt Excellent Ma-
'jeſty to be ſuch as ſtood with Juſtice
'and the Laws of this Realm. But theſe
'Words *New Counſels*, were remembred
'in a Speech made amongſt us by one of
'your Majeſty's Privy Council, and late-
'ly a Member of us, who in the ſame
'Speech told us, he had often thought of
'thoſe Words *New Counſels*; that
'in his Conſideration of them, he remem-
'bred that there were ſuch kinds of Par-
'liaments anciently among other Nations
'as are now in *England*: That in *En-*
'*gland* he ſaw the Country People live
'in Happineſs and Plenty, but in theſe
'other Nations he ſaw them poor, both
'in Perſons and Habit, or to that
'Effect; which State and Condition hap-
'pened, as he ſaid, to them where ſuch
'*New Counſels* were taken, as that the
'Uſe of their Parliaments ended.

'THIS Intimation, may it pleaſe your
'Majeſty, was ſuch as alſo gave juſt Cauſe
'to fear there were ſome ill Miniſters near
'your Majeſty, that in Behalf of the ſaid
'Duke, and together with him who is ſo
'ſtrangely powerful, were ſo much againſt
'the Parliamentary Courſe of this King-
'dom, as they might perhaps adviſe your
'moſt Excellent Majeſty ſuch *New Coun-*
'*ſels* as theſe, that fell under the Memory
'and Conſideration of that Privy Coun-
'ſellor. And one eſpecial Reaſon among
'others hath encreaſed that Fear amongſt
'us; for that whereas the Subſidies of
'*Tonnage* and *Poundage*, which deter-
'mined upon the Death of your moſt
'Royal Father, our late Sovereign, and
'were never payable to any of your
'Majeſty's Anceſtors, but only by a
'ſpecial Act of Parliament, and ought
'not to be levied without ſuch an Act;
'yet ever ſince the Beginning of your
'Majeſty's happy Reign over us, the ſaid
'Subſidies have been levied by ſome of
'your Majeſty's Miniſters, as if they
'were ſtill due; although alſo one Par-
'liament hath been ſince then begun,
'and diſſolved by Procurement of the
'ſaid Duke, as is before ſhewed, wherein
'no Act paſſed for the ſame Subſidies.
'Which Example is ſo much againſt the
'conſtant Uſe of former Times, and the
'known Right and Liberty of your Sub-
'jects, that it is an apparent Effect of
'ſome *New Counſels* given againſt the
'ancient ſettled Courſe of Government
'of this your Majeſty's Kingdom, and
'chiefly againſt the Right of your *Com-*
'*mons*, as if there might be any Subſidy,
'Tax, or Aid levied upon them without
'their Conſent in Parliament, or contrary
'to the ſettled Laws of this Kingdom.
'But if any ſuch do ſo ill an Office, as by
'the Miſrepreſentation of the State and
'Right of your Majeſty's loyal Subjects,
'adviſe any ſuch *New Counſels* as the
'levying any Aid, Tax, or Subſidy,
'among your People, contrary to the ſet-
'tled Laws of your Kingdom, we can-
'not, moſt Gracious Sovereign, but
'eſteem them that ſhall ſo adviſe, not
'only as Vipers, but Peſts to their King
'and Commonwealth (as all ſuch were to
'both Houſes of Parliament expreſly
'ſtiled by your moſt Royal Father)
'but alſo capital Enemies, as well to
'your Crown and Dignity, as to the
'Commonwealth. And we ſhall for our
'Parts in Parliament ſhew, as Occaſion
'ſhall require, and be ready to declare
'their Offences of this kind, ſuch as that
'may be rewarded with the higheſt Pu-
'niſhment as your Laws inflict on any
'Offenders.

'THESE, and ſome of theſe Things,
'amongſt many other, moſt Gracious So-
'vereign, are thoſe which have ſo much
'prevented a right Underſtanding between
'your Majeſty and us, and which have
'poſſeſſed the Hearts of your People and
'loyal Commons with unſpeakable Sor-
'row and Grief, finding apparently all
'humble and hearty Endeavours miſin-
'terpreted, hindered, and now at laſt
'almoſt fruſtrated utterly, by the Inter-
'poſition of the exceſſive and abuſive Pow-
'er of one Man; againſt whom we have
'juſt Cauſe to proteſt, not only in regard
'of the Particulars wherewith he hath been
'charged, which in a Parliamentary Way
'we are forc'd to inſiſt upon, as Matters
'which lie in our Notice and Proof, but
'alſo becauſe we apprehend him of ſo
'unbridled Ambition, and ſo averſe
'to the Good and Tranquillity of the
'Church and State, that we verily be-
'lieve him to be an Enemy to both. And
'therefore unleſs we would betray our
'own Duties to your Majeſty and thoſe
'from whom we are truſted, we cannot
'but expreſs our infinite Grief, that he
'ſhould have ſo great Power and Intereſt
'in your Princely Affections, and under

'your

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'your Majeſty wholly in a manner to engroſs to himſelf the Adminiſtration of the Affairs of your Kingdom.

'GIVE us then leave, moſt Dear Sovereign, in the Name of all your Commons of this your Kingdom, proſtrate at the Feet of your moſt Sacred Majeſty, moſt humbly to beſeech you, even for the Honour of Almighty God, whoſe Religion is directly undermined by the Practice of that Party whom this Duke ſupports; for your Honour, which will be much advanced in the relieving of your People in this their great and general Grievance; for the Honour, Safety and Welfare of your Kingdom, which by this Means is threaten'd with almoſt unavoidable Dangers; and for the Love which your Majeſty, as a good and loving Father, bears unto your good People, by whom we profeſs, in the Preſence of Almighty God, the Searcher of all Hearts, you are as highly eſteem'd and belov'd as ever any of your Predeceſſors were, that you would be graciouſly pleaſed to remove this Perſon from Acceſs to your Sacred Preſence, and that you would not balance this one Man with all theſe Things, and with the Affairs of the Chriſtian World, which do all ſuffer as far as they have relation to this Kingdom, chiefly by his Means. For we proteſt to your Majeſty, and to the whole World, that until this great Perſon be removed from intermedling with the great Affairs of State, we are out of hope of any good Succeſs; and do fear that any Money we ſhall or can give, will, through his Miſemployment, be turned rather to the Hurt and Prejudice of this your Kingdom, than otherwiſe, as by lamentable Experience we have found, in thoſe large Supplies we have formerly and lately given.

'BUT no ſooner ſhall we receive Redreſs and Relief in this (which of all others is our moſt inſupportable Grievance) but we ſhall forthwith proceed to accompliſh your Majeſty's own Deſire, for Supply, and likewiſe with all Chearfulneſs apply ourſelves to the perfecting of diverſe other great Things, ſuch as we think no one Parliament in one Age can parallel, tending to the Stability, Wealth, and Strength, and Honour of this your Kingdom, and the Support of your Friends and Allies abroad: And we doubt not but, through God's Bleſſing, as you are the beſt, ſo ſhall you ever be the beſt beloved, and greateſt Monarch that ever ſat on the Royal Throne of this famous Kingdom.'

CHARLES I. *Anno* 1626.

In order to enable the impartial Reader to form a clearer Notion of the Springs and Cauſes of the Diviſions between the King and the Parliament *through the* whole Courſe of this Reign, as we have inſerted the Remonſtrance of the Commons, 'tis neceſſary that he ſhould likewiſe ſee the following Paper, which was publiſhed by his Majeſty's Order, bearing Date at *Whitehall* the 30th of *June* †, to take off the Diſcontents and Murmurs of the People.

The King's Declaration. Of the Cauſes of aſſembling and diſſolving the two laſt Parliaments.

'THE King's moſt excellent Majeſty, 'ſince his happy Acceſs to the Imperial 'Crown of this Realm, having by his 'Royal Authority, ſummon'd and aſſem-'bled two ſeveral Parliaments; the Firſt 'whereof was in *Auguſt* laſt by Ad-'journment held at *Oxford*, and there 'diſſolved; and the other begun in *Fe-'bruary* laſt, and continued 'till the 15th 'Day of this preſent Month of *June*, 'and then, to the unſpeakable Grief of 'himſelf and (as he believeth) of all his 'good and well affected Subjects, diſſol-'ved alſo: Although he well knoweth 'that the Calling, Adjourning, Proro-'guing, and Diſſolving of Parliaments, be-'ing his Great Council of the Kingdom, 'do peculiarly belong unto himſelf by 'an undoubted Prerogative inſeparably 'united to his Imperial Crown; of which, 'as of his other Royal Actions, he is not 'bound to give an Account to any but 'God only, whoſe immediate Lieutenant 'and Vicegerent he is in theſe Realms 'and Dominions by the Divine Providence 'committed to his Charge and Govern-'ment: Yet foraſmuch as by the Aſſiſ-'tance of the Almighty, his Purpoſe is 'ſo to order himſelf and all his Actions, 'eſpecially in the great and publick Acti-'ons of State concerning the Weal of 'his Kingdoms, as may juſtify themſelves 'not only to his own Conſcience, and to 'his own People, but to the whole World; 'his Majeſty hath thought it fit and ne-'ceſſary, as the Affairs now ſtand both at 'Home and Abroad, to make a true, 'plain, and clear Declaration of the 'Cauſes which moved his Majeſty to aſ-'ſemble, and after enforced him to diſſolve 'theſe Parliaments, that ſo the Mouth of 'Malice itſelf may be ſtopped, and the 'Doubts and Fears of his own good Sub-'jects at home, and of his Friends and 'Allies abroad, may be ſatisfy'd, and the 'deſerved Blame of ſo unhappy Accidents 'may juſtly light upon the Authors there-'of.

'WHEN his Majeſty, by the Death of his Dear and Royal Father, of ever

† Mr. *Rapin*, or his Printer, has, by Inadvertence, dated this Piece the 13th of *June*, both at the Beginning and the End of it, and his Copy of it is very imperfect.

Fœdera Tom. XVIII.

CHARLES I. Anno 1626.

'Blessed Memory, first came to the Crown, he found himself engaged in a War with a potent Enemy not undertaken rashly, nor without just and honourable Grounds, but enforced for the necessary Defence of himself and his Dominions, for the Support of his Friends and Allies, for the redeeming of the ancient Honour of this Nation, for the recovering of the Patrimony of his Dear Sister, her Consort and their Children, injuriously and under Colour of Treaties and Friendship taken from them, and for the Maintenance of the true Religion, and invited thereunto, and encouraged therein by the humble Advice of both the Houses of Parliament, and by their large Promises and Protestations to his late Majesty, to give him full and real Assistance in those Enterprises which were of so great Importance to this Realm, and to the General Peace and Safety of all his Friends and Allies: But when his Majesty enter'd into a View of his Treasure, he found how ill provided he was to proceed effectually with so great an Action, unless he might be assured to receive such Supplies from his loving Subjects as might enable him to manage the same.

'Hereupon his Majesty being willing to tread in the Steps of his Royal Progenitors, for the making of good and wholesome Laws for the better Government of his People, for the right understanding their true Grievances, and for the Supply of Monies to be employ'd for those publick Services, he did resolve to summon a Parliament with all convenient Speed he might; and finding a former Parliament already called in the Life of his Father, he was desirous, for the speedier Dispatch of his weighty Affairs, and gaining of Time, to have continued the same without any Alteration of the Members thereof, had he not been advised to the contrary by his Judges and Council at Law; for that it had been subject to Question in Law, which he desired to avoid. But as soon as possibly he could, he summoned a new Parliament, which he did with much Confidence and Assurance of the Love of his People, that those (who not long before had with some Importunity won his Father to break off his former Treaties with *Spain*, and to effect it, had used the Mediation of his now Majesty, being then Prince, and a Member of the Parliament, and had promised in Parliament their uttermost Assistance for the enabling his late Majesty to undergo the War which they then foresaw might follow) would assuredly have performed it to his now Majesty, and would not have suffer'd him in his first Enterprize of so great an Expectation to have run the least Hazard through their Defaults.

'This Parliament (after some Adjournment, by reason of his Majesty's unavoidable Occasions interposing) being assembled on the 18th Day of *June*, it is true that his Commons in Parliament taking into their due and serious Consideration the manifold Occasions which at his first Entry did press his Majesty, and his most important Affairs which both at Home and Abroad were then in Action, did, with great Readiness and Alacrity, as a Pledge of their most bounden Duty and Thankfulness, and as the First-Fruits of the most dutiful Affections of his Loving and Loyal Subjects, devoted to his Service, present his Majesty with the free and chearful Gift of two entire Subsidies; which their Gift, and much more the Freeness and Heartiness expressed in the giving thereof, his Majesty did thankfully and lovingly accept. But when he had more narrowly enter'd into the Consideration of his great Affairs, wherein he was embarked, and from which he could not, without much Dishonour and Disadvantage, withdraw his Hand, he found that this Sum of Money was much short of that which must of Necessity be presently expended, for the setting forward of those great Actions which, by Advice of his Council, he had undertaken, and were that Summer to be pursued. This his Majesty imparted to his Commons House of Parliament; but before the same could receive that Debate and due Consideration which was fit, the fearful Visitation of the Plague in and about the Cities of *London* and *Westminster*, where the Lords and the principal Gentlemen of Quality of his whole Kingdom were, for the Time of this their Service, lodged and abiding, did so much encrease, that his Majesty, without extreme Peril to the Lives of his good Subjects, which were dear unto him, could not continue the Parliament any longer in that Place.

'His Majesty therefore, on the 11th Day of *July* then following, adjourned the Parliament from *Westminster* until the first Day of *August* then following, at the City of *Oxford*. And his Highness was so careful to accommodate his Lords and Commons there, that as he made choice of that Place, being then the freest of all others from the Danger of that grievous Sickness, so he there fitted the Parliament Men with all Things convenient for their Entertainment: And his Majesty himself being in his own Heart sincere and free from all Ends upon his People, which the Searcher of Hearts best knoweth, he

'little

'little expected that any Misconstruction 'of his Actions would have been made, 'as he there found. But when the Parliament had been a while assembled, and 'his Majesty's Affairs open'd unto them, 'and a farther Supply desired, as Necessity requir'd, he found them so slow, and 'so full of Delays and Diversions in their 'Resolutions, that before any thing could 'be determined, the fearful Contagion 'daily encreased, and was dispersed into 'all Parts of this Kingdom, and came 'Home even to their Doors where they 'assembled. His Majesty therefore rather 'preferred the Safety of his People from 'that present and visible Danger, than the 'providing for that which was more remote, but no less dangerous to the State 'of this Kingdom, and of the Affairs of 'that Part of Christendom which then 'were, and yet are, in Friendship and Alliance with his Majesty. And thereupon 'his Majesty, not being then able to discern 'when it might please God to stay his 'Hand of Visitation, nor what Place might 'be more secure than other, at a time convenient for their reassembling, his Majesty dissolv'd that Parliament.

'THAT Parliament being now ended, his 'Majesty did not therewith cast off his 'Royal Care of his great and important 'Affairs; but, by the Advice of his Privy-Council, and of his Council of War, 'he continued his Preparations and former 'Resolutions; and therein not only expended those Monies which by the two 'Subsidies aforesaid were given unto him 'for his own private Use, whereof he had 'too much Occasion, as he found the State 'of his Exchequer at his first Entrance, 'but added much more of his own, as 'by his Credit and the Credit of some of 'his Servants, he was able to compass the 'same. At last by much Disadvantage, 'by the retarding of Provisions and Uncertainty of the Means, his Navy was 'prepared and set to Sea, and the Designs 'unto which they were sent, and especially directed, were so probable, and so 'well advised, that had they not miscarried in the Execution, his Majesty is well 'assured they would have given good 'Satisfaction, not only to his own People, 'but to all the World, that they were not 'lightly and unadvisedly undertaken and 'pursued. But it pleased God, who is 'the Lord of Hosts, and unto whose Providence and good Pleasure his Majesty 'doth, and shall submit himself and all 'his Endeavours, not to give that Success 'which was desired: And yet were those 'Attempts not altogether so fruitless as the 'Envy of the Times hath apprehended, 'the Enemy receiving thereby no small 'Loss, nor our Party no little Advantage.

'And it would much avail to further his 'Majesty's great Affairs, and the Peace 'of Christendom, which ought to be the 'true End of all Hostility, were these 'first Beginnings, which are most subject 'to miscarry, well seconded and pursued, 'as his Majesty intended, and as in the 'Judgment of all Men, conversant in 'Actions of this Nature, were fit not to 'have been neglected.

'THESE things being thus acted, and 'God of his infinite Goodness, beyond 'Expectation, asswaging the Rage of the 'Pestilence, and, in a manner, of a sudden 'restoring Health and Safety to the Citizens of *London* and *Westminster*, which 'are the fittest Places for the Resort of his 'Majesty, his Lords and Commons to 'meet in Parliament; his Majesty, in the 'Depth of Winter, no sooner descried 'the Probability of a safe assembling of 'his People, and in his Princely Wisdom 'and Providence foresaw, that if the Opportunity of Seasons should be omitted, 'Preparations both offensive and defensive 'could not be made in such sort as was 'requisite for their common Safety, but 'he advised and resolved on the Summoning of a new Parliament, where he 'might freely communicate the Necessities of the State, and by the Counsel and 'Advice of the Lords and Commons 'in Parliament, who were the representative Body of the whole Kingdom, 'and the great Council of the Realm, 'might proceed in these Enterprises, and 'be enabled thereunto, which concern the 'common Good, Safety and Honour both 'of Prince and People; and accordingly, on the 6th of *February* last, a new 'Parliament was begun. At the first 'Meeting, his Majesty did forbear to press 'them with any thing which might have 'the least appearance of his own Interest, 'but recommended unto them the Care of 'making good Laws, which are the ordinary Subject for a Parliament.

'HIS Majesty believing that they could 'not have suffer'd many Days, much less 'many Weeks, to have passed by, before 'the Apprehension and Care of the common Safety of this Kingdom, and the 'true Religion professed and maintained 'therein, and of our Friends and Allies, 'who must prosper or suffer with us, 'would have led them to a due and timely Consideration of all the Means which 'might best conduce to those Ends; which 'the Lords of the Higher House, by a 'Committee of that House, did timely and 'seasonably consider of, and invited the 'Commons to a Conference concerning 'that great Business: At which Conference there were open'd unto them the 'great Occasions that pressed his Majesty;

'which

'which making no Impreſſion with them, 'his Majeſty did firſt by Meſſage, and 'after by Letters, put the Houſe of Commons in mind of that which was moſt 'neceſſary, the Defence of the Kingdom, 'and due and timely Preparations for the 'ſame.

'THE Commons Houſe after this, upon 'the 27th of *March* laſt, with one unanimous Conſent, at firſt agreed to give unto 'his Majeſty three entire Subſidies, and 'three Fifteens for a preſent Supply 'unto him; and upon the 26th of *April* 'after, upon ſecond Cogitations, they 'added a fourth Subſidy, and ordered 'the Days of Payment for them all, where-'of the firſt ſhould have been on the laſt 'Day of this preſent *June*. Upon this 'the King of *Denmark* and other Princes and States being engaged with his 'Majeſty in this common Cauſe, his 'Majeſty fitted his Occaſions according to 'the Times which were appointed for the 'Payment of thoſe Subſidies and Fifteens, 'and haſten'd on the Lords Committees 'and his Council of War, to perfect their 'Reſolutions for the ordering and ſettling 'of his Deſigns; which they accordingly 'did, and brought them to that Maturity, 'that they found no Impediment to a final Concluſion of their Councils, but 'want of Money to put Things into Action. His Majeſty hereupon, who had 'with much Patience expected the real 'Performance of that which the Commons had promiſed, finding the Time 'of the Year poſting away, and having 'Intelligence not only from his own Miniſters and Subjects in Foreign Parts, but 'from all Parts of *Chriſtendom*, of 'the great and powerful Preparations of 'the King of *Spain*, and that his Deſign 'was upon this Kingdom, or the Kingdom 'of *Ireland*, or both (and it is hard to determine which of them would be of worſe 'Conſequence) he acquainted the Houſe 'of Commons therewith, and laid open 'unto them truly and clearly how the 'State of Things then ſtood, and yet ſtand, 'and at ſeveral Times, and upon ſeveral 'Occaſions reiterated the ſame. But that 'Houſe being abuſed by the violent and ill adviſed Paſſions of a few 'Members of the Houſe, for private 'and perſonal Ends, ill beſeeming publick Perſons, truſted by their Country, 'as then they were, not only neglected, 'but wilfully refuſed to hearken to all 'the gentle Admonitions which his Majeſty could give them, and neither did, nor 'would intend any thing but the Proſecution of one of the Peers of this Realm, 'and that in ſuch a diſorder'd Manner, as 'being ſet at their own Inſtance into a 'legal Way, wherein the Proofs on either 'Part would have ruled the Cauſe, which 'his Majeſty allowed, they were not therewith content, but in their intemperate 'Paſſions and Deſires to ſeek for Errors 'in another, fell into a greater Error themſelves, and not only neglected to give 'juſt Satisfaction to his Majeſty in ſeveral 'Caſes which happen'd concerning his 'Regality, but wholly forgot their Engagements to his Majeſty for the publick 'Defence of the Realm: Whereupon his 'Majeſty wrote the ('foremention'd) 'Letter to the Speaker, dated the 9th Day 'of *June*, 1626.

'NOTWITHSTANDING which Letter read 'in the Houſe, being a clear and gracious 'Manifeſt of his Majeſty's Reſolutions, they 'never ſo much as admitted one Reading 'to the Bill of Subſidies, but inſtead 'thereof they prepared and voted a Remonſtrance or Declaration, which they 'intended to prefer to his Majeſty, containing, though palliated with gloſſing 'Terms, as well many diſhonourable Aſperſions upon his Majeſty, and upon the 'ſacred Memory of his deceaſed Father, 'as alſo dilatory Excuſes for their not proceeding with the Subſidies, adding thereto alſo coloured Conditions, croſſing 'thereby his Majeſtys Direction; which 'his Majeſty underſtanding, and eſteeming (as he had Cauſe) to be a Denial of 'the promiſed Supply, and finding that 'no Admonitions could move, no Reaſons 'or Perſuaſions could prevail, when the 'Time was ſo far ſpent that they had put 'an Impoſſibility upon themſelves to perform their Promiſes, when they eſteemed all gracious Meſſages to them to be 'but Interruptions; his Majeſty upon 'mature Adviſement, diſcerning that all 'farther Patience would prove fruitleſs, 'on the 15th Day of this preſent Month 'he hath diſſolved this unhappy Parliament; the acting whereof, as it was to 'his Majeſty an unexpreſſible Grief, ſo 'the Memory thereof doth renew the 'hearty Sorrow which all his good and 'well affected Subjects will compaſſionate 'with him.

'THESE Paſſages his Majeſty hath at the 'more Length, and with the true Circumſtances thereof, expreſſed and publiſhed to the 'World, leſt that which has been unfortunate in itſelf, through the Malice of 'the Author of ſo great a Miſchief, and 'the malevolent Report of ſuch as are 'ill-affected to this State, or the true Religion here profeſſed, or the Fears or Jealouſies of Friends and Dutiful Subjects, 'might be made more unfortunate in the 'Conſeqences of it, which may be of worſe 'Effect than at the firſt can be well apprehended; and his Majeſty being beſt 'privy to the Integrity of his own Heart 'for the conſtant maintaining of the Sincerity and Unity of the true Religion

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CHARLES I. Anno 1626.

'professed in the Church of *England*, and to free it from the open Contagion of Popery and secret Infection of Schism, of both which, by his publick Acts and Actions he hath given good Testimony, and with a single Heart, as in the Presence of God, who can best judge thereof, purposeth resolutely and constantly to proceed in the due Execution of either; and observing the Subtilty of the adverse Party, he cannot but believe that the Hand of *Joab* hath been in this Disaster, that the common Incendiaries of *Christendom* have subtilly and secretly insinuated those things, which unhappily, and, as his Majesty hopeth, beyond the Intentions of the Actors, have caused these Diversions and Distractions: And yet notwithstanding his most excellent Majesty, for the Comfort of his good and well-affected Subjects, in whose Loves he doth repose himself with Confidence, and esteemeth it as his greatest Riches; for the assuring of his Friends and Allies, with whom, by God's Assistance he will not break in the Substance of what he hath undertaken; for the discovering of his Adversaries, and the Adversaries of his Cause, and of his Dominions, and Religion, hath put on this Resolution, which he doth hereby publish to all the World, That as God hath made him King of this Great People and large Dominions, famous in former Ages both by Land and Sea, and trusted him to be a Father and Protector both of their Persons and Fortunes, and a Defender of the Faith, and true Religion, so he will go on chearfully and constantly in the Defence thereof, and notwithstanding so many Difficulties and Discouragements, will take his Sceptre and Sword into his Hands, and not expose the Persons of the People committed to his Charge, to the unsatiable Desires of the King of *Spain*, who hath long thirsted after an universal Monarchy, nor their Consciences to the Yoke of the Pope of *Rome*; and that at home he will take that Care to redress the Grievances of his good Subjects, as shall be every way fit for a good King.

'And in the mean time his Majesty doth publish this to all his loving Subjects, that they may know what to think with Truth, and speak with Duty of his Majesty's Actions and Proceedings in these two last dissolved Parliaments.

Proclamations against the Remonstrance and Arminianism.

A few Days after the publishing of the Declaration two Proclamations were published, one for burning all Copies of the Remonstrance that could be found, and another against disputing or preaching on the controverted Points of *Arminianism*: Mean while an Information in the *Star-Chamber* was preferred by the King's special Command against the Duke of *Buckingham*, for the Matters contained in the Articles of Impeachment; to which the Duke put in his Answer, and Witnesses were examined, but the Cause came not to a Hearing.

The King's Shifts to raise Money.

The King being at this time in great straits for Money, had recourse to several Expedients to raise it, of which we shall just mention these Three:

1. A Loan from every Peer. The Reader will meet with an ample Account of this Article, when we come to the several Acts of this Tome which relate to the History.

2. An Imposition upon the several Ports and maritime Counties, to furnish and set out a certain Number of Ships to protect the Trade. The City of *London* having refused to lend the King Money, was appointed to equip twenty Ships, or at least to procure a sufficient Sum for it. As this was a Tax peculiar to the Sea-Coast Towns, many of the Inhabitants withdrew elsewhere, but they were commanded by Proclamation to return to their respective Towns.

3. The Council strictly ordered the Payment of Tonage and Poundage to be continued, though the King had yet no Grant of it from the Parliament, though he had never desired it of them, and tho' the Commons in their Remonstrance had complained of it as a Grievance.

Proclamation for a Fast.

And to make the People believe that it was pure Necessity which put the King upon those extraordinary Methods to raise Money, his Majesty order'd a Fast in *London*, &c. on the 5th of *July*, and another throughout the Kingdom, on the 2d of *August*, to divert the Judgments of God ready to fall on the Kingdom by the threatned Invasion. This also afforded him a Pretence to require the Lords Lieutenants of the several Counties to muster and arm the Militia, and put them in a Condition to withstand the Invasion of Enemies from abroad, and quell the Rebellions of the Subjects at home, if any should happen; for the Court was under some Fears of Commotions.

Anno 1627.

As we enter this Year it will not be amiss to take notice of the present State of the King's Affairs at home and abroad.

State of Affairs.

The ill Success of the War which the King had undertaken for the Recovery of the Palatinate, and of the Expedition against *Cadiz* and the *Spanish* Plate-Fleet, Count *Tilly*'s Defeat of the King of *Denmark*, who had taken up Arms in behalf of the Elector Palatine and the Protestant Princes of *Germany*, notwithstanding the Aid of six thousand Men sent from *England*; the weak Condition of the united Provinces of the Low Countries that were in Alliance with *England*, and the Backwardness of *Lewis* XIII of *France*, after he had made a Peace with the *Spaniards*

ards in *Italy*, to join in a League with *England* for the Recovery of the Palatinate, are mentioned by *Rapin* as ſome of the Obſtructions to the Project which the King and his Miniſters had formed for eſtabliſhing Arbitrary Power; and to theſe he adds the Contempt that he had incurred from his Neighbours, as well as the Hatred of his People, by his Diſſolution of his two firſt Parliaments without obtaining the Aids he expected; and the Difficulty he was under with reſpect to the Loan-money, which came in ſo ſlowly that there was a Neceſſity of uſing Violence to raiſe it, and withal to temper that Violence in ſuch a manner that it might not cauſe a general Rebellion. 'At 'the ſame time, ſays another Author, 'the *Sound* was in danger of being loſt 'by the Defeat of Count *Tilly*, the *En-* 'gliſh Garriſon at *Stroade**, or *Stoadt*, 'about twenty Miles from *Hamburgh*, 'on the other Side the *Elbe*, was ſtraitly 'beſieged, and our Eaſt-Land Trade and 'Staple at *Hamburgh* were almoſt given 'up for gone.

NEVERTHELESS, it appears from *Whitlock* that about this time the Earl of *Denbigh* had one hundred Sail of Ships under his Command in our Seas, but had no Commiſſion to fight, and ſuffered diverſe *Engliſh* Veſſels to be taken away by our Enemies in his View, without Reſcue by their Countrymen; and ſeveral Ships taken for Prize being brought before him as Admiral, almoſt all of them were by him adjudged to be no Prize, and ſo releaſed.

IT being the Intereſt of the King's Favourite and Miniſters to keep him at Variance with his People, to whom they were all very odious, they could not do it better than by putting him under an indiſpenſible Neceſſity of raiſing Money upon the Subject without Conſent of Parliament. Conſequently, inſtead of perſwading the King to make Peace with *Spain*, they engaged him in a War againſt *France*, at a Juncture when he knew not how to continue that which he had begun with the Houſe of *Auſtria*.

War entered into with France.

Cauſes of it.

VARIOUS were the Cauſes or Pretences alledged for this War, which it will not be amiſs to mention.

DISTASTES and Jealouſies were raiſed about the Government of the Queen's Family; wherein the King held himſelf traduced by ſome of the *French* Servants, who ſaid, *That the King being a Heretick had nothing to do with them.* The Queen inſiſted upon it as part of the Articles of Marriage, *That ſhe ſhould name all her Servants*, and ſome Unkindneſs aroſe upon it. The King was alſo offended, that her Prieſts *made the Queen walk to* Tyburn *on Penance.* Upon theſe Paſſages the King diſmiſſed and ſent back to *France* all her Chaplains and Domeſticks, to the Number of one hundred and twenty, having firſt paid them their Wages or Salaries: And though he made an Apology for it to the King of *France* (by Lord *Carlton*, whom he diſpatched thither for that Purpoſe) the latter highly reſented it, as a manifeſt Breach of the Marriage-Treaty; but, however, he did nothing that might make it be thought he intended to be revenged by way of Arms. At the ſame time there was an Abbot here in Diſfavour with Cardinal *Richlieu*, who, to put an Affront upon the Cardinal, fomented a War; and Mr. *Walter Montagu* is ſaid to have furthered it, on pretence of ſupporting the *Hugonots* in *France*, who were then oppreſſed and threatened with utter Deſtruction.

ANOTHER Cauſe which is aſſigned by Lord *Clarendon*, was the Pride of the Duke of *Buckingham*, who being ſent to *Paris* to conduct the Queen to *England*, fell in Love with *Anne* of *Auſtria*, Wife to *Lewis* XIII, and had the Confidence to let her know his Paſſion. It is ſaid the Court of *France* threatened him with a Puniſhment adequate to his Preſumption, and refuſed to let him ſee the Queen any more, but that he ſwore he would ſee her in ſpite of them; to which Oath is aſcribed the Reſolution he made the King his Maſter take to enter into a War againſt *France*, in hopes it would give him an Opportunity to perform what he had ſworn.

A MORE modern Author tells us, that the Duke of *Buckingham* having a paſſionate Deſire to renew his Viſit to Q. *Anne* of *Auſtria*, got the Queen of *England* to write to the *French* Court, that as he had obtained Leave for her to return to *France*, he might alſo have Leave to accompany her thither, on pretence of compoſing the Difference between the two Crowns by Treaty; and that being denied this Requeſt, he, in Revenge, put King *Charles* upon this War.

THE Grounds of the War, as they were declared by the King to his Council, after it was reſolved upon, were theſe, *viz.* *The King's Declaration thereof to his Council.*

I. That the Houſe of *Auſtria* had ſuch an Influence upon the Council of *France*, as to prevail with them to obſtruct the Landing of Count *Mansfeld*'s Army, contrary to Promiſe, with whom the *French* ſhould have joined Forces for the Relief of the Palatinate; which Failure of Performance in them proved the Ruin of their Army.

II. THAT having by his Mediation prevailed for a Peace between the *French* King and his Proteſtant Subjects, and engaged his Word that the Proteſtants ſhould obſerve the Articles of Agreement; ne-

* In the Month of *May* Sir *Charles Morgan*, who had defended this Place with the utmoſt Bravery and Reſolution, ſurrendered it to the *Imperialiſts* upon honourable Terms.

vertheleſs

FOEDERA Tom. XVIII. vertheleſs the King of *France*, contrary to the ſaid Articles, blocked up their Towns, Garriſons, and Forts, and had committed many Spoils upon them, whereas they had done nothing on their Part in Violation of the Edict of Peace.

III. THAT the King of *France* had committed an Example of great Injuſtice in full Peace, to ſeize upon 120 *Engliſh* Ships, with all their Merchandize and Artillery.

Remarks on it. MR. *Rapin* has made ſome curſory Obſervations upon each of theſe, which are worth attending to.

As to the *Firſt*, having ſhewn in the Reign of King *James* that the Council of *England* was to blame for depending on a general Promiſe, as much as on a Treaty, he obſerves it was ſomewhat of the lateſt for the King to think of revenging this pretended Affront, after he had ſo long put it up by marrying the *French* King's Siſter.

As to the *Second* Cauſe, though he owns it was the Intereſt of *England* to ſupport the *Hugonots* in *France*, who were unjuſtly oppreſſed, he queſtions, By what Law is a Prince, who makes a Peace between two Enemies, but is not Guarantee for Performance of Articles on both ſides, empowered to go to War with either of the Parties that breaks it?

AND as to the *Third* he obſerves, that the King does not take the leaſt Notice that the *French* acted only by way of Repriſal, and that the *Engliſh* were the Aggreſſors, as the Parliament had complained to the King himſelf.

Duke of Buckingham's Expedition to Rochel. WHATEVER were the real, or pretended Cauſes of the War, a Fleet conſiſting of above an hundred Ships (whereof only ten were Men of War) which had been equipping ever ſince *April* for ſome very ſecret Expedition, ſailed from *Portſmouth* the 27th of *June* with ſeven thouſand Soldiers on Board, and on the 20th of *July* appeared before *Rochel*, under the Conduct of the Duke of *Buckingham*, who was appointed Admiral and Commander in Chief. At his Approach, the *Rochellers* having no Notice before-hand of the coming of an *Engliſh* Fleet, ſhut their Gates for fear of a Surprize. Upon this the Duke ſent Sir *William Beecher* on Shore, accompanied by the Duke of *Soubize*, and furniſhed with Credentials from his Majeſty of *Great-Britain*: With ſome Difficulty they were admitted into the Town, and the Magiſtrates, for their more ſolemn Reception, called an Aſſembly, in which Sir *William Beecher* ſpoke to this Effect; 'That the Duke of '*Buckingham* was come with a great 'Fleet and Army to their Aſſiſtance, 'which his Royal Maſter had ſent out of 'a fellow-feeling of their Sufferings, to 'require from the King of *France* a Per- 'formance of the late Articles of Peace 'made by the King of *England*'s Medi- 'ation, on Behalf of the Proteſtants in '*France*; and that if they ſhould now 'refuſe to accept the Deliverance offered 'to them, he muſt proteſt before God and 'Man, in the Name of the King his Maſ- 'ter, that his ſaid Maſter was fully clear- 'ed of his Engagements upon Honour 'and Conſcience for their Relief.

Rochellers fearful to admit the Engliſh;

yet call an Aſſembly to hear Sir William Beecher's Meſſage.

THIS Declaration was ſeconded by the earneſt Sollicitations of their Friend and Countryman the Duke of *Soubize*: But the Magiſtrates and chief Inhabitants were poſſeſſed with ſuch a Fear of the King of *France*, whoſe Army was then upon a March againſt them, and were many of them ſo influenced by a Court-Party in the Town, that they dared to give no better Anſwer than this of Sufferance and Forbearance. The Mayor, who ſpoke in the Name of the Inhabitants, ſaid, 'That 'they rendered all humble and hearty 'Thanks to his Majeſty of *Great-Britain* 'for the Care he had of them, and to the 'Duke for his Forwardneſs and Readineſs 'to do his beſt Service for their Good. 'But they were bound by Oath of Union 'to do nothing without the common Con- 'ſent of the reſt of their Proteſtant Bre- 'thren in *France*: And therefore they 'muſt pray the King of *Great-Britain* 'to excuſe them in deferring the Con- 'junction of their Forces 'till they had 'ſent to the reſt of the Proteſtant Towns 'who were of the Union with them. 'And in the mean time their Prayers and 'Vows ſhould be for the happy Pro- 'greſs of ſuch Actions as the Fleet and 'Army ſhould undertake.'

The Rochellers ſtill timorous.

The Mayor's Speech.

BEFORE the Duke of *Soubize* went from the *Engliſh* Fleet to the Town, the Duke of *Buckingham* acquainted him, that as he thought it would be no eaſy matter to get his Forces into *Rochel*, he intended to make a Deſcent at the Iſle of *Oleron*, which *Soubize* approved of, the *French* Forces in that Iſland being few, and the Forts weakly mann'd and victualled, diſſwading him at the ſame time from any Thoughts of landing upon the Iſle of *Rhee*, becauſe it was farther diſtant from *Rochel*, and furniſhed with a conſiderable Force of Horſe and Foot, with a Citadel well fortified, and other Advantages for Offence and Defence.

BUT the Admiral not ſtaying for the Return of *Soubize* from *Rochel*, alter'd his Reſolution, and directed his Courſe to the Iſle of *Rhee*, where, on the 30th of *July*, he made near the Shore, and next Day order'd a Squadron of twelve Ships to lie before the Mouth of Port *Brelen*, falling down with the beſt of the Fleet to the Fort *de la Prié*, which they cannonaded, ſtill making their Approaches nearer to the Land.

Duke of Buckingham's Deſcent on the Iſle of Rhee.

Toiras,

FOEDERA Tom. XVIII.

Toiras, Governor of the Iſle, being ſufficiently alarmed, marched out from the Citadel of St. *Martin* with all the Strength he could draw together to prevent the *Engliſh* from Landing. But under the Cover of their own Cannon, the braveſt of the *Engliſh* Officers, Sir *John Boroughs*, Sir *Alexander Bret*, Sir *Charles Rich* (with the *French* Proteſtant M. *St. Blanchard*) went firſt aſhore on the 1ſt of *Auguſt*, being ſoon followed and ſupported by twelve hundred Men. The Enemy being one thouſand Horſe and Foot, beſides about two hundred Voluntiers, immediately advanced up to the *Engliſh*, and a very warm Encounter enſued, wherein were ſlain Sir *William Heyden*, and ſeveral hundred *Engliſh*, with the aforeſaid M. *St. Blanchard*, who was Agent from the Duke of *Roan*. On the *French* ſide the Governor's Brother, the Baron of *Chantal*, and ſome few others fell. But by Degrees the *Engliſh* forced their Way, made the Enemy retreat, and gained Room for their whole Army to land. The Governor retired with his wounded Men to the Citadel of St. *Martin's*, which tho' in a good State of Defence, 'twas believed that if the *Engliſh* had immediately purſued, while the *French* were in a Conſternation, they might eaſily have been Maſters both of that and the whole Iſland. The Fort *la Prié*, near the Landing-place, which was meanly provided with Men and Victuals, was alſo ſlighted, whereas the eaſy Conqueſt of it would have beſt prevented the landing of *French* Recruits, and was moſt proper to ſecure a Retreat for the *Engliſh*. But the *Engliſh* Army having ſpent five Days in a manner, which proved that the Duke of *Buckingham* did not underſtand the Art of War, gave *Toiras* an Opportunity to throw in new Forces and Proviſions, and to fortify the Citadel of St. *Martin's*, and to ſend to Court for freſh Supplies. 'Tis certain that the *French* Court was not a little aſtoniſhed at this Invaſion by the *Engliſh*, and that the King, who had a Tertian Ague upon him at that Time, ſent his Reſolution to give the Proteſtants honourable Terms, if they would not join with the *Engliſh*; inviting the Duke of *Roan*, who was Head of the Proteſtant Party, with great Offers of Money and Honour to ſecure him from falling in with this great Juncture of Deliverance for his oppreſſed Brethren. After an ill-timed Delay the Duke of *Buckingham* put all his Forces aſhore, and ſent back the Duke of *Soubize* and Sir *William Beecher* to *Rochel*, to ſollicit for ſome Recruits, who by their Intereſt ſoon returned with five hundred Foot. Upon this the Duke, in two Days March, came with his Army before St. *Martin's*, and publiſhed a Manifeſto, 'declaring his Royal Maſter's Care and Zeal 'for the reformed Churches of *France*, to reſtore them to their ancient Liberty and Splendor; though indeed his laudable Deſigns for their Good had been well nigh perverted to their Ruin, by a Breach of Promiſe in the *French* King, who had employed thoſe Ships againſt *Rochel*, which were lent him upon a ſolemn Aſſurance of being otherwiſe employed, *&c.*

UPON the Duke's Approach, the *French* quitted the Town of St. *Martin's*, and retired to the Citadel, which the Duke preſently blocked up; and raiſing Intrenchments and Batteries, he fired upon the Fort for two Months together, when he might have ſtarved it in leſs Time, if he had taken Care to ſtop up a Well within his Trenches, from which the Enemy had their ſecret Draught of Water during the whole Time of the Siege. But he had to do with one that was more expert than himſelf, and who found Means to keep him employed in the Siege 'till *November*, tho' he had at firſt ſent the King Word, that he ſhould be Maſter of the Place in about a Week.

THE Beſiegers in the mean Time, endured much Fatigue and Loſs, and ſuffered in a more eſpecial Manner by the Death of that excellent Soldier Sir *John Boroughs*, who was killed the 20th of *September* by a Musket-ſhot from the Citadel, while he was viewing the Works. His Body was brought over, and honourably interred at *Weſtminſter*.

Diſcontents and Clamours about it in England.

THIS Expedition proving ſo tedious and ineffectual, raiſed many Diſcontents in *England*. Some murmured that the Admiral had broke his Word with the Duke de *Soubize*, and landed in a wrong Place: Others ſaid his landing was rather a Feint than a ſincere Attempt, becauſe he did not march quick enough after Landing, nor did he take the Fort *la Prié*: Nor did he now beſiege St. *Martin's* in earneſt; for many Preſents and Compliments continually paſſed between him and the Governor: And, in ſhort, the Generality of the People of *England* diſliked a War not ſupported by a Parliament, and ſpoke freely for a new Parliament to be called, and for ſome Miniſters to be queſtioned in it.

A Supply preparing for Rhee.

THE King under theſe Perplexities reſolved to ſend a Squadron with Recruits of Men, Ammunition, and Proviſions, to the Army at *Rhee*. For this end he commanded certain Companies of impreſſed Men to rendezvous at *Plymouth*, and there to be embarked. But many of them ran away, which the Judges declared to be Felony, by the Statutes of 7 *H.* VII. cap. 1. and 3 *Hen.* VIII. cap. 5. *Charles* Lord Viſcount *Wilmot* was at firſt appointed to command them, but ſoon after the Commiſſion was given to the Earl of *Holland*, to conduct them to the Iſle of *Rhee*, and there to deliver them to the Duke of *Buckingham*,

ingham, but they never went, as will be seen presently. About one thousand six hundred *English* and *Irish* Recruits under Sir *Pierce Crosby*, &c. arrived at *Rhee* towards the close of *September*; before which Time the *French* had got into the Harbour, and relieved the Citadel with Provisions in Sight of our Navy and Army. The Governor *Toiras* alarmed, however, at the Arrival of the fresh Recruits from *England*, was in great Trouble how to send Intelligence to the *French* Court. At last one *Sandgrein* ventured out, and escaping the Guards got safe to the King, while, for fear of his Miscarriage, *Toiras* prevailed with three of his Garrison to swim ashore to the main Continent.

Succours sent to the Isle of Rhee.

King of France comes in Person to Rochel.

At this Alarm, the King of *France* order'd his Troops to march with all speed to the Sea-side, and came in Person to hasten the Succours for the Isle of *Rhee*. He formed a Blockade, as it were, of *Rochel*, as if he designed the taking of that Town, whereas his real Intention was by that means to land Forces upon the Island of *Rhee*, and to throw Provisions into the besieged Citadel; and accordingly when every thing was ready, Count *Schomberg* and Marshal *Marillas* passed over into the Isle on the 5th and 6th of *November* at Night, without any Opposition from the *English* Fleet, in several little Vessels, with six or seven thousand Men, and a Supply of Provisions sufficient to support the Garrison, and to encourage them to a longer Defence.

Rochellers declare for England.

At this Juncture the *Rochellers* put forth a Manifesto, and declared for *England*; and the Duke of *Roan* gave out Commissions to raise Forces to assist the *English* in Preservation of the Edict of Peace lately granted, and since violated by the King of *France*. On the other hand, the latter made publick Declaration that he would on his Part observe the said Edict of Peace; proclaim'd the Dukes of *Roan* and *Soubize* Traitors, and offer'd a Reward for killing them. The Reformed were thought very unfortunate, if not unjust, in these Measures: For if they had heartily receiv'd the *English* at their first Arrival, or had continued their Refusal to join with them, they might either way have averted their impending Ruin.

But by this time the *French* had obtained a great Supply of Shipping from the *Spaniard*, which with their own made up above one hundred Sail, a Force superior to the *English* Navy, with which however they declined engaging, and proposed nothing more than to get suitable Provisions into the Citadel, and to tire out the Besieged. To carry on the same Design, *Toiras* pretended to enter into a Treaty of Capitulation, and desired the Duke of *Buckingham* to grant him a safe Conduct for a Messenger to be sent to the King of *France* for Leave to come off with Honour. The Duke consented, on condition that an *English* Gentleman should go along with *Toiras*'s Messenger, and be suffer'd to pass through *France* to *England*: And so they went together to the *French* Court; but there, in open Breach of Faith, the *English* Gentleman was secured, while the Agent of *Toiras* did his Business effectually.

Toiras carried on the Sham Treaty, and spun out the Time so long that he gained his Point of receiving a considerable Relief of Men, Victuals, and Ammunition, and then broke off the Treaty in Derision, ordering his Men upon the Walls to advance their Pikes with Mutton and Fowls upon the Heads of them, to reproach the *English* with their *newly* arrived Plenty. And they were further animated with News that the *French* had landed more Forces near the *Meadow* Castle (a Place also fatally neglected by the *English*) against whom the Duke sent out a strong Detachment, leaving his Trenches unguarded; upon which the Enemy sallied out of the Citadel, and got Possession of the deserted Trenches; so that when the *English*, after some tolerable Success, had forced the new Recruits to take Refuge under the Canon of the Citadel, and were returning to their own Camp, they were obliged to dispute the Recovery of their Trenches, and lost many Lives before they could regain them. Under these Discouragements, about the Middle of *October*, the Duke held a Council of War, and thought of decamping and re-imbarking for *England*, and communicated his Reasons to *Soubize*; namely, that the Season was declining, his Army diminished, his Provisions spent, and his Officers impatient to go home. But *Soubize* earnestly dissuaded him, telling him that the Relief which the Besieged had received was inconsiderable, that the Earl of *Holland*'s Fleet was coming with Supplies, that his Retreat would occasion the Loss of *Rochel*, and cast an irreparable Slur upon the Honour of the King of *England*, for making so great an Enterprize to so little Purpose.

Upon this the Duke continued the Siege, and soon after resolved to storm the Citadel and Works. Accordingly, on the 6th of *November*, a general Assault was made; but after the Loss of many Men the Fort was found to be inaccessible. This Repulse, with the News that the *French* continually poured more Forces into the Island, inclined the Duke to raise the Siege, and return home. Consequently on the 8th of *November*, early in the Morning, the Drums beat, and the Army prepared for a March. Upon their Motions for a Retreat the Enemy appeared equal

Duke of Buckingham's Retreat.

equal in Foot, and far ſtronger in Horſe, ready to fall upon the *Engliſh* Rear. The Duke drew up the Army ſeveral times in their March, and made a Stand to offer Battle; but the *French* warily declin'd an Engagement, having projected a greater Advantage with leſs Hazard: For when the *Engliſh*, in their Retreat, were entering a narrow Cauſey, having on each Hand Salt-Pits and deep Ditches (wherein the *Engliſh* had neglected to raiſe a Fort at the Entry, and another at the End of it, near the Bridge, which if done might have ſecured their Retreat) the *French* upon this Advantage furiouſly attacked the *Engliſh* Horſe, who preſſed their Foot into great Diſorder, and made the Crowd ſo tumultuous on the Bridge, that many of the *Engliſh* were drowned in the River, beſides a great Number that fell into the Salt-Pits, or that periſhed by the Sword. Yet the *Engliſh* that had paſſed the Bridge rallied again with their true native Courage to fight their purſuing Enemy, who, perceiving they were reſolved to ſell their Lives dearly, repaſſed the Bridge which the *Engliſh* guarded with a ſelect Party all Day, and burnt down at Night; and the Duke carried the Remains of his Army aboard next Day, without any farther Diſturbance from the *French*. The *Engliſh* loſt about fifty Officers, near two thouſand five hundred common Soldiers, and thirty-five Priſoners of Note, beſides forty-four Colours which were hung up at *Nôtre Dame* Church in *Paris*. The King of *France* in Bravery diſmiſſed the Priſoners, as a kind Token to his Siſter the Queen of *England*: And when the Lord *Montjoy* offered a round Sum for his Ranſom, the King told him, 'his Redemption ſhould 'be only two Couple of *Engliſh* Hounds.' If my Lord took this as an Act of Generoſity in the King, it is certain that others interpreted it as a Slight upon his Lordſhip, who had gained more Diſhonour in the Retreat than any other Commander: For, having his Troops in the Rear charged by the *French*, he turned and broke in upon the *Engliſh* Foot, and made ſo much Confuſion that Sir *Charles Rich* is reported to have cried out, *Kill him, kill him, though he be my Brother**.

The French *attack his Rear.*

Loſs of the Engliſh.

WHEN the Duke had thus ſhipped his Army on the 9th of *November*, he ſent in a civil Promiſe to the *Rochellers*, that he would come again to their Relief, and preſently after ſet Sail for *England*. When he came into the Channel he met the Earl of *Holland* as he was ſetting out from *Plymouth*, who pretended, in Excuſe for his Delay, that when he was firſt ready to go on Board at *Plymouth*, the Ships with Proviſions were not come out of *Chatham*; that when they came they took up Time in rendezvouſing, and that when all things were fixed for Sailing, the Winds proved contrary. The Duke of *Buckingham* himſelf had the greater need of Apologies, who returned as unfortunate a General as he went out a hated Favourite. All he had to plead was his acting by Advice of a Council of War, and his want of timely Supply. The Duke of *Roan* obſerves in his Memoirs, that the Iſſue of this Expedition was, that the Duke of *Buckingham* wreck'd both his own and his Country's Honour, conſumed much of the *Rochellers* Proviſions, and ruined the Party he came to relieve. It is ſaid that of the ſeven thouſand Men he carried from *England* near five thouſand were killed, though it was reported in *England* before he came home, that not above fifteen hundred were loſt, and ſome even ſay, that the King was made to believe it. His Majeſty, however, received him with full Grace and Affection, and only told him, *he was glad not to find the Loſs ſo great as Sir* Sackvil Crow *had repreſented in a Letter*; but the King's Indulgence made the popular Reſentments greater; Tongues and Pens were ſharpened upon this inglorious Expedition, and the Pulpit it ſelf could not be reſtrained from ſome Reflections on it.

The Clamour raiſed upon the Miſcarriage.

BEFORE we quit this Subject, Sir *Henry Wotton*'s Account of the Duke's Deportment in this Expedition ſeems to deſerve ſome Attention. 'The Duke's Carriage, ſays Sir *Henry*, 'was purely noble through-'out; reſpectful to the Gentleman, boun-'tiful to the Soldier, if he noted any ſpe-'cial Value in him, tender and careful of 'thoſe that were hurt, of unqueſtionable 'Courage in himſelf, and rather fearful 'of Fame than Danger. In his Counte-'nance, which is the Part that all Eyes 'interpret, there was no viſible Altera-'tion, even after the Succours he expected 'failed him; but the leſs he ſhewed with-

Secret Memoirs of the Duke's Conduct in this Expedition.

* There is another Account of this Matter in a contemporary Hiſtory, which is this; 'The Night be-'fore, the Duke called a Council of War, in which he ſhewed them the Neceſſity of a Retreat; but 'himſelf being wholly unexperienced in martial Diſcipline, left the managing of the next Day's Action to 'them, offering the Service of his Perſon to any Hazard whatever as far as any private Soldier. The Council 'unanimouſly choſe Sir *William Courtney* to manage the Retreat, a heavy, dull, covetous old Man, who 'having been twenty or thirty Years a private Captain in *Holland*, was made Colonel in this Expedition by 'means of Sir *John Burroughs*, who being dead, the Command for that Day was given to old *Courtney*; but 'he either through want of Judgment, or Forgetfulneſs, having not made due Proviſion for the Security of 'the *Engliſh* Rear, many of them were cut to Pieces; and had not Sir *Pierce Crosby* with eight hundred *Iriſh* 'made good their Retreat, the whole Army had been loſt. *Courtney* himſelf fell into a Salt-Pan, and eſcaped 'by his Man *Anthony*'s crying out, *Oh! ſave my Captain!* But the poor Fellow loſt his own Life in attempt-'ing it.

'out

'out, the more it worked intrinſically, 'according to the Nature of ſuppreſſed 'Paſſions: For it is certain, that to his 'Secretary Dr. *Maſon*, whom he laid in 'a Pallet near him, for the freer Commu-'nication of his Thoughts, he broke out 'into bitter and paſſionate Exclamations 'in the Abſence of all other Ears and 'Eyes, proteſting, that never his Diſ-'patches to diverſe Princes, nor the great 'Buſineſs of a Fleet, of an Army, of a 'Siege, of a Treaty, of War, of Peace, 'both on foot together, and all of 'them in his Head at one Time, did not 'ſo much break his Repoſe as a Conceit 'that ſome at home under his Majeſty, of 'whom he had well deſerved, were now 'content to forget him.

'Of their two Forts, ſays Sir *Henry*, he 'could not take the one, nor would he 'take the other; but in the general Town 'he maintained a Seizure and Poſſeſſion 'of the whole full three Months and 'eighteen Days; and at the firſt Deſcent 'on Shore he was not immured in a 'Wooden Veſſel, but countenanced the 'Landing in his Long-Boat, where ſuc-'ceeded ſuch a Defeat of near two hun-'dred gallant Horſe, ſeconded with two 'thouſand Foot, that, all Circumſtances 'conſidered, the Action may be ſet in 'Compariſon with any of the braveſt in 'ancient Time. But in the Iſſue of the 'whole, the Duke is generally thought 'to have carried to the Camp, perhaps, 'too much of that Self-Applauſe from a 'Court, where Fortune had never de-'ceived him.

Sir *Henry* concludes witha Relation of a ſtrange Accident that befel him at his Return from *Plymouth*, which he took to be an ominous kind of Prelude to his final Period.

How he rode in danger of his Life.

'The Lord *Goring*, who was the 'Duke's affectionate Friend, diſpatched an 'Expreſs to him, to caution him to take 'care of his own Perſon, by declining 'the ordinary Road to *London*; for that 'he had credible Intelligence of a Plot 'againſt his Life, that was to be put in 'Execution as he travelled towards the 'Court. The Duke met the Meſſenger 'on the Road, but after reading the Let-'ter, put it in his Pocket without the leaſt 'Apprehenſion, and rode forward with 'no more than ſeven or eight Perſons in 'Company at that Time, and thoſe no 'otherwiſe provided for their Defence 'than with ſmall Swords. The Duke 'had not advanced above three Miles 'before an old Woman in the Road un-'derſtanding that he was in Company, 'and expreſſing an extraordinary Occaſion 'to ſpeak with him, was led to his 'Horſe's Side, where ſhe told him, that 'in the very next Town he was to come 'to ſhe had heard ſome Deſperados vow 'his Death; And thereupon ſhe would 'have directed him to take a ſurer Way. 'The Duke upon comparing this News 'with the Intelligence he had received 'before from his noble Friend, commu-'nicated the Tenour of the ſaid Letter and 'all the Circumſtances to the Company, 'who were jointly of Opinion that the 'old Woman had given him good Ad-'vice, and importuned him to take it. 'Nevertheleſs, he reſolved not to go out 'of the Way, ſaying, that if he ſhould 'once by ſuch a Step make his Enemy 'believe that he was afraid of Danger, 'he ſhould never live without. Upon this 'his young Nephew the Lord Viſcount '*Fielding*, begged him that he would at 'leaſt honour him with his Coat and blue 'Ribbon through the Town, pretending 'that his Uncle's Life, on which the 'Fortune of his whole Family depended, 'was of all things under Heaven the moſt 'precious to him, and propoſing ſo to 'muffle up himſelf in his Hood as the 'Duke's Manner was to ride in cold Wea-'ther, that none ſhould know the Duke 'from him, and by that means he ſhould 'be the more at Liberty to defend him-'ſelf. At this ſweet Propoſal the Duke 'caught him in his Arms and kiſſed him, 'but ſaid he would not accept of ſuch 'an Offer from a Nephew whoſe Life he 'tendered as much as his own.

'After rewarding the poor Woman for 'her good Will, and giving ſome ſhort 'Directions to the Company for their Be-'haviour, he rode on without any Con-'cern, but was no ſooner entered the 'Town when a ſcambling Soldier clapp'd 'hold of his Bridle in ſuch a manner that 'the Duke took him to be a Beggar, or 'drunk; but a Gentleman of his Re-'tinue, who was riding at ſome Diſtance 'behind, imagining it to be the Begin-'ing of ſome intended Miſchief, ſpurred 'up his Horſe, puſhed him with Violence 'from his Hold of the Duke's Bridle, and 'then away they all galloped through the 'Town. Our Author adds, that he ne-'ver heard of any Enquiry made into 'this Buſineſs, and that peradventure the 'Duke thought it adviſeable not to re-'ſent Diſcontentments too deep.'

Petition of Sir John Elliot *impriſoned for the Loan.*

We return now to Court, where we find that during the late Expedition Sir *John Elliot*, who was impriſoned in the Gate-houſe for refuſing to lend the King Money, preſented a Petition to his Majeſty for his Liberty, which he did not ask as a Favour, but as an Act of Juſtice. He grounded his Petition upon ſeveral Statutes which he therein quoted, and from which he argued the Illegality of the Loan, or of any Tax on the Subject without Conſent of Parliament, and that for his own Part, he could not in Conſcience ſubmit

to

to it, but his Petition was rejected. In the Month of *November* following these five Gentlemen, who were also in Prison for the same Reason, brought their *Habeas Corpus*; *viz.* Sir *Thomas Darnell*, Sir *John Corbet*, Sir *Walter Earl*, Sir *John Heveningham*, and Sir *Edward Hampden*.

IN *Michaelmas* Term a Return was made of their several Commitments. To instance only in one (all the rest being in the same Form) the Warden of the *Fleet* made this Return.

Process against other Gentlemen imprisoned for the same.

'THAT Sir *Walter Earl*, Kt. named 'in the Writ, is detained in the Prison of 'the *Fleet* in his Custody, by special 'Command of the King to him signified 'by Warrant of several of the Privy-'Council in these Words;

WHEREAS Sir *Walter Earl*, Kt. *was 'heretofore committed to your Custody*, 'These are to will and require you still to 'detain him, letting you know that both 'his first Commitment, and Direction 'for the continuance of him in Prison, 'were, and are by his Majesty's special 'Commandment.

From *Whitehall*, *Nov.* 7, 1627. *Thomas Coventry*, &c.

SIR *Thomas Darnell* was the first that was brought to the Bar upon that Writ; where Sir *Robert Heath*, the King's Attorney-General, informed the Court that his Majesty told him, He had heard that some of the Gentlemen imprisoned for the Loan had reported that the King deny'd them the Course of Justice; and therefore his Majesty commanded him to renew the Writ of *Habeas Corpus*, lest they should not move for another themselves, by reason the Warden of the *Fleet* had not returned the first, according to his Duty

Sir Thomas Darnell's Defence.

SIR *Thomas Darnell* reply'd, 'That 'such Words never came into his Thoughts, 'and humbly prayed they might make no 'Impression upon the Court to the Dis-'paragement of his Cause; for he was 'accused of that of which he was in no 'manner guilty.

SIR *Nicholas Hide*, Chief-Justice, said, 'That he had made a fair and temperate 'Answer. You may perceive, said he, 'the upright and sincere Proceedings 'which have been in this Business. You 'no sooner moved for a *Habeas Corpus*, 'but it was granted to you; you no sooner 'desired Council, but they were assigned 'you, tho' any Council might move for 'you without being assigned, and should 'have had no Blame for it: The King's 'Pleasure is, his Law should take Place 'and be executed, and for that we do sit 'here: And whether the Commitment be 'by the King or others, this Court is the 'Place where the King doth sit in Person 'to do Right, if Injury be done. And 'we have Power to examine it; and if 'it appear that any Man hath Wrong 'done him by his Imprisonment, we have 'Power to deliver and discharge him; if 'otherwise, he is to be remanded by us to 'Prison again.

AFTER this the *Attorney-General* said, 'Though this be a Case which concerns 'the King in a high Degree, yet he hath 'been so gracious and so just as not to re-'fuse the Examination and Determination 'of it according to the Laws of the King-'dom.

THEN the Court proceeded to hear the Arguments for the Prisoners by the Council, who on their Petition were assigned them by the Court of *King's Bench*. Mr. *Noy* was Council for Sir *Walter Earl*, Serjeant *Bramstone*, for Sir *John Heveningham*, Mr. *Selden* for Sir *Edward Hampden*, and Mr. *Calthrop* for Sir *John Corbet*.

AFTER they had pleaded, Mr. Attorney had a Day appointed to argue for the King. Not to repeat the Pleadings on both sides at large, which would be too tedious, it is sufficient to mention some Generals, especially concerning the Form of the Return of the Writ.

Exceptions made by the Prisoners Council to the Writ for their Imprisonment,

THE first General Exception made to it by the Council for the Prisoners, was,

1. FOR that the Return is not positive, but referred to the Signification made by another, the Lords of the Council,

2. THE Keepers of the Prisons have not returned the Cause of the Commitment, but the Cause of the Cause; which they held not to be good.

3. THAT the Return of the Commitment is imperfect, for that it sheweth only the Cause of the detaining in Prison, and not the Cause of the first Commitment.

Lastly, That the Return is contradictory in itself: For that in the first Part thereof it is certify'd that the detaining of those Gentlemen in Prison is *per speciale mandatum Domini Regis*: And when the Warrant of the Lords of the Council is shewn, it appeareth that the Commitment is by the Command of the King signified by the Lords of the Council.

and the Return.

THE *Second* general Exception was to the Matter of the Return; and that was touching the Imprisonment *per speciale mandatum Domini Regis*, by the Lords of the Council, without any Cause expressed. Wherefore, said Mr. *Selden*, 'by the con-'stant and settled Laws of this Kingdom '(without which we have nothing) no Man 'can be justly imprisoned either by the 'King or Council, without a Cause of 'the Commitment; and that ought to be 'expressed in the Return. The Law saith 'expresly, *no Freeman shall be impri-'soned without due Process of the Law*;

Nullus

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'*Nullus liber homo capiatur, vel imprisonetur, nisi per legem terræ*, &c. And in the Charter of King *John* there are these Words, *Nec eum in carcerem mittemus.* We will not commit him to Prison: That is, *the King himself will not.*

'This Right, said Serjeant *Bramston*, is the only Means a Subject hath whereby to obtain his Liberty; and the End of it is to return the Cause of the Imprisonment, that it may be examined in this Court, whether the Parties ought to be discharged or not: Which cannot be done upon this Return: For, the Cause of the Imprisonment is so far from appearing particularly by it, that there is no Cause at all expressed. And the Writ requires that the Cause of the Imprisonment should be returned, and the Cause ought to be expressed so far as that it ought to be none of those Causes for which by the Laws of the Kingdom the Subject ought not to be imprisoned; and it ought to be expressed that it was by Presentment or Indictment, or upon Petition, or Suggestion made unto the King. For, said he, observe but the Consequence: If those Gentlemen who are committed without any Cause shewn, should not be bailed, but remanded, the Subjects of the Kingdom may be restrained of their Liberty for ever, and by Law there can be no Remedy. We shall not reflect upon the present Time and Government, but we are to look what may betide us in Time to come hereafter. The Laws are called the great Inheritance of every Subject, and the Inheritance of Inheritances, without which we have nothing that deserves the Name of Inheritance.

Mr. *Noy* said, 'If upon a *Habeas Corpus* a Cause of Commitment be certified, then the Cause is to be tried before your Lordships; but if no Cause is shewn, the Court must do that which standeth with Law and Justice, and that is to deliver the Party. The Commons did complain in *Edward* IIId's Time that the great Charter and other Statutes were broken. They desired that for the Good of himself and his People they might be kept and put in Execution, and not infringed, by making any Arrest by special Command or otherwise. And the Answer which was given them was this, That the said great Charter and other Statutes should be put in Execution according to the Petition, without Disturbance of Arrests by special Command; and the King granteth the Commons Desire in the same Words as they were expressed in their Petition. And afterwards complaining again, that notwithstanding this Answer of the King they were imprisoned by special Command, without Indictment, or other legal Course of Law: The King's Answer was, upon another Petition to him, *That he was therewith well pleased.* And for the future he added further, *If any Man be grieved let him complain, and Right shall be done.* And forasmuch as it doth not appear to the Court that there was any Cause of the Commitment of these Members, no Charge against them, no Indictment or Process according to the Laws; therefore Mr. *Noy* prayed they might no longer be detained in Prison, but bailed or discharged.

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'Admit, said Mr. *Calthrop*, that the Commitment by Command of the King was lawful, yet when a Man had continued in Prison a reasonable Time, he ought to be brought to answer, and not to continue still in Prison without being brought to answer; for that it appeareth by the Books of our Laws, that Liberty is a Thing so favoured of the Law, that the Law will not suffer the Continuance of a Man in Prison for any longer Time than of Necessity it must: And therefore the Law will neither suffer the Party, Sheriffs or Judges, to continue a Man in Prison by their Power and Pleasure. It doth speak of the Delivery of a Man out of Prison with as reasonable Expedition as may be: And upon this Reason it hath been resolved, that howsoever the Law alloweth that there may be a Term between the *Teste* of an original Writ and the Return of the same, where there is only a Summons and no Imprisonment of the Body; yet the Law will not allow that there shall be a Term between the *Teste* of a Writ of *Capias* and the Return of the same, where the Body of a Man is to be imprisoned; insomuch that it will give no way that the Party shall have Power to continue the Body of a Man longer Time in Prison than needs must, so tender is the Law of the Subject's Liberty.'

On the 27th of *November* the Attorney-General argued for the King, 'That this was a very great Cause, and hath raised great Expectation; and he was afraid that those Gentlemen whom it concerns, have rather advised their Councils than their Councils them.

'As to the first Exception, That the Return is not positive, but hath relation to some others; he did conceive it was positive enough: For, said he, the Words are, *Quod detentus est sub custodiâ meâ per speciale mandatum Domini Regis.* The other Words, *mihi significatum*, they follow after, but are not part of the Affirmation made before it. And if they will have it as they seem to understand it, then they must return the Words thus, *Quod significatum est mihi*

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'*per Dominos Privati Conſilij, quod detentus eſt per ſpeciale mandatum Domini Regis:* And then it had not been 'their own proper Return, but the Signification of another, the Lords of the 'Council. The turning of the Sentence 'would reſolve this Point; the thing it 'ſelf muſt ſpeak for it ſelf: It is clear, 'it is a poſitive Return, that the Detaining is by the Command of the King; 'and the reſt of the Return is rather Satisfaction to the Court than any part of 'the Return.'

AND for the other Exception, That the Cauſe of the Cauſe is returned, and not the Cauſe it ſelf, he ſaid, 'Among the 'Logicians there are two Cauſes; there 'is *Cauſa cauſans*, and *Cauſa cauſata*. 'The *Cauſa cauſans* here in this Caſe is 'not the Warrant from the Lords of the 'Council, for that is *Cauſa cauſata*; but 'the primary and original Cauſe, which 'is *Cauſa cauſans*, is *ſpeciale mandatum 'Domini Regis*; the other is but the 'Council's Signification, or Teſtification, 'or Warrant for him that made the Return.

'AND for the other Exception, the Cauſe 'is imperfect, becauſe it ſhews only the 'Cauſe of detaining in Priſon, and not the 'Cauſe of the firſt Commitment: He conceives it is ſufficient for an Officer of the 'Law to anſwer, That the Writ is a Command to make a Return of the detaining 'of the Priſoner, and he accordingly 'makes a Return of the Detention: And 'if the Keeper of the Priſon had only 'ſaid they were detained by *ſpeciale mandatum*, &c. it had been good.'

THEN he proceeded to the Matter of the Return, and to anſwer the Book Caſes and Records that had been cited by the Council for the Priſoners, and to produce Precedents on the King's Behalf, which being extant in Print, the Reader whom it may concern is referred to them.

AFTERWARDS Sir *Nicholas Hyde*, Chief Juſtice, Judge *Dodderidge*, Juſtice *Jones*, and Juſtice *Whitlock* being upon the Bench, and Sir *John Heveningham* and the 'foremention'd Priſoners being brought to the Bar, Sir *Nicholas Hyde*, Lord Chief Juſtice, by the Conſent and Direction of the Judges, ſpoke to this Purpoſe.

'THAT the Court hath ſeriouſly conſidered what hath been ſpoken by either 'ſide, and are grown to a Reſolution, and 'that his Brothers have enjoined him to 'deliver unto you the Reſolution of the 'whole Court; and therefore, ſaid he, 'though it be delivered by my Mouth, it 'is the Reſolution of us all. I am ſure 'you expect Juſtice from hence; and God 'forbid we ſhould ſit here but to do Juſtice to all Men, according to our beſt 'Skill and Knowledge, as by our Duty 'and Oaths we are bound to do. But this 'is a Caſe of very great Weight, and 'great Expectation, and requires more 'ſolemn Argument than the Time will 'now permit. The Exceptions which 'have been taken to this Return are two; 'the one for the Form, the other for the 'Subſtance.

'FIRST, for the Form, becauſe it is not 'returned, as they ſay poſitively and abſolutely, but with reference to a Warrant of the Lords of the Council: Now the 'Court is of Opinion, that this is a poſitive and abſolute Return, upon this Reaſon, that the Keeper of the Priſon firſt 'returns, that they are detained by ſpecial Command of the King; and if they 'had ceaſed there it had been poſitive.

'AND for that which follows, that it 'was ſignified to him by the Lords of the 'Council, this is only to certify the Court 'that he returned the Cauſe truly, and 'not to ſhew us that he had no Knowledge of the Cauſe but by the Signification of the Lords of the Council. 'There is not one Word in the Writ that 'demands the Cauſe why they were taken, 'but why they are detained. So that that 'Point in the Writ is ſufficiently anſwered, which was only to certify the Cauſe 'of Detention: And therefore we reſolve, that the Form of this Return is 'good.

'THE next Thing is the main Point in 'Law, Whether the Subſtance or Matter 'of the Return be good or no? Wherein 'the Subſtance is this: He doth certify 'that they are detained in Priſon by the 'ſpecial Command of the King: And 'whether this be good in Law or no is 'the Queſtion.

'HERE the Lord Chief Juſtice did mention the ſeveral Precedents and Book 'Caſes cited by each Side, too long to 'be here related, and concluded, that 'that which is now to be judged by us 'is this, whether one that is committed 'by the King's Authority, and no Cauſe 'ſhewn of his Commitment, according as 'here it is upon this Return, whether we 'ought to deliver him by Bail, or to remand him back again? Where by the 'way you muſt know, that we can take 'Notice only of *this Return*: That 'when the Caſe appears to us no otherwiſe than by the Return, we are not 'bound to examine the Truth thereof, 'but the Sufficiency of the Return. We 'cannot judge upon Rumours or Reports, 'but upon that which is before us 'on Record, which is examinable by us 'whether it be ſufficient or not.

'MR. *Attorney* hath told you, that 'the King hath done it; and we 'truſt him in great Matters: And we 'make no Doubt but the King, if you 'ſeek to him, knowing the Cauſe why you

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'are impriſoned, will have Mercy; but we leave that, we muſt not counſel you: If in Juſtice we ought to deliver you, we would do it; but upon theſe Grounds, Records, Precedents and Reſolutions cited and produced, the Court is of Opinion they cannot deliver you, but you muſt be remanded.'

The French King ordered the Siege of Rochel in Form.

AFTER the *Engliſh* had ſo ingloriouſly left *France*, the *French* King ordered the Siege of *Rochel* in Form, on Pretence that the *Rochellers* had invited the *Engliſh* to enter *France*, and give them Aſſiſtance; whereas we have ſeen that 'till the Duke of *Buckingham* made the Rupture, to ſatisfy his own private Reſentment, King *Charles* was ſo far from aſſiſting the *Rochellers* that he lent the *French* King Ships to reduce them, and that when the Duke came firſt before the City, the Jealouſy which they had conceived of his Inſincerity hindered their joining heartily with him. The *French* King having now determined to reduce the Town by Famine, an entire Circumvallation was drawn towards the Continent with three Forts and many Redoubts, to ſhut out all Relief by Land; and Cardinal *Richlieu*, who out of his great Zeal for extirpating the Proteſtants, undertook the Siege in Perſon, projected a vaſt Mole croſs the Channel about 1400 Yards long, with a ſmall Space only in the Middle for the Tide, in order to cut off all Conveyance of Succours by Sea.

The Duke of Soubize and other Deputies ſent over to lay before the King and Council their Petition and Remonſtrance.

UNDER this ſad Proſpect the *Rochellers* ſent over the Duke of *Soubize* and other Deputies, to lay before the King and Council their Petition and Remonſtrance to this Effect: 'They firſt 'thank his Majeſty for the great Aſſiſtance and 'Comfort they had received by the Fleet ſent 'in *July* laſt. Then they take Notice of Application made to the King of *Denmark* to 'propoſe a Peace between the Crowns of '*France* and *England*: And if ſuch a Treaty 'do proceed, they humbly pray that his Majeſty would inſiſt upon the Capitulation made 'between the *French* King and the Reformed 'Churches; which they on their Part had kept 'inviolable, 'till they ſaw the Conditions on 'the other Side entirely broke. They repreſent that they are now to be ſhut up by Land 'and Sea, and muſt fall into inevitable Ruin 'without ſpeedy Succour: They therefore beſeech his Majeſty with all poſſible Diligence 'to ſend them Supplies, and once more to 'protect them with his Royal Navy, to prevent the blocking up of their Harbour. 'They laſtly, entreat his Majeſty and the Lords 'of the Council to have ſo much Pity on their 'indigent Condition, as to permit a general Collection to be made for them through *England* 'and *Ireland*; concluding with their Reſolutions to hold out a Siege, depending on a 'ſeaſonable Relief from *England*, being aſſured by the Duke of *Buckingham*, at his 'Departure that he would once more come 'in Perſon to their Aſſiſtance.

WHAT was the Succeſs of this Petition we ſhall ſee in the Hiſtory of the next Year; but at preſent the Anſwer could be only good Words, by reaſon of the many Complaints and Murmurs againſt the Duke of *Buckingham*, who was ſuppoſed to be the Projector as well as Conductor of the Expedition thither, and to whoſe Inability the ill Succeſs of it was wholly imputed, foraſmuch as he had never been in the Wars, and knew nothing of the Sea-Service, though the King made him both Admiral and Captain-General. At the ſame time the Mariners came in Shoals to *Whitehall*, complaining they had received no Wages for three Years paſt, and deſerted in great Numbers. The Merchants alſo made bitter Complaints that the Seas were neglected, that within three Years they had loſt a vaſt Number of Ships, and that the Fiſhermen were taken almoſt in the very Harbours. In ſhort, no body ventured to build any more new Ships, becauſe as ſoon as they were ready the King ſeized them for his Service, againſt the Will of the Owners. And the Land-Forces were kept in Pay without their former Wages. In ſhort, *Ruſhworth* makes it appear that the Nation was in Debt for the Freight of Ships, Sea-mens Wages, and Materials for Shipping, in the Years 1625, 1626, and 1627, very near the Sum of 200,000 *l.*

Sir Robert Cotton's Advice.

IN the preſent unhappy State of Affairs Sir *Robert Cotton*, the Learned Antiquary, being called before the King and Council to deliver his Opinion upon it in point of Hiſtory and Law, preſented his Advice in Manner following.

'As ſoon as the Houſe of *Auſtria* had incorporated itſelf with *Spain*, and by their 'new Diſcoveries gotten to themſelves the 'Wealth of the *Indies*, they began to effect, 'and have ever ſince purſued a *Fifth Monarchy*. 'The Emperor *Charles* would lay the firſt 'Foundation in *Italy* by ſurpriſing *Rome*. 'From this he was thruſt by Force and Reſpect 'of Religion, *Henry* VIII being made *Caput Fœderis* againſt him. He then attempted *High-Germany*, practiſing by Faction and Force to 'reduce them firſt to Petty States, and ſo to his 'abſolute Power: In this *Hen.* VIII again prevented him, by laying the *Lutheran* Princes 'under his Confederacy and Aſſiſtance. His 'Son, the ſecond *Philip*, purſued the ſame Ambition in the Netherlands of *Germany*, by 'Reduction whereof he intended to make his 'Way farther into the others. This the late 'Queen of *England* interrupted, by ſiding with 'the afflicted People on the one Part, and making herſelf the Head of the Proteſtant League 'with the Princes on the other Part, drawing 'in Secret of State the Countenance of *France*, 'to give the more Reputation of Aſſiſtance to 'them, and Security to itſelf.

'SPAIN ſeeing his Hopes thus fruitleſs by 'theſe Unions and Straights, began firſt to 'break, if he might, the Amity of *France* and '*England*: But finding the common Danger 'to be a faſt Tie, he raiſeth up a Party in that 'Kingdom of his own, by which the *French* 'King was ſo diſtreſſed, that had not the *Engliſh* Council aſſiſted and relieved him, *Spain* 'had there removed that next and greateſt Oracle of his Ambition.

His

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'HIS Council now tells him from theſe 'Examples, that the Way to his great Work is 'impoſſible, ſo long as *England* lay a Let in 'his way; and adviſeth him that the Remove 'of that Obſtacle be the firſt of his Intents. 'This drew on thoſe often ſecret Practices againſt 'the Perſon of the Queen, and his open Fury 'in 88 againſt the Body of the State; which 'ſhe perceiving, following the Advice of a 'free Council, would never after admit of Peace; 'winning thereby the Hearts of a loving Peo-'ple, who ever found Hands and Money for 'all Occaſions at home, and keeping ſacredly 'all her Alliances abroad, ſecuring to her Con-'federates, all her Time, Freedom from Fear of '*Spaniſh* Slavery, and ſo ended her old and 'happy Days in Glory.

'*Spain* then, by the Wiſdom and Power of 'that great Lady, deſpoiled ſo of his Means 'to hurt, though not of his Deſires, makes up 'with her peaceful Succeſſor, of happy Memo-'ry, that Golden League, which diſarming us 'at home by the Opinion of Security, and gi-'ving them a Power in our Councils, by belie-'ving their Friendſhips and pretended Mar-'riage, gave them way to cheriſh among us a 'Party of their own, and Benefit of Power 'abroad, to lead in Jealouſy and ſome Diviſion 'between us and our Confederates: By which 'we ſee they have ſwallowed up the Fortune 'of your Majeſty's Brother's Eſtate, with the 'reſt of the Imperial States, diſtreſſed the King 'of *Denmark* by that Quarrel, diverted *Swe-'den*'s Aſſiſtance by the Wars with the *Pole*, 'and moving them now with offer of the *Da-'niſh* Crown; and now (whether from the 'Plot of our Fatality) hath caſt ſuch a Bone 'between *France* and us, as hath made them-'ſelves, by our Quarrel of Religion, a faſt Con-'federate, and a dangerous Enemy; ſo as we 'are left no other Aſſurance againſt their Malice 'and Ambition, but the *Netherlands*, where 'the Tie of mutual Safety is weakned by daily 'Diſcontents, bred and fed between us by ſome 'ill-affected to both our Securities, that from 'the Doubtfulneſs of Friendſhip, as we now 'ſtand, we may rather ſuſpect from our own 'domeſtick Faction, if they grow too furious, 'they rather follow the Example of *Rome* in 'her growing (which held that equal Safety 'honourable and more eaſy *dare regnum*, than '*ſubjugare Provinciam*) conſidering the Pow-'er they have in their Hands, than to give any 'friendly Aſſiſtance to ſave the preſent Condi-'tion of a State. You may therefore ſee in what 'Terms we ſtand abroad, and I fear we are at 'home for Reſiſtance in no better State. There 'muſt be to withſtand a foreign Invaſion a Pro-'portion both of Sea and Land-Forces: For to 'give an Enemy an eaſy Paſſage, and a Port 'to relieve him in, is no leſs than to hazard all 'at one Stake.

'AND it is to be conſidered that no March by 'Land can be of that Speed to make Head a-'gainſt the Landing of an Enemy. Then that 'follows, that there is no ſuch Prevention as to 'be Maſter of the Sea. To this Point of ne-'ceſſary Defence there can be no leſs than '240,000 *l.*

FOR the Land-Forces, if it were for an Of-'fenſive War, the Men of leſs Livelihood 'were the beſt ſpared, and were uſed formerly 'to make ſuch Wars *Purgamenta Reipublicæ*, 'if we made no farther Purchaſe by it, but for 'the Safety of a Common-wealth, the Wiſdom of 'all Times did never intruſt the publick Cauſe to 'any other than to ſuch as had a Portion in the 'publick Adventure: And that we ſaw in '*Eighty-Eight*, when the Care of the Queen 'and of the Council did make that Body of the 'large Army no other than of the Trained Bands, 'which, with the Auxiliaries of the whole Realm, 'amounted to no leſs than 24,000 Men. Nei-'ther were any of theſe drawn forth from their 'Country and proper Habitations before the 'End of *May*, that they might be no long 'Grievance to the Publick; ſuch Diſcontentments 'being to us a more fatal Enemy than any for-'reign Forces.

'THE careful diſtributing and directing of 'their Sea and Land-Forces being more fitting 'for a Council of War, than a private Man to 'adviſe of, I paſs over; yet ſhall ever be wil-'ling and ready, when I ſhall be called, hum-'bly to offer up ſuch Obſervations as I have ga-'thered by the former like Occaſion in this 'Realm.

'To make up this Preparation, there are re-'quiſite two things, Money and Affections; for 'they cannot be properly ſevered. It was well 'and wiſely ſaid of that great and grave Coun-'ſellor the Lord *Burleigh* in the like Caſe to the 'late Queen; *Win Hearts, and you have their 'Hands and Purſes.* And I find that of late, 'Diffidence hath been in the one, and hath un-'happily prevented the other.

'IN gathering then of Money for this preſent 'Need, there are three things requiſite, Speed, 'Aſſurance, and Satisfaction. And the Way 'to gather (as in other like Caſes hath been done) 'muſt be by the Path-way formerly called '*Via regia*, being more ſecure and ſpeedy: For 'by unknown and untrodden Ways, it is both 'rough and tedious, and never ſucceedeth 'well. This laſt Way, altho' it took place as 'it were by a Supply at firſt, and received no 'general Denial, yet ſince it hath drawn ma-'ny to conſult with themſelves and others in 'the Conſequence, as it is now conceived a Preſ-'ſure on their Liberties and againſt Law. I 'much fear, if that now again it be offered, 'either in the ſame Face, or by Privy-Seal, it 'will be refuſed wholly. Neither find I that 'the Reſtraint of the Recuſants hath produced 'any other Effect, than a ſtiff Reſolution in 'themſelves and others to forbear. Beſides, 'although it were at the firſt with ſome Aſſu-'rance, yet when we conſider the Commiſſions 'and other Forms made out to ſuch like Ser-'vices, as that how long it hangs in hand, and 'the many Delays there are, we may eaſily 'ſee that ſuch a Sum granted by the Parliament 'is far ſooner and eaſier levied.

'IF any will make the ſucceſſion of 'Times to produce an inevitable Neceſſity 'to enforce it if denied, whether in general 'by Exciſe or Impoſition, or in particular 'on ſome ſelect Perſons, which is the Cuſtom 'of ſome Countries, and ſo conclude it as 'there, for the Public State *Suprema Lege*; 'he muſt look for this to be told him, That 'ſeeing Neceſſity muſt conclude always to 'gather Money, 'tis leſs ſpeedy or aſſured, 'than that by a Parliament. The ſucceſs 'attendeth the humour of the heedleſs Mul-'titude, that are full of jealouſy and diſtruſt, 'and ſo unlike to comply to any unuſual 'courſe of Levy but by force; which, if 'uſed, the Effect is fearful, and hath been 'fatal to the State. Whereas that by Par-'liament reſteth principally on the Regal 'Perſon, who may with eaſe and ſafety 'mould them to his fit Deſigns, by a gra-'cious yielding to their juſt Deſires and 'Petitions.

'IF a Parliament then be the moſt ſpeedy 'Aſſurance and ſafe Way, it is fit to con-'ceive what is the ſureſt way to act and 'work that to the preſent need.

'FIRST, for the time of uſual Summons, 'forty Days, reputed to be too large for this 'preſent neceſſity, it may be by dating the 'Writs leſſen'd, ſince it is no poſitive Law; 'ſo that a care be had, that there may be a 'County-day after the Sheriff hath receiv'd 'the Writ, before the time of ſitting. If 'then the Sum to be levied be once granted 'and agreed of the time, there may be in 'the body of the Grant an Aſſignment made 'to the Knights of every County reſpectively, 'who under ſuch aſſurance may ſafely give 'ſecurity proportionable to the Receipts, to 'ſuch as ſhall adventure in preſent for the 'Public Service, any ſums of Money.

THE laſt and weightieſt Conſideration, 'if a Parliament be thought fit, is, How to 'remove or compoſe the Differences be-'tween the King and the Subjects in their 'mutual Demands. And what I have 'learned amongſt the better ſort of the 'Multitude, I will freely declare, that your 'Lordſhips may be the more enabled to 'remove, and anſwer thoſe diſtruſts that 'either concern Religion, public Safety of 'the King and State, or the juſt Liberty 'of the Commonwealth.

'Religion is a Matter that they lay neareſt 'to their Conſciences, and they are led by 'this ground of Jealouſy, to doubt ſome 'practices againſt it. Firſt, for that tho' the '*Spaniſh* Match was broken by the careful 'induſtry of my Lord of *Buckingham*, 'out of his religious care, (as he then de-'clared) that the Articles there demanded 'might lead to ſome ſuch ſufferance as 'might endanger the Quiet, if not the State 'of the reformed Religion here; yet there 'have (when he was an Actor principal in 'the Conditions of *France*) as hard, if not 'worſe to the preſervation of our Reli-'gion, paſſed, than thoſe with *Spain*. And 'the Suſpect is ſtrengthened by the cloſe 'keeping of this Agreement, and doubt in 'them of his Affection, in that his Mother 'and others, many his Miniſters of near 'Employment about him, are ſo affected.

'THEY talk much of his advancing 'Men, popiſhly devoted, to places in the 'Camp of neareſt Service and chief Com-'mand; and that the Recuſants have got 'theſe late Years, by his power, more Cou-'rage and Aſſurance than before.

'IF to clear theſe Doubts, (which 'perhaps are worſe in Fancy than in 'Truth) he take a courſe, it might much 'advance the public Service againſt the 'ſqueamiſh Humours, that have more of vio-'lent Paſſion than of ſettled Judgement, 'and are not the leaſt of the oppoſite num-'ber in the Commonwealth.

'THE next is the late Misfortunes and 'Loſſes of Men, Munition, and Honour in 'the late Undertakings abroad; which the 'more temperate Spirits impute to want of 'Counſel, and the more ſublime Wits, to 'Practice.

'THEY begin with the *Palatinate*, 'and lay the fault of the loſs thereof on 'the imputed Credit of *Gondomar*, diſ-'truſting him for the ſtaying of ſupply to 'Sir *Horatio Vere*, when Colonel *Cecil* was 'caſt on that Employment; by which the 'King of *Spain* became Maſter of the King's 'Childrens Inheritance. And when Count '*Mansfield* had a Royal Supply of Forces, 'to aſſiſt the Princes of our Party for the 'Recovery thereof, either Plot or Error 'defeated the Enterprize for us, to *Spain*'s 'advantage. That Sir *Robert Mansfield*'s 'Expedition to *Algiers* ſhould purchaſe 'only the Security and Guard of the *Spaniſh* 'Coaſts.

'TO ſpend many Hundred Thouſand 'Pounds in the *Cadiz* Voyage, againſt the 'Advice in Parliament, only to warn the 'King of *Spain* to be in a readineſs, and ſo 'ourſelves weaken'd, is taken for a ſign of 'an ill-affection, among the Multitude.

'THE ſpending of much Munition, Victu-'als, and Money, in my Lord *Willoughby*'s 'Journey, is counted an unthrifty Error 'in the Director of it. To diſarm ourſelves 'in fruitleſs Voyages, may ſeem a Plot of 'Danger.

'IT was held not long ago, a fundamen-'tal Rule of our Neighbours, and our Se-'curity, by the old Lord *Burleigh*, That 'nothing can prevent the *Spaniſh* Monarchy, 'but a Faſtneſs of thoſe two Princes whoſe 'Amity gave Countenance and Courage to 'the *Netherlands* and *German* Princes, to 'make head againſt his Ambition. And 'we ſee by this Diſunion, a fearful Defeat

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'hath happened to the King of *Denmark* 'and that Party, to the advantage of the 'Auſtrian Family.

'AND this waſte of public Treaſure in 'fruitleſs Expeditions, will be an important 'Cauſe to hinder any new Supply in Par-'ment.

'ANOTHER fear that may diſturb the 'ſmooth and ſpeedy paſſage of the King's De-'ſires in Parliament, is the vaſt waſte of the 'King's Livelihood; whereby is like, as in 'former times, to ariſe this jealouſy and fear, 'That when he hath not of his own to 'ſupport his ordinary Charge, for which 'the Lands of the Crown were ſettled un-'alterable, and called *Sacrum Patrimo-'nium Principis*, that then he muſt needs 'of neceſſity reſt upon thoſe Aſſiſtances of 'the People, which ever were only col-'lected and conſigned for the Common-'wealth; from whence it is like there will 'be no great labour and ſtiffneſs to induce 'his Majeſty to an Act of Reſumption: 'ſince ſuch Deſires of the State have found 'an eaſy way in the Will of all Princes, 'from the Third *Henry* unto the laſt.

'BUT that which is like to paſs the 'deepeſt into their Diſputes and Care, is 'the late Preſſures they ſuppoſed to have 'been made upon the Public Liberty and 'Freedom of the Subject, in commanding 'their Goods without aſſent of Parliament, 'impriſoning and confining their Perſons 'without ſpecial Cauſe declared, and that 'made good againſt them by the Judges 'lately; and pretending a Writ to com-'mand their attendances in foreign War: All 'which they are like to enforce as repug-'nant to any poſitive Laws, Inſtitutions, and 'cuſtomary Immunities of this Common-'wealth.

AND theſe dangerous Diſtreſſes to the 'People are not a little improved by the 'unexampled Courſe, as they conceive, of 'retaining an inland Army in Winter Seaſon, 'when former Times of general fear, as in 'Eighty-eight, produced none ſuch; and 'makes them in their diſtracted fears, to 'conjecture idly, it was raiſed wholly to 'ſubject their Fortunes to the Will of Power 'rather than of Law; and to make good 'ſome farther Breach upon their Liberties 'and Freedom at home, rather than defend 'us from any Force abroad. How far ſuch 'Jealouſies, if they meet with any unuſual 'Diſorder of lawleſs Soldiers, are an apt 'Diſtemper of the looſe and needy Multi-'tude, which will eaſily turn away upon 'any occaſion in the State that they can ſide 'withall, as a glorious pretence of Religion 'and publick Safety, when their true End 'will be only Rapine and Ruin of all, is 'worthy a prudent and preventing Care.

'I have thus far delivered with that free-CHARLES I. 'dom you pleaſed to admit, ſuch Difficul-A°. 1628. 'ties as I have taken up amongſt the Mul-'titude, as may arreſt, if not remove Im-'pediments to any Supply in Parliament; 'which, how to facilitate, may better be-'come the care of your Judgements than 'my Ignorance.

'ONLY I could wiſh to remove away a 'perſonal Diſtaſte of my Lord Duke of 'Buckingham amongſt the People: He 'might be pleaſed, if there be a neceſſity of 'Parliament, to appear *firſt Adviſer there-'unto*, and of the ſatisfaction it ſhall pleaſe 'his Majeſty of Grace to give at ſuch time 'to his People, which I would wiſh to be 'grounded by Precedent of his beſt and 'fortunate Progenitors; and which I con-'ceive will ſatisfy the Deſires and Hopes of 'all, if it may appear in ſome ſort to be 'drawn down from him to the People by 'the zealous Care and Induſtry that my 'Lord Duke of *Buckingham* hath of the 'public Unity and Content. By which 'there is no doubt but he may remain not 'only ſecure from any further Quarrel with 'them, but merit a happy Memory amongſt 'them of a zealous Patriot. For, to ex-'piate the Paſſion of the People at ſuch 'times, with ſacrifice of any of his Ma-'jeſty's Servants, I have found it, as in '*Edward* II. *Richard* II. *Henry* VI. no 'leſs fatal to the Maſter, than to the Mi-'niſters in the end.'

'TIS plain from the laſt Clauſe of this Speech, that Sir *Robert* foreſaw the next Houſe of Commons would fall upon the Duke of *Buckingham*; and therefore he adviſed the King ſo to order it, that the Duke might be the firſt who in full Council ſhould move for the calling of a Parliament.

THESE and the like Conſiderations being repreſented to the King, and the Duke having acted his part dextrouſly, a Reſolution was formed unanimouſly at the Council-Table, on the 29th of *January*, for a Parliament to meet on the 17th of *March* following. And to prepare the way, Warrants were ſent according to a precedent Order made in this Month, to releaſe the Gentry who were confined for the Loan-Money. And as faſt as Writs came down to the Counties and Boroughs for choice of the Members, thoſe Gentlemen who had ſuffered for the Loan, were by the People thought the fitteſt to ſerve in the enſuing Parliament, in order to preſent their Grievances, and aſſert their Liberties. And accordingly 27 of them were choſe.

THE Names of thoſe who were diſcharged from all manner of Reſtraint, by virtue of the ſaid Order, were as follow.

Sir *John Strangeways*
Sir *Thomas Grantham*
Sir *William Armin*
Sir *William Maſſam*
Sir *William Wilmore*
Sir *Eraſmus Drayton*
Sir *Edward Aiſcough*
Sir *Nathaniel Barnardiſton*
Sir *Robert Poyntz*
Sir *Beacham St. John*
Sir *Oliver Luke*
Sir *Maurice Berkley*
Sir *Thomas Wentworth*
Sir *John Wray*
Sir *William Conſtable*
Sir *John Hotham*
Sir *John Pickering*
Sir *Francis Barrington*
Sir *William Chancey* } Knights.

William Anderſon
Terringham Norwood
John Trigonwell
Thomas Godfrey
Richard Knightley
Thomas Nicholas
John Hampden
George Ratcliffe
John Dutton
Henry Pool
Nathanael Coxwell
Robert Hatley
Thomas Elmes } Eſqs;

Thomas Wood
John Wilkinſon
William Allen
Thomas Holyhead } Gent.

All theſe remained confined to ſeveral Counties.

Sir *Walter Earl*
Sir *Thomas Darnell*
Sir *Harbottle Grimſton* } Knights.

George Catesby Eſq;

Edmund Hooker.
George Baſſet
James Wooldrond
Henry Sanders } Londoners.

All Priſoners in the *Fleet*.

Sir *John Heveningham* Knt.
Samuel Vaſſal
William Angel } Londoners.

In the *Marſhalſea*.

William Savage
Nathanael Maneſty

In the New Priſon.

Sir *John Corbet*
Sir *John Elliot* } Knights.

William Coryton Eſq;

John Stevens
Thomas Deacon
John Potter } Londoners.

In the Gatehouſe.

Robert Lever
John Peacock
Edward Ridge
John Oclabery
Andrew Stone
William Spurſtow
Robert Hughes
John Pope
James Bunch
Thomas Garris
James Waldron
John Bennet
Ambroſe Aſlot
Thomas Sharp
Thomas Totham
Auguſtin Brabrook
Robert Payne
Edward Talſton
John Whiting
Thomas Webb,
John Ferry } Londoners.

All in the Cuſtody of a Meſſenger.

ORDERS were iſſued alſo from the Council to the Lord Mayor and Aldermen of *London*, to uſe moderation in demanding the Loan from the Citizens, who deferred payment; which is an indication that ſome People ſtill ſtood out, and that violence had been hitherto uſed to compel them. And among other mollifying Arts, *Abbot*, Archbiſhop of *Canterbury*, who had been confined to one of his Houſes, for refuſing to licenſe *Sibthorp*'s Sermon; *Williams*, Biſhop of *Lincoln*, who was priſoner in the *Tower*, for oppoſing the Loan; and *John Digby* Earl of *Briſtol*, who, as is before obſerved, had been committed to the Cuſtody of the Black Rod; had Writs ſent to them by Order of the King and Council, to ſit this enſuing Parliament in the Houſe of Peers. The Biſhop indeed received a Letter from the Lord-Keeper *Coventry* a Month before the Parliament met, to diſſuade him from appearing; but he reſolved to ſtand upon his Privilege, and wrote thus to the Lord-Keeper: *I muſt crave ſome time to reſolve by the beſt Counſels which God ſhall give me, whether I ſhall obey your Lordſhip's Letter, tho' mentioning his Majeſty's Pleaſure, before my own Right, which by the Law of God and Man I may in all humility maintain.* This he did accordingly, and his Writ was not deny'd.

But notwithſtanding theſe conciliating ways of Wiſdom and Juſtice, ſome unhappy meaſures were taken at this time, which only ſerved to renew the late Fears and Jea-

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Jealouſies. For on the 30th of *January*, the Day after the Writs were teſted, the King gave direction for a Commiſſion to 23 Lords, of whom Archbiſhop *Laud* was one, to paſs the Seals, to raiſe Money through the Nation by Impoſitions, in the nature of an Exciſe; and at the ſame time ordered the Lord-Treaſurer to pay 30000 *l.* to *Philip Burlemac*, a *Dutch* Merchant in *London*, to be by him remitted to the *Low-Countries* by Bill of Exchange to Sir *William Balfour* and *John Dalbier*, for the raiſing of 1000 Horſe, with Arms both for Horſe and Foot; the intent of which *German* Horſe was, as it was then apprehended, to inforce the ſaid Exciſe. The Council alſo had under conſideration the levying of Ship-Money upon the Counties for the King's Uſe; but now a Parliament was called, they did not think fit to debate theſe matters any longer.

A little before the Parliament met, a Society of Recuſants, of whom ſeveral were found to be Jeſuits, were taken at a Houſe in *Clerkenwell*, which was intended to be a College of that Order. Among their Papers was found the following Copy of a Letter written to their Father Rector at *Bruſſels*, which diſcovered the Deſigns they had upon this State, the Judgement they had formed of it, and the Hopes they had conceived of the enſuing Parliament.

Father Rector,

'LET not the damp of Aſtoniſhment 'ſeize upon your ardent and zealous 'Soul, in apprehending the ſudden and unexpected calling of a Parliament. We 'have not oppoſed, but rather furthered it: 'ſo that we hope as much in this Parliament, as ever we feared any in Queen '*Elizabeth*'s Days.

'YOU muſt know, the Council is engaged 'to aſſiſt the King by way of Prerogative, 'in caſe the Parliamentary way ſhould fail. 'You ſhall ſee this Parliament will reſemble 'the Pelican, which takes a pleaſure to 'dig out her own Bowels with her Beak.

'THE Election of Knights and Burgeſſes 'hath been in ſuch confuſion of apparent 'Faction, as that which we were wont to 'procure heretofore with much Art and Induſtry (when the *Spaniſh* Match was in 'treaty) now breaks out naturally as Botch 'or Boil, and ſpits and ſpues out its own 'Rancour and Venom.

'YOU remember how that famous and 'immortal Stateſman the Count of *Gondomar*, fed King *James*'s Fancy, and rock'd 'him aſleep with the ſoft and ſweet ſound 'of Peace, to keep up the *Spaniſh* Treaty. 'Likewiſe we were much bound to ſome 'Stateſmen of our own Country, for gaining time by procuring thoſe moſt advantageous Ceſſations of Arms in the *Palatinate*, and advancing the Honour and Integrity of the *Spaniſh* Nation, and vilifying the *Hollanders*; remonſtrating to King *James*, That that State was moſt ungrateful both to his Predeceſſor Queen *Elizabeth*, and his ſacred Majeſty: that the States were more obnoxious than the *Turk*, and perpetually injured his Majeſty's loving Subjects in the *Eaſt-Indies*; and likewiſe they have uſurped from his Majeſty the Regality and unvaluable Profit of the narrow Seas, in fiſhing upon the *Engliſh* Coaſt, *&c.*

'THIS great Stateſman had but one principal means to further their great and good Deſigns, which was to ſet on King *James*, that none but the Puritan Faction, which plotted nothing but Anarchy, and his Confuſion, were averſe to this moſt happy Union. We ſteered on the ſame Courſe, and have made great uſe of this Anarchical Election, and have prejudicated and anticipated the Great one, that none but the King's Enemies, and his are choſen of this Parliament, *&c.*

'WE have now many ſtrings to our Bow, and have ſtrongly fortified our Faction, and have added two Bulwarks more: For when King *James* lived (you know) he was very violent againſt *Arminianiſm*, and interrupted (with his peſtilent Wit and deep Learning) our ſtrong Deſigns in *Holland*, and was a great Friend to that old Rebel and Heretic the Prince of *Orange*.

'NOW we have planted that ſovereign Drug *Arminianiſm*, which we hope will purge the Proteſtants from their Hereſy, and it flouriſheth and bears Fruit in due ſeaſon.

'THE Materials which build up our Bulwark, are the Projectors and Beggars of all Ranks and Qualities: Howſoever, both theſe Factions co-operate to deſtroy the Parliament, and to introduce a new Species and Form of Government, which is Oligarchy.

'THOSE ſerve as decent Mediums and Inſtruments to our end, which is the univerſal Catholic Monarchy. Our Foundation muſt be Mutation, and Mutation will cauſe a Relaxation, which will ſerve as ſo many violent Diſeaſes, as the Stone, Gout, *&c.* to the ſpeedy diſtraction of our perpetual and inſufferable anguiſh of Body, which is worſe than Death itſelf.

'WE proceed now by Counſel and mature Deliberation how and when to work upon the Duke's Jealouſy and Revenge. And in this we give the Honour to thoſe which merit it, which are the Church Catholicks.

'THERE is another matter of conſequence, which we take much into our Con-

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'Conſideration and tender Care, which is 'to ſtave off the *Puritans*, that they hang 'not in the Duke's Ears: They are impu-'dent ſubtile People; and it is to be feared 'leſt they ſhould negociate a Reconciliation 'between the Duke and the Parliament. 'Tis certain, the Duke would gladly have 'reconciled himſelf to the Parliament at '*Oxford* and *Weſtminſter*; but now we 'aſſure ourſelves, we have ſo handled the 'matter, that both Duke and Parliament 'are irreconcileable.

'FOR the better prevention of the *Pu-'ritans*, the *Arminians* have already loc-'ked up the Duke's Ears; and we have 'thoſe of our own Religion, which ſtand 'continually at the Duke's Chamber, to 'ſee who goes in and out: We cannot be 'too circumſpect and careful in this regard.

'I cannot chuſe but laugh to ſee how 'ſome of our own Coat have accoutred 'themſelves; you would ſcarce know them 'if you ſaw them: And 'tis admirable, how 'in Speech and Geſture they act the *Puri-'tans*. The *Cambridge* Scholars, to their 'woful Experience, ſhall ſee we can act 'the *Puritans* a little better than they have 'done the *Jeſuits*: They have abuſed our 'ſacred Patron St. *Ignatius* in jeſt, but we 'will make them ſmart for it in earneſt. 'I hope you will excuſe my merry Di-'greſſion: For I confeſs unto you, I am 'at this time tranſported with Joy, to ſee 'how happily all Inſtruments and Means, 'as well great as leſs, co-operate unto our 'purpoſes.

'BUT to return unto the main Fabric: 'Our Foundation is *Arminianiſm*. The '*Arminians* and Projectors, as appears in 'the premiſſes, affect mutation; this we 'ſecond and inforce by probable Arguments. 'In the firſt place, we take into conſidera-'tion the King's Honour and preſent Ne-'ceſſity; and we ſhew how the King may 'free himſelf of his Ward, as *Lewis* XI.

The Jeſuits Hopes from an Exciſe.

'did. And for his great Splendor and 'Luſtre, he may raiſe a vaſt Revenue, and 'not be beholden to his Subjects; which is 'by way of Impoſition of Exciſe. Then 'our Church Catholicks proceed to ſhew 'the means how to ſettle this Exciſe, which 'muſt be by a mercenary Army of Horſe 'and Foot. For the Horſe, we have made 'that ſure; they ſhall be Foreigners and '*Germans* who will eat up the King's Re-'venues, and ſpoil the Country whereſo-'ever they come, though they ſhould be 'well paid: What Havock will they make 'there, when they get no pay, or are not 'duly paid? They will do more miſchief 'than we hope the Army will do.

'WE are provident and careful, that 'this mercenary Army of 2000 Horſe and '20000 Foot ſhall be taken on and in pay 'before the Exciſe be ſettled. In forming 'the Exciſe, the Country is moſt likely to 'riſe: If the mercenary Army ſubjugate 'the Country, then the Soldiers and Pro-'jectors ſhall be paid out of the Confiſca-'tions; if the Country be too hard for 'the Soldiers, then they muſt conſequently 'mutiny, which is equally advantageous unto 'us. Our ſuperlative Deſign is, to work 'the Proteſtants as well as the Catholics 'to welcome in a Conqueror, and that is by 'this means: We hope inſtantly to diſſolve 'Trades, and hinder the building of Ship-'ping, in deviſing probable Deſigns, and 'putting on the State upon Expeditions, as 'that of *Cadiz* was, in taking away the 'Merchants Ships, ſo that they may not 'eaſily catch and light upon the *Weſt-'India Fleet*, &c.'

THIS third Parliament met on the Day aforeſaid at *Weſtminſter*, when Biſhop *Laud* preached the Sermon, and the King made the following Speech to both Houſes.

My Lords and Gentlemen,

King's Speech at the opening of the third Parliament.

'THESE Times are for Action: Where-'fore, for Example ſake, I mean not 'to ſpend much time in words; expecting 'accordingly that your (as I hope) good 'Reſolutions will be ſpeedy, not ſpending 'time unneceſſarily, or (that I may better 'ſay) dangerouſly. For tedious Conſulta-'tions, at this Conjuncture of Time, are as 'hurtful as ill Reſolutions.

'I am ſure you now expect from me, 'both to know the Cauſe of your Meeting, 'and what to reſolve: Yet I think there is 'none here but knows that common Dan-'ger is the Cauſe of this Parliament, and 'that Supply at this time is the chief End 'of it: So that I need but point to you 'what to do. I will uſe but few perſua-'ſions: For if to maintain your own Ad-'vices, and as now the caſe ſtands for the 'following thereof, the true Religion, Laws 'and Liberties of this State, and the juſt 'Defence of our true Friends and Allies, 'be not ſufficient, then no Eloquence of 'Men or Angels will prevail.

'ONLY let me remember you, That my 'Duty moſt of all, and every one of yours 'according to his degree, is to ſeek the 'maintenance of the Church and Common-'wealth: And certainly there never was a 'time in which this Duty was more ne-'ceſſarily required than now.

'I therefore judging a Parliament to be 'the ancient, ſpeedieſt, and beſt way in 'this time of common Danger, to give ſuch 'Supply as to ſecure ourſelves, and to ſave 'our Friends from imminent Ruin, have 'called you together. Every Man now 'muſt do according to his Conſcience: 'Wherefore if you (which God forbid) 'ſhould not do your Duties, in contributing 'what the State at this time needs, I muſt, 'in diſcharge of my Conſcience, uſe thoſe 'other Means which God hath put into 'my hands, to ſave that which the Follies

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'of particular Men may otherwiſe hazard 'to loſe.

'TAKE not this as a Threatning, for I 'ſcorn to threaten any but my Equals; but 'an admonition from him, that both out 'of Nature and Duty, hath moſt care of 'your Preſervations and Proſperities. And '(though I thus ſpeak) I hope that your 'Demeanours at this time will be ſuch, as 'ſhall not only make me approve your 'former Counſels, but lay on me ſuch Ob-'ligations, as ſhall tie me by way of Thank-'fulneſs, to meet often with you: For be 'aſſured, that nothing can be more pleaſing 'unto me, than to keep a good Correſpon-'dence with you.

'I will only add one thing more, and 'then leave my Lord-Keeper to make a 'ſhort Paraphraſe upon the Text I have 'delivered you; which is, *To remember a 'Thing, to the end we may forget it.* You 'may imagine that I came here with a 'doubt of Succeſs in what I deſire, remem-'bring the Diſtractions of the laſt Meeting: 'But I aſſure you, that I ſhall very eaſily 'and gladly forget and forgive what is paſt, 'ſo that you will at this preſent time leave 'the former ways of Diſtractions, and fol-'low the Counſel late given you, *To main-'tain the Unity of the Spirit in the Bond 'of Peace.*'

THE Lord-Keeper ſeconded his Ma-jeſty in this manner:

My Lords and Gentlemen,

Lord Keeper's Speech on the preſent State of Affairs in Europe.

'YE are here in Parliament by his 'Majeſty's Writ and Royal Com-'mandment, to conſult and conclude of 'the weighty and urgent Buſineſs of this 'Kingdom; weighty it is, and great; as 'great as the Honour, Safety, and Pro-'tection of Religion, King, and Country: 'And what can be greater? Urgent it is; 'it is little pleaſure to tell or think how 'urgent: And to tell it with Circumſtan-'ces, were a long work. I will but touch 'the ſum of it in few words.

'THE Pope and Houſe of *Auſtria* have 'long affected, the one a Spiritual, the o-'ther a Temporal Monarchy: And to effect 'their Ends, to ſerve each other's turn, the 'Houſe of *Auſtria*, beſides the rich and 'vaſt Territories of both the *Indies*, and 'in *Africa*, joined together, are become 'Maſters of *Spain* and *Italy*, and the great 'Country of *Germany*. And altho' *France* 'be not under their Subjection, yet they 'have environed all about it; the very 'Bowels of the Kingdom are ſway'd by the 'Popiſh Faction: They have gotten ſuch 'a part, and ſuch interceſſion in the Go-'vernment, that under pretence of Reli-'gion, to root out the Proteſtants and our 'Religion, they have drawn the King to 'their adherence ſo far, that albeit upon 'his Majeſty's interpoſition by his Ambaſſa-'dors, and his engagement of his Royal 'Word, there were between the King and 'his Subjects Articles of Agreement, and 'the Subjects were quiet; whereof his Ma-'jeſty intereſted in that great Treaty, was 'bound to ſee a true accompliſhment: yet 'againſt that ſtrict Alliance, that Treaty 'hath been broken, and thoſe of the Re-'ligion have been put to all Extremity, 'and undoubtedly will be ruined without 'preſent help. So as that King is not only 'diverted from aſſiſting the common Cauſe, 'but hath been miſled to engage himſelf 'in hoſtile Acts againſt our King and other 'Princes, making way thereby for the 'Houſe of *Auſtria*, to the Ruin of his own 'and other Kingdoms.

'OTHER Potentates, that in former 'times did balance and interrupt the grow-'ing Greatneſs of the Houſe of *Auſtria*, 'are now removed and diverted. The '*Turk* hath made Peace with the Emperor, 'and turned himſelf wholly into Wars 'with *Aſia*. The King of *Sweden* is em-'broiled in a War with *Poland*, which is 'invented by *Spaniſh* practices, to keep 'that King from ſuccouring our part: 'The King of *Denmark* is chaſed out of 'his Kingdom on this and on that ſide the '*Sound*; ſo as the Houſe of *Auſtria* is on 'the point to command all the Sea-Coaſts, 'from *Dantzic* to *Embden*, and all the Ri-'vers falling into the Sea in that great extent: 'So as beſides their power by Land, they 'begin to threaten our part by Sea, to the 'ſubverſion of all our State.

'IN the *Baltic* Sea, they are providing 'and arming all the Ships they can build or 'hire; and have at this time their Am-'baſſadors treating at *Lubeck*, to draw 'into their Service the *Hanſe*-Towns; 'whereby taking from us and our Neigh-'bours the *Eaſtland* Trade, by which our 'ſhipping is ſupplied, they expect without 'any Blow given, to make themſelves Ma-'ſters of that Sea. In theſe *Weſtern* parts, 'by the *Dunkirkers*, and by the now '*French* and *Spaniſh* Admiral, to the ruin 'of Fiſhing (of infinite conſequence both 'to us and the *Low-Countries*) they in-'feſt all our Coaſt, ſo as we paſs not ſafely 'from Port to Port. And that Fleet which 'lately aſſiſted the *French* at the Iſle of '*Rhee*, is now preparing at *St. Andrews*, 'with other Ships built on the Coaſt of '*Biſcay* to reinforce it; and a great Fleet 'is making ready in *Liſbon*, where, be-'ſides their own, they do ſerve themſelves 'upon all Strangers Bottoms coming to that 'Coaſt for Trade: And theſe great Prepa-'rations are, no doubt, to aſſault us in *Eng-'land* or *Ireland*, as they ſhall find advan-'tage, and a Place fit for their Turn.

'OUR Friends of the *Netherlands*, be-'ſides the Fear that juſtly troubles them, 'leſt the whole Force of the Emperor may 'fall down upon them, are diſtracted by their

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'Voyages into the *East*, which hath carried both Men and Money into another World, and much weaken'd them at home.

'THUS are we even ready on all sides to be swallow'd up; the Emperor, *France* and *Spain* being in open War against us; *Germany* over-run, the King of *Denmark* distressed, the King of *Sweden* diverted, and the *Low-Country* Men disabled to give us Assistance.

'I speak not this to increase Fear, unworthy of *English* Courages, but to press to Provision worthy the Wisdom of a Parliament: And for that cause his Majesty hath called you hither, that by a timely Provision against those great imminent Dangers, ourselves may be strengthened at home, our Friends and Allies encouraged abroad, and those great Causes of Fear scatter'd and dispell'd.

'AND because in all warlike Preparations, Treasure bears the Name, and holds the Semblance of the Nerves and Sinews; and if a Sinew be too short or too weak; if it lie either shrunk or strained, the Part becomes unuseful: It is needful that you make a good and timely Supply of Treasure, without which, all Counsels will prove fruitless. I might press many Reasons to this end; but I will but name few.

'FIRST, For his Majesty's sake, who requires it. Great is the Duty which we owe him by the Law of God; great by the Law of Nature, and our own Allegiance; great for his own Merit, and the Memory of his ever-blessed Father. I do but point at them: but methinks our Thoughts cannot but recoil on one Consideration touched by his Majesty, which to me seems to sound like a Parliamentary Pact or Covenant.

'A War was advised here, Assistance professed, yea, and protested here: I do but touch it, I know you will deeply think on it; and the more, for the Example the King hath set you; his Lands, his Plate, his Jewels he hath not spared to supply the War: What the People hath protested, the King, for his part, hath willingly performed.

'SECONDLY, For the Cause sake. It concerns us in Christian Charity to tender the Distresses of our Friends abroad; it concerns us in Honour not to abandon them, who have stood for us. And if this comes not close enough, you shall find our Interest so woven and involved with theirs, that the Cause is more ours than theirs. If Religion be in peril, we have the most flourishing and orthodox Church: If Honour be in question, the Stories and Monuments in former Ages will shew, that our Ancestors have left us as much as any Nation: If Trade and Commerce be in danger, we are Islanders, it is our Life. All these at once lie at stake, and so doth our Safety and Being.

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'LASTLY, in respect of the manner of his Majesty's Demand, which is in Parliament, the way that hath ever best pleased the Subjects of *England*. And good Cause for it: For, Aids granted in Parliament work good Effects for the People; they be commonly accompanied with wholesome Laws, gracious Pardons, and the like. Besides, just and good Kings finding the Love of their People, and the Readiness of their Supplies, may the better forbear the Use of their Prerogatives, and moderate the Rigour of their Laws towards their Subjects.

'THIS way, as his Majesty hath told you, he hath chosen, not as the only way, but as the fittest; not as destitute of others, but as most agreeable to the Goodness of his own most gracious Disposition, and to the Desire and Weal of his People. If this be deferred, Necessity and the Sword of the Enemy make way to the others. Remember his Majesty's Admonition, I say, remember it.

'LET me but add, and observe God's Mercy towards this Land above all others. The Torrent of War hath overwhelmed other Churches and Countries; but God hath hitherto restrained it from us, and still gives us warning of every approaching Danger, to save us from Surprize. And our gracious Sovereign, in a true sense of it, calls together his High-Court of Parliament, the lively Representation of the Wisdom, Wealth and Power of the whole Kingdom, to join together to repel those hostile Attempts, which distressed our Friends and Allies, and threatned ourselves.

'AND therefore it behoves all to apply their Thoughts unto Counsel and Consultations, worthy the Greatness and Wisdom of this Assembly; to avoid Discontents and Divisions, which may either distemper or delay; and to attend that *Unum Necessarium*, the common Cause; propounding for the Scope and Work of all the Debates, the general Good of the King and Kingdom, whom God hath joined together with an indissoluble Knot, which none must attempt to cut or unty. And let all, by Unity and good Accord, endeavour to pattern this Parliament by the best that have been, that it may be a Pattern to future Parliaments, and may infuse into Parliaments a kind of multiplying Power and Faculty, whereby they may be more frequent, and the King our Sovereign may delight to sit on his Throne, and from thence to distribute his Graces and Favours amongst his People.

'HIS Majesty hath given you Cause to be confident of this you have heard from his Royal Mouth; which nevertheless he

'hath

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'hath given me expreſs command to re-
'double: If this Parliament by their dutiful
'and wiſe Proceedings, ſhall but give this
'Occaſion, his Majeſty will be ready, not
'only to manifeſt his gracious Acceptation,
'but to put out all Memory of thoſe
'Diſtaſtes that have troubled former Par-
'liaments.

'I have but one thing more to add, and
'that is, As your Conſultations be ſerious,
'ſo let them be ſpeedy. The Enemy is
'beforehand with us, and flies on the
'Wings of Succeſs. We may dally and
'play with the Hour-glaſs that is in our
'power, but the Hour will not ſtay for
'us; and an Opportunity once loſt cannot
'be regained.

'AND therefore reſolve of your Sup-
'plies, that they may be timely and ſuf-
'ficient, ſerving the Occaſion: Your Coun-
'ſel, your Aid, all is but loſt, if your Aid
'be either too little or too late: And his
'Majeſty is reſolved, that his Affairs can-
'not permit him to expect it over-long.'

Remarks on both Speeches.

THESE two Speeches plainly enough demonſtrated the King's Principles concerning the Uſe of Parliaments, and what his Intentions were, in caſe he received not the expected Satisfaction from the preſent. Inſtead of being ſo complaiſant as to court his Parliament, he thought it a wonderful piece of Condeſcenſion to declare, That altho' he had other ways of raiſing Money, he was very willing to follow the old Method of demanding a Supply from the Parliament; but for fear the Commons ſhould think he was drove to it by a kind of Neceſſity, he took care to let them know, that if the Money he wanted was not granted, he had it in his power to raiſe it other ways.

As to the Arguments alledged by the Lord-Keeper, to ſtir up the Commons to give the King a plentiful Supply, they were too much exaggerated to have any great Effect. The pretended Preparations of the *Spaniards* to invade *England*, were a mere *Chimæra*; for during the whole War, the *Spaniards* made no Attempt upon *Great Britain* or *Ireland*: Nay, it was in the King's power to make Peace with the *Spaniard*, who had no demands upon him, and yet he would fain make it believed, that *England* was in imminent Danger. As to the Argument ſo often repeated, that the Parliament had adviſed the War, it was ſo worn out, that it could not make the leaſt impreſſion. There was not a Man in *England* at that time but what was very ſenſible, that the King and the Duke of *Buckingham* were the real Authors of the *Spaniſh* War, and that it was by mere Fraud and Artifice that they got the Parliament to give the Advice, which the King always inſiſted on.

As a Proof that the Commons were then not ill-diſpoſed towards the Court, if the Court had ſhewn the leaſt Readineſs to give them Satisfaction about Grievances; the Houſe choſe Sir *John Finch* for their Speaker, who being preſented to the King on the 19th of *March*, made a Speech, as uſual, to be excuſed from that Office; but his Choice was approved by the King. It appears by a Copy of Sir *John*'s Speech upon this Occaſion, which is preſerved among the MSS. of *Bibliotheque Harley*, that he excited his Majeſty to a Zeal againſt Popery by commending him for it. 'By your Royal Edict, *ſaid he*, you have 'baniſhed thoſe Incendiaries of *Rome*, the 'Prieſts and Jeſuits, Enemies to your Church 'and State. You have given Life to the 'Law againſt Recuſants, and by your own 'exemplary Piety, have *drawn* more than 'you have compell'd to come to Church.'

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Sir John Finch *choſe Speaker.*

His Addreſs to the King.

BEFORE the Commons enter'd into any Debates, there was a long and bold Letter dropp'd on their Table, containing the particulars of the Nation's Grievances, and an earneſt Exhortation to the Commons to remember there could be no Safety but in the lawful Power of the Prince, and the Freedom of Parliament. 'How long, *ſaid* '*the Writer*, are we to be treated like 'Children, and diverted in our purſuit? 'We are bugbear'd with Enemies abroad, 'to prevent our ſeeing thoſe at home. If 'the firſt are ſo much to be feared, why 'were they made ſo? The late King left 'us in Peace with all the World, what ne-'ceſſity was there that his Succeſſor ſhould 'declare War againſt *Spain* and *France*? 'Did he conſult his Parliament, and muſt 'we pay for the Follies of a Favourite, who 'has engaged him therein without Reaſon? 'We are apprehenſive of greater Evils from 'the Ambition of this Man, than from that 'of the Houſe of *Auſtria*: And the *Armi-'nian* Biſhops, *Neale*, *Laud* and *Mounta-'gue*, whoſe Protector he is, are no leſs for-'midable than the Jeſuits.'

This Letter was directed, *To my noble Friends of the Lower Houſe of Parliament*, and was induſtriouſly diſperſed abroad under the Title of *A Speech without Doors*. As it made a very great noiſe at that time, and as the Author was ſuppoſed to have been formerly a Member of that Houſe, it may be expected that we ſhould give ſome farther account of the Contents of it.

The Speech without Doors.

The Author ſays, 'That although his 'Country had not held him worthy to 'ſerve in this Parliament, as he had in 'many others, yet he would ſhew his 'Thankfulneſs to her, and communicate 'what he had obſerved in that grave and 'wiſe Aſſembly: That there was great 'Cauſe to look into the late Elections,

'Cor-

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'Corporations being grown ſo baſe and 'timorous, that they would not hazard 'the Indignation of a Lord-Lieutenant, 'who underhand threaten'd them with a 'Muſket or a Horſe at the Muſter, if he had 'not the Election of their Burgeſſes; who 'are commonly ſuch as deſire it for Pro-'tection, or are ſo ignorant of the Place 'they ſerve for, that they have been obli-'ged to ask the next Man to them, whe-'ther it were a Sea or a Land-Town.

'Freedom of Speech hath been ancient, 'by the Teſtimony of *Philip de Comines*, 'who, in that reſpect, prefers our Parlia-'ments before other Aſſemblies; and if 'it ſhould be prohibited there when the 'People's Grievances are to be open'd, a 'Parliament would have no more Privilege 'than a Quarter-Seſſions. And what Re-'medy could the Subject have without it, 'againſt the Abuſes of thoſe in Authority, 'and of ſuch Servants where the Affections 'of Princes ſo far tranſport them, as to make 'them the only Perſons to whom they give 'Truſt and Credit? For in that caſe, what 'Subject dares complain or queſtion the 'Actions of ſuch a Servant, unleſs warran-'ted by his Freedom in Parliament? The 'ſureſt way is to examine the Grievances 'of the Kingdom, without touching upon 'the Perſon of any Man, farther than there 'is juſt occaſion; for otherwiſe you will 'conteſt with him who hath the Prince's 'Ears open, and will impute your En-'mity to him, to the Contempt of the King, 'and your ſeeking to leſſen his Authority. 'And no Prince could be ſo affectionate to 'a Servant, or ſuch an Enemy to himſelf, 'as not to admit of this indifferent proceed-'ing. One of Quality in the Iſle of *Rhee* 'endeavoured to conceal the number of 'Men loſt there, and confidently affirmed 'they were but 3 or 400 Men. But a 'Doctor of Phyſic, out of Conſcience and 'Duty, acquainted his Majeſty with the 'Truth, that there were 2000 loſt; which 'was ſo contrary to the Informer and his 'Deſigns, that the Phyſician was baniſhed 'the King's Preſence, and ſo continues. 'Which of theſe Reports is true, may be 'eaſily determined by the Clerks of the 'Bands of each Company, and is worth 'the diſcovery; for by that ſmall inſtance, 'his Majeſty might ſee how he was abuſed: 'And they that ſtick not thus to wrong a 'King, may as well caſt Aſperſions upon 'a Parliament. And for theſe Miſreports 'there is no Remedy but Freedom of 'Speech in Parliament; for while Subjects 'Tongues are tied for fear they ſhould 'touch him whoſe Conſcience cries guilty, 'the King and People are kept from a 'right Underſtanding; and all for one, who 'is like a Dragon that bites the Ear of 'the Elephant, becauſe he knoweth the 'Elephant cannot reach him with his 'Trunk.

'For Grievances, they are ſome gene-'ral, ſome particular; the general Grie-'vances are ſo many as will ſerve for 'every Member to preſent two a-piece to 'the view of the Houſe: And tho' I am, 'ſaid he, no Member now, yet in regard I 'have been one, I will preſent my two.

'1. TITLES of Honour, both in reſpect 'of the Parties themſelves, their Eſtates and 'Parentage, and of the manner of attaining 'thereto, which was mercenary, baſe and 'corrupt. *Plutarch* taught, that Men 'ſhould labour to deſerve Honour, but avoid 'the getting of it baſely; for it was much 'more honourable to deſerve and not to 'have it, than to have it and not to deſerve 'it. Honour gotten by Favour, was but 'blind Fortune; an Ounce of which at 'Court, was better than a Pound of Wiſ-'dom: And that which was compaſſed by 'Power, is plain Force. Examine the Con-'dition of Men raiſed to Honour within 'theſe 25 Years, whether it were Deſert, 'Favour, or Power that had preferred them; 'and how many hungry Courtiers have 'been raiſed to the higheſt Pitch of Honour. 'Enquire into their prince-like Expences in 'theſe 25 Years, their Eſtates at preſent, 'and what would maintain them and their 'Poſterity in their Honours: And it would 'be found how the annual Revenue of the 'Crown had been conſumed upon theſe 'unworthy Perſons. Such Advancements 'brought with them a Contempt of Great-'neſs, and an Emulation in Gentlemen, 'whoſe Families, Eſtates, and Deſerts 'might better challenge it. When *Philip* 'the Second of *Spain* enter'd Sword in 'hand upon his Kingdom of *Portugal*, 'the *Portugueſe* beſought him to grant 'them ſome few Privileges; one whereof 'was, that he would make no unworthy 'Perſons Noble, or without their Appro-'bation: Which was granted them; and 'he keeps that Kingdom in its ancient State, '*viz.* two Dukes, one Marquis, and eigh-'teen Earls.

'2. THE other Grievance he recommen-'ded to their view, was, that of our Wars, 'the exceſſive Charges, vainly ſpent in it; 'the Unworthineſs of the People employ'd; 'the neglect of experienced Perſons; the 'Deſigns not warranted by Reaſon or Diſ-'cretion, and the Execution worſe per-'formed: For there were Abuſers of Prin-'ces, who perſuade them to War when 'they might live in Peace.

'HE ſaid, The Parliament (of which 'he was a Member) had an Aſperſion caſt 'upon it, *That they drew his Majeſty 'into a War, and then failed to contri-'bute to it.* Then in the Parliament at '*Oxford*, Money being required of them 'towards furniſhing out the Fleet, it was 'for ſeveral Reaſons unanimouſly refuſed. 'Whereupon there was an offer made by 'him, who, next to the King, ſeem'd to 'have

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'have best Authority, That if they would 'contribute but 40000 *l.* they should 'chuse their Enemy; whereby it appears, 'that before that Proposition there was no 'Enemy, and therefore no War. And the 'Parliament instantly breaking up without 'any Enemy named, or Money consented 'to, how can the Parliament be taxed for 'Peace-breakers? In *October* following, 'the Fleet sailed to *Cadiz*; another Voy-'age followed the next Summer under the 'Earl of *Lindsey*. The last and most la-'mentable was that of the Isle of *Rhee*: 'he wished these Voyages, with that to '*Algier*, might be referred to the Exami-'nation of experienced Officers by Land 'and Sea; and that after it had passed the 'Parliament's Approbation, it might be 'imparted to his Majesty, who would then 'see the difference between Actions well 'managed, and rash and heady Enter-'prizes; for the Probability of a Business 'was to be considered, as well as the Ne-'cessity, Profit and Honour of it. *He 'said*, it was observable in the Voyage of '*Cadiz*, that a Land-Soldier commanded 'at Sea, who knew not what belong'd to 'it: And in that of *Rhee*, one commanded 'who was neither Soldier by Land nor Sea; 'and the Success proved accordingly in 'both; and yet neither questioned, but 'both highly advanced.

'THE Evils that followed upon these 'two Voyages, had been the Billeting of 'Soldiers on the Country, and bringing 'our Ships into Harbour, while the Pay of 'the one, and the Wages of the other, run 'on; and yet our Coasts so infested, that 'we durst not peep out of Harbour, But 'as for an Invasion, there could be no 'great fear of it, when our Ships were 'divided into so many Harbours, and our 'Soldiers in such a readiness: Besides, the 'Season of the Year was too late. Here's 'a Mass of Wealth consumed, and none 'the better for it but Soldiers; while the 'Poor were robb'd and spoil'd by those 'Fellows, and the Rich forced to stand 'upon their Guard, lest their Houses should 'be surprized and rifled. The first Di-'minution of the Greatness of the *Roman* 'Empire was by the insolence of Soldiers: 'And the first raising of the *Ottoman* Fa-'mily was by their connivance at their 'Army. Who ever saw, or thought to 'have seen *Scots* and *Irish* garrison'd in '*England*, and no Enemy appear? Or 'our own People tyranniz'd over in our 'own Kingdom, and not dare to complain? 'Would our Fore-fathers have thought it 'policy to draw 2000 *Scotch* and *Irish* 'into the *Isle of Wight* for their Defence 'against *France*? Or that 2000 Mouths 'besides the Inhabitants, should live on 'the Food of that Island, to bring them 'into want of Victuals, in case they should 'be attempted in earnest, and in the mean 'time to suffer all Injuries from the hands 'of Strangers? They would have thought 'it fitter to have sent the *English* Soldiers 'to the Place where they were pressed, 'till there was further Occasion for them: 'To have supplied the *Isle of Wight* with '2000 Men from the main Land, when 'they thought it in any danger, rather 'than to have sent for them out of *Ireland*, 'and keep them in continual pay; and to 'have returned the barbarous *Irish* into 'their own Country, rather than to make 'them a vexation to the places where they 'were, and to have continued that need-'less and expensive course, wherein 2 or '300000 *l.* have been wastefully spent: 'for *England* wanted no Men, but could 'suddenly raise what Men his Majesty 'pleased, and could discharge them again 'without Trouble or Charge; and yet all 'the Song now was, To raise Money and 'exact it of the Subject. But if a Man 'complained of the evil Management, he 'was either imprisoned, banished the Court, 'or censured for a Male-content.

'*He added*, That one of the first Pro-'posals to the House would be for Money 'to support his Majesty's vast Expence at 'this time when the Enemy threatned the 'Kingdom; and their frequent Alarms 'might make them too secure: for in the 'last Parliament, Books were published of 'invincible Preparations, and nothing came 'of it; and yet they might be deceived 'by that old Saying, *That a Lyar is not 'to be trusted when he speaks Truth.* 'That they must give for their own sakes, 'their Sovereign's sake, and their Country's 'sake; but then they ought to declare the 'condition of the Kingdom, and that they 'were not of Ability to give as they would. 'As when *Themistocles* demanded Tribute 'of the *Athenians*, and told them he 'brought two Gods with him, Persuasion 'and Violence; they answered him, They 'had two other Gods in their Country, 'Poverty and Impossibility. And at this 'time, the *Speech-maker's* Advice was, '*That they present unto his Majesty 'their willing Hearts and Minds to repair 'and put to Sea his Navy; but they to 'have the power of making them able and 'serviceable, by the Advice of experienced 'Men that they might call unto them.* 'This was a matter of great importance; 'for the Safety of the Kingdom, *said he*, 'depended upon this Bulwark: Hereby 'that matter might be managed without 'any trouble to his Majesty, who might 'dispose of the rest of his Revenue at his 'pleasure: And it would then appear that 'they were not against giving, but against 'the misemployment of it when given. And 'if any should inform his Majesty 'twas a 'derogation to his Honour to yield to his 'Subjects upon Conditions, how could it 'lessen the Reputation of a Prince to

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'follow the Advice of his higheſt Counſellors? What Diſhonour rather were it, to 'be ruled by one Counſellor alone, to 'whom the whole Commonwealth had 'taken juſt Exception?' Thus far the Speech without doors.

On the 20th of *March*, the Houſe ſettled their Grand Committees for Religion, Grievances, Courts of Juſtice, and Trade; and drew up a Petition to the King for a publick Faſt: to which the Lords conſented. The Petition was as follows.

Petition for a Faſt day.

Moſt Gracious Sovereign,

'WE your moſt humble and loyal 'Subjects, the Lords Spiritual and 'Temporal, and the Commons in this preſent Parliament aſſembled, upon a tender 'and compaſſionate Senſe of the extreme 'Calamities of the Reformed Churches 'abroad, and with much Sorrow apprehending the Diſpleaſure of Almighty 'God declared againſt ourſelves, the manifold Evils already fallen upon us, and 'thoſe which are further threatned, as by 'your Sacred Majeſty was intimated unto 'us, even to the utter Deſtruction and Subverſion of this Church and State, and 'which our Sins have juſtly deſerved; and 'being now by your Majeſty's gracious 'Favour aſſembled in Parliament as the 'great Council of this your Kingdom, to 'conſult of ſuch Means as we think fitteſt 'to redreſs the preſent and prevent the 'future Evils; wherein we, thro' God's 'Bleſſing, intend to employ our utmoſt 'Endeavours, humbly beſeech your Majeſty, That by your ſpecial Command, 'one or more Days may be forthwith ſolemnly ſet apart, wherein both ourſelves 'and the whole Kingdom may by Faſting 'and Prayers ſeek Reconciliation at the 'hands of Almighty God; and with 'humble and penitent Hearts beſeech him 'to remove thoſe Miſeries that lie upon 'us and our neighbour Churches; to avert 'thoſe which are threatned, to continue 'the Favours we yet enjoy, and particularly to beſtow his abundant Bleſſing upon 'your Majeſty and this preſent Parliament; 'ſo that all our Counſels and Reſolutions 'being bleſſed by his Divine Aſſiſtance, 'may produce much Honour and Safety to 'your Majeſty, your People and Allies.'

On the 22d, the Grievances were opened and warmly debated; as Billeting of Soldiers, Loans, Benevolences, Privy-Seals, Impriſonment of Subjects refuſing to lend, denial of Bail upon *Habeas Corpus*; and they ſeem'd determined to grant no Supply till the ſaid Grievances were redreſſed.

What was ſaid by the Chief Speakers on this Head, is ſo material, that we cannot think it will ſeem tedious to the Reader.

Sir *Francis Seymour* began thus:

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A°. 1628. *Debates touching Grievances. Sir* Francis Seymour's *Speech.*

'THIS is the great Council of the 'Kingdom, and here (if not here 'alone) his Majeſty may ſee, as in a true 'Glaſs, the State of the Kingdom: We are 'called hither by his Majeſty's Writs to 'give him faithful Counſel, ſuch as may 'ſtand with his Honour: But this we muſt 'do without Flattery. We are ſent hither 'by the Commons to diſcharge that Truſt 'repoſed in us, by delivering up their juſt 'Grievances; and this we muſt do without 'Fear. Let us not therefore be like *Cambyſes*'s Judges, who being demanded of 'their King, whether it were not lawful 'for him to do what in itſelf was unlawful, 'They (rather to pleaſe the King, than 'to diſcharge their own Conſciences) anſwered, that the *Perſian* Kings might 'do what they liſted. This baſe Flattery 'tends to Miſchief, being fitter for Reproof 'than Imitation; and as Flattery like Fear 'taketh away the Judgement, let us not 'then be poſſeſſed with Fear or Flattery, 'of Corruptions the baſeſt. For my own 'part, I ſhall ſhun both theſe, and ſpeak 'my Conſcience with as much Duty to his 'Majeſty, as any Man; yet not neglecting 'the Publick, in which his Majeſty and 'the Commonwealth have an Intereſt: But 'how can we ſhew our Affections whilſt 'we retain our Fears? or how can we think 'of giving Subſidies till we know whether 'we have any thing to give or no? for if 'his Majeſty be perſuaded by any to take 'from his Subjects what he will, and where 'it pleaſeth him, I would gladly know 'what we have to give? 'Tis true, it is 'ill with thoſe Subjects that ſhall give Laws 'to their Princes, and as ill with thoſe 'Princes which ſhall uſe force with thoſe 'Laws: that this hath been done, appeareth by the billeting of Soldiers, a 'thing no way advantageous to his Majeſty's ſervice, but a Burden to the Commonwealth; this alſo appeareth by the 'laſt Levy of Money againſt an Act of 'Parliament. Again, Mr. *Speaker*, what 'greater Proof can there be of this, than 'the impriſonment of divers Gentlemen for 'the Loan, who if they had done the contrary for fear, their Fault had been as 'great as theirs that were the Projectors of 'it; and to countenance theſe proceedings, 'hath it not been preached (or rather prated) in our Pulpits, that all we have is 'the King's, *Jure Divino?* Thus ſay theſe 'Time-ſervers, who forſake their Function, 'and turn ignorant Stateſmen. We ſee 'how willing they would be to change a 'good Conſcience for a Biſhopric: And, '(Mr. *Speaker*) we ſee how eaſy it is for a 'Prince, how juſt and good ſoever, to be 'abuſed; in regard he muſt ſee with other

'Men's

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'Men's Eyes, and hear with other Men's 'Ears. Let us not flatter his Majeſty; it 'is too apparent to all the World, the King 'and People ſuffer more now than ever; his 'Majeſty in his Affairs abroad, and his 'People in their Eſtates at home. But 'will you know the reaſon of all this; let 'us look back to the Actions of former 'Princes, and we ſhall find that thoſe Princes 'have been in greateſt Want and Extre-'mity that exacted moſt of their Subjects, 'and moſt unfortunate in the Choice of 'their Miniſters, and to have failed moſt 'in their Undertakings: Happy is that 'Prince who hath thoſe that are faithful 'of his Council. That which his Majeſty 'wanted in the Management of his Affairs 'concerning *France* and *Spain*, I am clear 'was his want of faithful Counſel to adviſe. 'The Reaſon is plain; a Prince is ſtrongeſt 'by faithful and wiſe Counſel: I would I 'could truly ſay, ſuch have been em-'ploy'd abroad. I will confeſs, and ſtill 'ſhall from my Heart, he is no good Sub-'ject, nor well-affected to his Majeſty and 'the State, that will not willingly and 'freely lay down his Life, when the End 'may be the Service of his Majeſty, and the 'Good of the Commonweal: But on the 'contrary, when againſt a Parliament-Law, 'the Subject ſhall have taken from him, his 'Goods againſt his Will, and his Liberty 'againſt the Laws of the Land, ſhall it be 'accounted want of Duty in us to ſtand 'upon our Privileges, hereditary to us, and 'confirmed by ſo many Acts of Parliament.

'IN doing this, we ſhall but tread the 'Steps of our Forefathers, who ever pre-'ferred the Publick Intereſt before their 'Right; nay, before their own Lives; nor 'can it be any wrong to his Majeſty, to 'ſtand upon them, ſo as that we may there-'by be the better enabled to do his Majeſty 'ſervice; but it will be a Wrong to us and 'our Poſterity, and our Conſciences, if we 'willingly forego that which belongs unto 'us by the Law of God, and of the Land; 'and this we ſhall do well to preſent unto 'his Majeſty; we have no cauſe to doubt 'of his Majeſty's gracious Acceptation.'

Sir Thomas Wentworth's *Speech.*

'THIS Debate (ſaid Sir *Thomas Went-worth*) carries a double Aſpect to-'wards the Sovereign and the Subject; 'tho' both be innocent, both are injured, 'and both to be cured. Surely, in the 'greateſt Humility I ſpeak it, theſe ille-'gal ways are Puniſhment and Marks of 'Indignation; the raiſing of Loans ſtreng-'thened by Commiſſion, with unheard-of 'Inſtructions and Oaths; the billeting of 'Soldiers by the Lieutenants and Deputy-'Lieutenants, have been, as if they would 'have perſuaded Chriſtian Princes, yea 'Worlds, that the Right of Empires had 'been to take away by ſtrong Hands; and 'they have endeavoured as far as poſſible 'for them, to do it. This hath not been 'done by the King (under the pleaſing 'Shade of whoſe Crown I hope we ſhall 'ever gather the fruits of Juſtice) but by 'Projectors, who have extended the Pre-'rogative of the King, beyond the juſt 'Symmetry which maketh a ſweet Har-'mony of the whole. They have brought 'the Crown into greater want than ever, by 'anticipating the Revenues: And can the 'Shepherd be thus ſmitten, and the Sheep 'not ſcattered? They have introduced a 'Privy-Council raviſhing at once the Spheres 'of all ancient Government; impriſoning 'us without either Bail or Bond; they have 'taken from us, what ſhall I ſay, indeed 'what have they left us? All means 'of ſupplying the King, and ingratiating 'ourſelves with him; taking up the Root 'of all Propriety, which if it be not ſea-'ſonably ſet again into the Ground by his 'Majeſty's own Hands, we ſhall have in-'ſtead of Beauty, Baldneſs. To the ma-'king of thoſe whole; I ſhall apply myſelf, 'and propound a Remedy to all theſe 'Diſeaſes. By one and the ſame thing 'have King and People been hurt, and by 'the ſame muſt they be cured; to vindi-'cate, what, new things? no, our ancient 'vital Liberties, by reinforcing the ancient 'Laws made by our Anceſtors, by ſetting 'forth ſuch a Character of them, as no li-'centious Spirit ſhall dare to enter upon 'them; and ſhall we think this is a way to 'break a Parliament? No, our Deſires are 'modeſt and juſt, I ſpeak truly, both for 'the Intereſt of King and People; if we 'enjoy not theſe, it will be impoſſible to 'relieve him.

'THERFORE let us never fear they 'ſhall not be accepted by his Goodneſs: 'Wherefore I ſhall ſhortly deſcend to my 'Motions, conſiſting of four parts; two of 'which have relation to our Perſons; two 'to the Propriety of Goods. For our Perſons; 'firſt, the freedom of them from Impri-'ſonment; ſecondly, from Employment 'abroad, contrary to the ancient Cuſtoms. 'For our Goods, that no Levies be made, 'but by Parliament; ſecondly, no billeting 'of Soldiers. It is moſt neceſſary that 'theſe be reſolved, that the Subject may 'be ſecured in both.'

Sir *Benjamin Rudyard* ſtood up as a Moderator, and ſpoke thus:

Sir Benjamin Rudyard *acted as Moderator.*

'THIS is the Criſis of Parliaments; 'we ſhall know by this, if Parlia-'ments live or die; the King will be valued 'by the Succeſs of us; the Counſels of this 'Houſe will have Operations in all; 'tis fit 'we be wiſe. His Majeſty begins to us 'with Affection, proclaiming that he will 'rely on his People's Love. Preſervation

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'is natural; we are not now on the *bene* 'esse, but on the *esse:* be sure *England* is 'ours, and then prune it. Is it no small 'matter that we have provoked two most 'potent Kings? We have united them, and 'have betray'd ourselves more than our 'Enemies could. Men and Brethren, what 'shall we do? Is there no Balm in *Gilead?* 'If the King draw one way, and the Par-'liament another, we must all sink. I re-'spect no particular; I am not so wise to 'contemn what is determined by the major 'part; one Day tells another, and one Par-'liament instructs another. I desire this 'House to avoid all contestations; the Hearts 'of Kings are great: 'tis comely that Kings 'have the better of their Subjects; give 'the King leave to come off. I believe his 'Majesty expects but the Occasion: 'tis 'lawful and our Duty to advise his Ma-'jesty; but the way is to take a right 'Course to attain the right End; which I 'think may be thus, by trusting the King, 'and to breed a Trust in him, by giving 'him a large Supply according to his Wants, 'by prostrating our Grievances humbly at 'his Feet; from thence they will have the 'best way to his Heart, that is done in Duty 'to his Majesty. And to say all at once, 'let us all labour to get the King on our 'side; and this may be no hard matter, con-'sidering the near subsistence between the 'King and People.'

Sir Edward Coke *spake next.*

Sir Edward Coke's Speech.

'DUM *tempus habemus, bonum ope-* '*remur.* I am absolutely for giving 'Supply to his Majesty, yet with some 'caution. To tell you of foreign Danger 'and inbred Evils I will not do it; the State 'is inclining to a Consumption, yet not in-'curable. I fear not foreign Enemies; 'God send us Peace at home. For this 'Disease I will propound Remedies; I 'will seek nothing out of my own Head, 'but from my Heart, and out of Acts of 'Parliament; I am not able to fly at all 'Grievances, but only at Loans: let us not 'flatter ourselves; who will give Subsidies, 'if the King may impose what he will? 'and if, after Parliament, the King may 'inhance what he pleaseth? I know the 'King will not do it; I know he is a reli-'gious King, free from personal Vices, but 'he deals with other Men's Hands, and 'sees with other Men's Eyes; will any 'give a Subsidy, that will be taxed after 'Parliament at pleasure? The King can-'not tax any by way of Loans. I differ 'from them who would have this of Loans 'go amongst Grievances; but I would have 'it go *alone.*

'I'll begin with a noble Record, it chears 'me to think of it; 25 *Edw.* III. It is 'worthy to be written in Letters of Gold; 'Loans against the Will of the Subject, are 'against Reason and the Franchises of the 'Land, and they desire Restitution: What 'a word is that Franchise? The Lord 'may tax his Villain high or low; but it 'is against the Franchises of the Land for 'Freemen to be taxed but by their consent 'in Parliament. Franchise is a *French* 'word, and in *Latin* is *Libertas.* In '*Magna Charta* it is provided that *Nul-'lus liber homo capiatur vel imprisonetur 'aut disseisietur de libero tenemento suo, '&c. nisi per legale judicium parium suo-'rum, vel per legem terræ; i. e.* No Free-'man shall be arrested, or imprisoned, or 'turned out of his Freehold, *&c.* but by 'a legal Trial before his Peers, or by the 'Law of the Land. Which Charter hath 'been confirmed by good Kings above 'thirty times.'

When these Gentlemen had spoke, Sir *John Cook*, Secretary of State, took up the Matter for the King, and concluded for redress of Grievances, so that Supplies take the precedency; saying,

Mr. Secretary Cook's Speech.

'I Had rather you would hear any than 'me; I will not answer what hath been 'already spoken; my desire is not to stir, 'but to quiet; not to provoke, but to ap-'pease; my desire is, that every one resort 'to his own Heart, to reunite the King and 'the State, and to take away the Scandal 'from us Every one speaks from the abun-'dance of his Heart: I do conclude out of 'every one's Conclusion, to give to the 'King, to redress Grievances; all the dif-'ference is about the Manner; we are all 'Inhabitants in one House, the Common-'wealth; let every one in somewhat amend 'his House; somewhat is amiss: But if all 'the House be on fire, will we then think 'of amending what is amiss? Will you not 'rather quench the Fire? The Danger all 'apprehend. The way that is propounded, 'I seek not to decline; illegal Courses have 'been taken, it must be confessed; the 'Redress must be by Laws and Punish-'ment; but withal, add the Law of *Ne-'cessity:* Necessity hath no Law; you must 'abilitate the State to do what you do by Pe-'tition require. It is wished we begin with 'Grievances; I deny not that we prepare 'them; but shall we offer them first? Will 'not this seem a Condition with his Ma-'jesty? Do we not deal with a wise King, 'jealous of his Honour? All Subsidies can-'not advantage his Majesty so much, as 'that his Subjects do agree to supply him. 'This will amaze the Enemy more than 'ten Subsidies: Begin therefore with the 'King, and not with ourselves.

FOEDERA Tom. XVIII.

Speech of Sir Robert Philips.

CHARLES I. A°. 1628.

'THIS Day's Debate (ſaid Sir *Robert Philips*) makes me call to 'mind the Cuſtom of the *Romans*, who 'had a ſolemn Feaſt once a Year for their 'Slaves, at which time they had Liberty '(without exception) to ſpeak what they 'would, whereby to eaſe their afflicted 'Minds; which being finiſhed, they ſeve-'rally returned to their former Servitude. 'This may with ſome reſemblance and 'diſtinction well ſet forth our preſent State, 'where now, after the revolution of ſome 'time, and grievous Sufferings of many 'violent Oppreſſions, we have (as thoſe 'Slaves had) a Day of liberty of Speech; 'but ſhall not, I truſt, be herein Slaves; 'for we are free: We are not Bondmen, 'but Subjects. Theſe, after their Feaſt, 'were Slaves again; but 'tis our hope to 'return Freemen. I am glad to ſee this 'Morning's Work, to ſee ſuch a ſenſe of 'the Grievances under which we groan. 'I ſee a concurrence of Grief from all 'parts, to ſee the Subject wronged, and a 'fit way to ſee the Subject righted. I ex-'pected to ſee a Diviſion, but I ſee honou-'rable Conjunction, and I take it for a good 'Omen. It was wiſhed by one, that there 'were a forgetfulneſs of all; let him not 'proſper that wiſheth it not. No, there 'is no ſuch way to perfect Remedy as to 'forget Injuries; but not ſo to forget, as 'not to recover them. It was uſual in '*Rome* to bury all Injuries, on purpoſe 'to recover them. It was ſaid by a Gentle-'man that ever ſpeaks freely, *We muſt 'ſo govern ourſelves, as if this Parlia-'ment muſt be the Criſis of all Parlia-'ments, and this is the laſt.* I hope well, 'and there will be no cauſe for the King, 'our Head, to except againſt us, or we 'againſt him. The Dangers abroad are 'preſented to us; he is no *Engliſhman* 'that is not apprehenſive of them.

'WE have provoked two potent Kings, '(the one too near) who are too ſtrongly 'joined together; the Dangers are not chi-'merical, but real, I acknowledge it; but 'it muſt be done in proportion of our 'Dangers at home. I more fear the vio-'lation of public Rights at home, than a 'foreign Enemy. Muſt it be our Duties 'and Direction to defend foreign Dangers, 'and eſtabliſh Security againſt them; and 'ſhall we not look at that which ſhall 'make us able and willing thereunto? 'We ſhall not omit to confide and truſt 'his Majeſty, otherwiſe our Counſels will 'be with Fears; and that becomes not '*Engliſhmen.* The unaccuſtomed Vio-'lences (I have nothing but a good mean-'ing) trench into all we have. To the four 'particulars already mentioned, wherein 'we ſuffer, one more may be added, leſt 'God forbear to hear me in the Day of my 'Trouble; our Religion is made vendible 'by Commiſſions. Alas! now a Tolera-'tion is granted, (little leſs) and Men for 'pecuniary annual Rates diſpenſed withal, 'whereby *Papiſts* without fear of Law, 'practiſe Idolatry, and ſcoff at Parliaments, 'at Laws, and all; it is well known the 'People of this State are under no o-'ther Subjection than what they did vo-'luntarily conſent to by the original Con-'tract between King and People; and as 'there are many Prerogatives and Privileges 'conferred on the King, ſo there are left to 'the Subject many neceſſary Liberties and 'Privileges, as appears by the Common 'Laws and Acts of Parliament; notwith-'ſtanding what thoſe two * Sycophants 'have prated in the Pulpit to the contrary. 'Was there ever yet King of *England* 'that directly violated the Subjects Liberty 'and Property, but their Actions were ever 'complained of in Parliament; and no 'ſooner complained of, than redreſſed? In 'the 21 *Edw.* III. there went out a Com-'miſſion to raiſe Money in a ſtrange man-'ner; the ſucceeding Parliament pray'd re-'dreſs; and till *Henry* VIII. we never 'heard of the ſaid Commiſſions again.

* Sibthorpe *and* Manwaring.

'ANOTHER way was by Loan, a Worm 'that cankered the Law; the Parliament 'did redreſs it, and that Money was paid 'again. The next little Engine was Be-'nevolence; what the Force of that was, 'look into the Statute of *Richard* III. which 'damned that particular way, and all other 'indirect ways.

'SINCE the Right of the Subject is thus 'bulwark'd by the Law of the Kingdom, 'and Princes upon complaint have redreſſed 'them, I am confident we ſhall have the 'like cauſe of Joy from his Majeſty.

'I will here make a little Digreſſion: 'The † County I ſerve for, were pleaſed 'to command me to ſeek the Removal 'from them of the greateſt Burden that ever 'People ſuffered. It was excellently ſaid, 'Commiſſionary Lieutenants do deprive us 'of all Liberty; if ever the like was ſeen 'of the Lieutenancy that now is, I will 'never be believed more: They tell the 'People they muſt pay ſo much upon 'Warrant from a Deputy-Lieutenant, or 'be bound to the good Behaviour, and ſent 'up to the Lords of the Council: It is the 'ſtrangeſt Engine to rend the Liberty of 'the Subject that ever was; there is now 'a *Decemviri* in every County, and amongſt 'that *Decemviri* there is ſome *Appius 'Claudius* that ſeek their own Revenges. 'We complain of Loans and Impoſitions, 'but when Deputy-Lieutenants may ſend 'Warrants to impriſon our Perſons at plea-'ſure, if we pay not what they ſent for, 'it concerns us to preſerve the Country in 'Freedom, and to conſider of this kind of 'People. There is now *Neceſſity* brought 'in for an Argument; all know that *Ne-'ceſſity* is an armed Man, and that *Neceſſity* 'is an *evil Counſellor.* I would we had

† Somerſetſhire.

'never

'never known that Council: We are almoſt grown like the *Turks*, who ſend their *Janizaries*, who place the Halbert at the Door, and there he is Maſter of the Houſe. We have Soldiers billeted, and Warrants to collect Money, which if they do not, the Soldiers muſt come and rifle. The *Romans* ſending one into *Spain*, found no greater Complaint than the Diſcontent that did ariſe from Soldiers placed amongſt them. I would you would look into *Forteſcue*, where he puts the Prince in mind, what Miſery he ſaw where Soldiers were put upon the People: But, *ſaith he*, no Man is forced to take Soldiers but Inns, and they to be paid by them. I deſire we reſort to his Majeſty for Redreſs, and to reduce all into bounds.

'THE other way of Grievance is a Judgment in a legal courſe of Proceeding; we have had three Judgments of late times, all exceeding one another in prejudice of the Subject. The firſt was, That that was judged in all formality, the *Poſtnati* * Caſe, which People I honour; for we find many of them love us more than we do ourſelves. I do not complain of it, but only mention it.

* Scots.

'THE other Judgment was for Impoſitions, which was given in the Exchequer, and this Houſe two times after damned that Judgment; how remiſs our Eyes are upon that, I grieve to ſee.

'THERE is a Judgment, if I may ſo call it, a fatal Judgment againſt the Liberty of the Subject, *Mich.* 3 *Car.* in Sir *John Heveningham*'s Caſe argued at the Bar, and pronounced but by one alone; I can live, altho' another without Title be put to live with me; nay I can live, altho' I pay Exciſes and Impoſitions for more than I do: but to have my Liberty, which is the Soul of my Life, taken from me by power, and to be pent up in a Jail without Remedy by Law, and this to be ſo adjudged to periſh in Jail, O improvident Anceſtors! O unwiſe Forefathers! to be ſo curious in providing for the quiet poſſeſſion of our Lands and Liberties of Parliament, and to neglect our Perſons and Bodies, and to let them die in Priſon, and that *durante bene placito*, remedileſs! If this be Law, what do we talk of our Liberties? Why do we trouble ourſelves with the Diſputes of Law, Franchiſes, Propriety of Goods? It is the *Summa totalis* of all Miſeries. I will not ſay it was erroneous, but I hope we ſhall ſpeak our Minds when that Judgment comes here to be debated.

'WHAT can a Man call his, if not Liberty? Having paſſed in ſome confuſion in the faſhion of my Delivery, I conclude: We will conſider two particulars, his Majeſty and his People: His Majeſty calls to us, and craves our Aſſiſtance to revive his Honour, and the Honour of the Nation. The People ſend us, as we hope, with that Direction, that we ſhall return to them with that Olive-Branch, that aſſurance of living free from thoſe Calamities under which they can hardly breathe. Our Sins have brought on us thoſe Miſeries; let us all bring our Portion to make up the Wall: we come with loyal Hearts; his Majeſty ſhall find that it is we that are his faithful Counſellors: Let all Sycophants be far removed from his Majeſty. Since we cannot help his Majeſty without opening our Grievances, let us diſcharge our Duties therein; yet while we ſeek Liberty, we will not forget Subjection. All things a State can be capable of, either Bleſſings or Puniſhments, depend on this Meeting. If any think the King may be ſupply'd, and the Commonwealth preſerved without redreſs of Grievances, he is deceived. The Kings of *England* were never more glorious than when they truſted their Subjects; let us make all haſte to do the Errand for which we came; let the Houſe conſider to prepare our Grievances fit for his Majeſty's view; not to make a Law to give us new Liberties, but declaratory with reſpective Penalties; ſo that thoſe which violate them, if they would be vile, they ſhould fear Infamy with Men; and then we ſhall think of ſuch a Supply as never a Prince received; and with our Moneys we ſhall give him our Hearts, and give him a new People raiſed from the Dead. Then I hope this Parliament will be intitled, *The Parliament of Wonders*, and God's Judgements diverted; and theſe Beams of Goodneſs ſhall give us Life, and we ſhall go home to our Countries, and leave our Poſterity as free as our Anceſtors left us.'

But neither this, nor the two next Days Debates produced any Reſolutions, the time being ſpent in a general opening of Grievances from all parts of the Kingdom.

On the 24th of *March*, Secretary *Cook* renewed the Motion of Supplies, as preparatory to the Conſideration of Grievances.

Secretary Cook's Motion for a Supply

'WE all think fit, *ſaid he*, that both theſe go hand in hand together; but let me put you in mind of that which concerns the King; let him have the precedency of Honour, if not of Time; let the Heads of the King's Supply firſt be propounded; this will be an Honour to the King, and will do Service to the Houſe; the End of this Parliament is the Subſiſtence of the King, as he himſelf hath declared, and ſuch a Command is not to be ſlighted; the King himſelf propounded it, and then he will agree with us in other Requeſts that are fit for a King to grant. We that have

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'the happineſs to attend his Majeſty, can 'tell you, that no King is more ready to 'hear the Complaints of his Subjects; and 'withal you know no King is more ſen-'ſible of all Reproaches which touch his 'Honour.

'WILL it not be fit to grant him this 'Honour to have the Precedency? It was 'the Speech of an ancient Parliament-Man, '*Let us deal gently with our King.* By 'thoſe Laws that we make, we do bind 'ourſelves; and it is an addition of his 'Power. None that dies, but leaves his 'Heir to the Favour of the King; none 'that lives, but needs the Favour of the 'King. We having made our firſt Union 'with God, it is next intended that we be 'at one with our King: Is it not fit we 'be at peace with our Head? His Majeſty 'deſires it, and expects it. After this Unity 'with our Head, there is conſideration to 'be had of Unity with ourſelves; after 'this, we ſhall be all knit in one Body, we 'ſhall all clearly pronounce *Shiboleth*, and 'we ſhall conſider of the Grievances and 'Irregularities of the Times, which none 'deſires to be reformed more than his Ma-'jeſty, and thoſe whom you think moſt 'averſe. Let us take the beſt way for 'Reformation. And will not this be a 'happy Union, if the whole Body concur 'to reduce all into regularity? If Laws be 'our Birthrights, we ſhall hereby recover 'them and their Splendor; this will have 'good Aſpect abroad, and it will give 'Courage to our Men that have been de-'ſpiſed, and will prevent practices to con-'tinue Diviſions amongſt us both at home 'and abroad. The firſt Sower of Seeds 'of Diſtractions amongſt us, was an Agent 'of *Spain*, *Gondomar*, that did his Maſter 'great Service here and at home.

'SINCE that we have had other Mini-'ſters that have blown the Fire. The 'Ambaſſador of *France* told his Maſter at 'home, what he had wrought here the 'laſt Parliament, namely, Diviſions be-'tween King and People; and he was re-'warded for it. Whilſt we ſit here in Par-'liament, there was another intended Par-'liament of Jeſuits at *Clerkenwell*, and other 'Well-willers, within a mile of this Place; 'that this is true, was diſcovered by Letters 'ſent to *Rome*; the place of their Meeting is 'changed, and ſome of them are there 'where they ought to be. If you look in 'your Calendar, there is a Day of St. *Jo-'ſeph*; it was called in the Letter the Ori-'ental Day, and that was the Day intended 'for their Meeting. I ſpeak this to ſee 'God's hand to work our Union in their 'Diviſion; they are not more rent from us, 'than they are from themſelves. I deſire 'the meaneſt Judgement to conſider what 'may follow by giving precedency to his 'Majeſty; and by ſo doing, we ſhall put 'from ourſelves many imputations. If we 'give any occaſion of Breach, it is a great 'Diſadvantage; if otherwiſe, it is an Ob-'ligation to his Majeſty, which his Majeſty 'will not forget.'

OTHERS of the Members preferr'd the Conſideration of Grievances as a particular Root that invades the main Liberty of the Subject. It is the Law, *ſaid they*, that glorious fundamental Right whereby we have power to give; we deſire but that his Majeſty may ſee us have that Right therein, which next to God we all deſire; and then we doubt not but we ſhall give his Majeſty all Supply we can. The time was, when it was uſual to deſire Favours for ſowing Diſcords, as *Gondomar* did for *Raleigh*'s Head. But the Debates of this Day came to no Reſolution.

Mr. Secretary Cook tenders Propoſitions touching Supply.

THE Day following, *viz. March* 25, Mr. Secretary *Cook* delivered certain Propoſitions to the Houſe from the King touching Supply, and told them, 'That his 'Majeſty finding time precious, expects that 'they ſhould begin ſpeedily, leſt they ſpend 'that time in Deliberation, which ſhould 'be ſpent in Action: That he eſteems the 'Grievances of the Houſe his own, and 'ſtands not on precedence in point of Ho-'nour. Therefore to ſatisfy his Majeſty, 'let the ſame Committee take his Majeſty's 'Propoſitions into Conſideration, and let 'both concur, whether to ſit on one in the 'Forenoon, and the other in the Afternoon; 'tis all one to his Majeſty.'

The Houſe form'd into a Committee.

UPON this the Houſe form'd themſelves into a Committee, *Edward Littleton*, Eſq; in the Chair, and order'd the Committee to take into Conſideration the Liberty of the Subject, in his Perſon and his Goods, and alſo to take into Conſideration his Majeſty's Supply. In this Debate, the Grievances were reduc'd to ſix Heads, as to our Perſons; 1. Attendance at the Council-Board. 2. Impriſonment. 3. Confinement. 4. Deſignation for Foreign Employment. 5. Martial Law. 6. Undue Proceedings in Matter of Judicature.

Habeas Corpus and the Liberty of the Subject debated.

THE firſt Matter debated was the Subject's Liberty in his Perſon; the particular Inſtance was in the Caſe of Sir *John Heveningham* and thoſe other Gentlemen, who were impriſon'd about Loan-Money, and brought their *Habeas Corpus*; but after their Caſe was argued, were nevertheleſs remanded to Priſon, and a Judgment, as it was then ſaid, was enter'd.

WHEREUPON Mr. *Creſwel* of *Lincoln's-Inn* ſpoke to this purpoſe.

Mr. Creſwel's Speech.

'JUSTICE, ſaid he, is the Life and the 'Heart-Blood of the Commonwealth; and 'if

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'if the Commonwealth bleed in the Master-Vein, all the Balm in *Gilead* is but in vain 'to preserve this our Body of Policy from 'Ruin and Destruction; Justice is both *Columna & Corona Reipublicæ*; she is both 'the Column and the Pillar, the Crown and 'the Glory of the Commonwealth: This is 'made good in Scripture by the Judgment 'of *Solomon*, the wisest King that ever 'reign'd upon Earth. For *first* she is the 'Pillar, for he saith, *By Justice shall the 'Throne be established; secondly*, she is the 'Crown, for he saith that by *Justice a 'Nation shall be exalted.*

'OUR Laws, which are the Rules of this 'Justice, they are the *Ne plus ultra* to 'both the King and the Subject; and as 'they are the *Hercules* Pillar, so they are 'the Pillar to every *Hercules*, to every 'Prince, which he must not pass.

'GIVE me leave to resemble her to *Nebuchadnezzar*'s Tree; for she is so great, 'that she doth shade not only the Palace 'of the King, and the House of Nobles, 'but doth also shelter the Cottage of the 'poorest Beggar.

'WHEREFORE, if either now the Blasts 'of Indignation, or the unresistible Violator 'of Laws, *Necessity*, hath so bruised any 'of the Branches of this Tree, that either 'our Persons, or Goods, or Possessions have 'not the same Shelter as before, yet let us 'not therefore neglect the Root of this great 'Tree, but water it with our Tears, that 'so these bruised Branches may be recovered, and the whole Tree again prosper 'and flourish. I know well that *Cor regis 'inscrutabile*; and that Kings, although 'they are but Men before God, yet they 'are Gods before Men. And therefore to 'my gracious and dread Sovereign (whose 'Virtues are true Qualities, ingenerate both 'in his Judgment and Nature) let my Arm 'be cut off; nay, let my Soul not live that 'Day that I shall dare to lift up my Arm 'to touch that forbidden Fruit, those Flowers of his Princely Crown and Diadem.

'BUT, yet in our *Eden*, in this Garden 'of the Commonwealth, as there are the 'Flowers of the Sun, which are so glorious 'that they are to be handled only by Royal 'Majesty: So, are there also some Daisies 'and wholesome Herbs, which every common Hand that lives and labours in this 'Garden, may pick and gather up, and 'take Comfort and Repose in them: Amongst all which this *Oculus Dei*, this *bona Libertas* is one and the chief one. 'I will now descend to the Question, 'wherein I hold with all dutiful Submission to better Judgments, that these Acts 'of Power in imprisoning and confining of 'his Majesty's Subjects in such manner, 'without any Declaration of the Cause, are 'against the Fundamental Laws and Liberties of this Kingdom.

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1. 'FROM the great Favour which the 'Law doth give unto, and the great Care 'which it hath ever taken of the Liberty 'and Safety of this Kingdom.

'TO proceed therefore in maintenance 'of my first Reasons, I find our Law doth 'so much favour the Subject's Liberty of 'his Person, that the Body of a Man was 'not liable to be arrested or imprisoned for 'any other Cause at the Common Law, but 'for Force and Things done against the 'Peace. For the Common Law (being the 'Preserver of the Land) so abhorreth Force, 'that those who commit it she accounteth 'her capital Enemies, and therefore did 'subject their Bodies to Imprisonment. But 'by the Statute of *Marlebridge*, *cap.* 24. 'which was made 35 *Henry* III. because 'Bailiffs wou'd not render Accompts to 'their Lords, it was enacted, that their 'Bodies shou'd be attach'd. And after, by 'the Statute 23 *Edw.* III. 17. because Men 'made no Conscience to pay their Debts, 'it was enacted, that their Bodies should 'likewise be attach'd. But before those 'Statutes, no Man's Body was subject to be 'taken or imprisoned, otherwise than as 'aforesaid; whereby it is evident how 'much the Common Law favoured the Liberty of the Subject, and protected his 'Body from Imprisonment.'

HERE he inforced the Reason by a Rule in Law, mentioned some Law-Cases upon that Rule, and then proceeded to a second Reason drawn by an Argument *à majore ad minus.*

'I frame it thus, said he; if the King 'have no absolute Power over our Lands 'or Goods, then *à fortiori* not over our Persons, to imprison them, without declaring 'the Cause, for our Persons are much 'more worth than either Lands or Goods, 'which is proved by what I have said already; and Christ himself makes it clear, 'where he saith, *An non est corpus supra 'vestimentum?* Is not the Body of more 'worth than the Raiment? Nay, I may well 'say, that almost every Leaf and Page of 'all the Volumes of our Common Law 'prove this Right of Propriety, this Distinction of *meum* and *tuum*, as well between King and Subject, as one Subject 'and another: And therefore my Conclusion follows, that if the Prerogative extend not neither to Lands nor to Goods, 'then *à fortiori* not to the Person, which 'is more worth than either Lands or Goods, 'as I said. And yet I agree, that by the 'very Law of Nature, Service of the Person of the Subject is due to his Sovereign, 'but this must be in such things which are 'not against the Law of Nature; but to 'have the Body imprisoned without any 'Cause declared, and so to become in Bondage, is, I am sure, against the Law of Nature,

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'Nature, and therefore not to be inforced 'by the Sovereign upon his Subjects.

3. 'My next Reason is drawn *ab inutili* '*& incommodo*; for the Statute *de fran-* '*gentibus Priſonam* made 1 *Edw.* II. is '*Quod nullus qui priſonam fregerit, ſub-* '*eat judicium vitæ vel membrorum pro* '*fractione priſonæ tantum, niſi cauſa pro* '*qua captus impriſonetur tale judicium re-* '*quirat.* Whence this Concluſion is clearly 'gather'd, that if a Man be commited to 'Priſon without declaring what Cauſe, and 'then if either Malefactor do break the 'Priſon, or the Goaler ſuffer him to eſcape, 'albeit the Priſoner ſo eſcaping had com-'mitted *Crimen Læſæ Majeſtatis*, yet nei-'ther the Goaler, nor any other that pro-'cured his Eſcape, may by the Law ſuffer 'any corporal Puniſhment for ſetting him 'at large; which if admitted, might prove 'in conſequence, a matter of great Danger 'to the Commonwealth.

4. 'My next Reaſon is drawn *ab Regis* '*honore*, from that great Honour the Law 'doth attribute unto Sovereign Majeſty; 'and therefore the Rule of Law is, that '*Solum Rex hoc non poteſt facere, quod* '*non poteſt juſte agere.* And *Huſſey*, Chief-'Juſtice, 1 *Hen.* VII. ſaith, that Sir *John* '*Markham* told King *Edward* IV. he could 'not arreſt a Man either for Treaſon or 'Felony, as a Subject might, becauſe that 'if the King did wrong, the Party could 'not have an Action againſt him; and if 'the King's Writ under his Great Seal can-'not impriſon the Subject unleſs it contains 'the Cauſe, ſhall then the King's Warrant 'otherwiſe do it without containing the 'Cauſe?

'But I will conclude with that, which 'I find reported of Sir *John Davis*, who 'was the King's Serjeant, and ſo by the 'Duty of his Place would, no doubt, main-'tain to his uttermoſt the Prerogatives of 'the King his Royal Maſter: And yet it 'was by him thus ſaid in thoſe Reports of 'his upon the Caſe of *Taviſtry* Cuſtoms, 'That the Kings of *England* always have 'had a Monarchy Royal, and not a Mo-'narchy Seignoral; where under the firſt, 'ſaith he, the Subjects are Freemen, and 'have Propriety in their Goods and Free-'hold, and Inheritance in their Lands: But 'under the latter, they are as Villains and 'Slaves, and have Propriety in nothing. 'And therefore, ſaid he, when a Royal 'Monarch makes a new Congreſs, yet if 'he receives any of the Nation's ancient In-'habitants into his Protection, they and 'their Heirs after them ſhall enjoy their 'Lands and Liberties according to the Law.'

Upon theſe Arguments the Houſe refer'd it to a Committee to examine Proceedings: And Mr. *Selden* afterwards made a Report to the Houſe, that Mr. *Waterhouſe* a Clerk in the Crown-Office, being examined before the Committee, did confeſs that by Direction from Sir *Robert Heath*, the King's Attorney-General, he wrote the Draught of a Judgment in the abovementioned Caſe of *Habeas Corpus*, which was delivered to Mr. Attorney. And Mr. *Keeling* being examin'd before the Committee, confeſs'd, that after *Michaelmas* Term laſt the Attorney-General wiſh'd him to make a ſpecial Entry of the *Habeas Corpus*: To which he anſwered, he knew no ſpecial Entry in thoſe Caſes, except only a *remittitur*; but ſaid to Mr. Attorney, that if he pleaſed to draw one, and the Court afterwards aſſent to it, he wou'd then enter it. The Attorney did accordingly make a Draught, the Copy of which Mr. *Keeling* produced to the Committee, and ſaid withal, that he carried the ſaid Draught to the Judges, but they wou'd not aſſent to a ſpecial Entry: Nevertheleſs, the Attorney-General ſent to him ſeveral times, and told him there was no Remedy but he muſt enter it; yet a Week before the Meeting of the Parliament, the Attorney-General called for the Draught again, which he accordingly gave to him, and he never heard of it more.

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Upon this Report, Sir *Robert Philips* gave his Opinion, 'That this intended 'Judgment in the *Habeas Corpus* was a 'Draught made by ſome Man that deſired 'to ſtrike us all from our Liberties, but 'the Judges juſtly refuſ'd it; whereas if 'the Judges did intend it, we ſit not here, 'ſaid he, to anſwer the Truſt we are ſent 'for, if we preſent not this Matter to his 'Majeſty. Let this Buſineſs be further 'ſearch'd into, and ſee how this Judgment 'lies againſt us, and what the Judges do 'ſay concerning the ſame.' Sir Robert Philips.

Sir *Edward Coke* ſaid, 'This Draught 'of the Judgment will ſting us, *quia nulla* '*cauſa fuit oſtenta.* If a Man muſt not 'be bailed becauſe he is committed by Com-'mand of the King, what is this but to 'declare upon Record, that any Subject 'committed by ſuch an abſolute Com-'mand, may be detain'd in Priſon for ever? 'What doth this tend to, but the utter 'Subverſion of the choice Liberty and Right 'belonging to every free-born Subject of 'this Kingdom? I fear, were it not for this 'Parliament which follow'd ſo cloſe after 'that Form of Judgment was drawn up, 'there would have been hard putting to 'have had it enter'd: But a Parliament 'brings Judges, Officers, and all Men in 'good Order.' Sir Edward Coke.

The Commons afterwards, upon farther Debates of this Matter, deſired that the Judges of the King's Bench might declare themſelves concerning this Buſineſs; which was done accordingly as follows.

JUDGE

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Judge Whitelocke's Juſtification of the Proceedings upon the Habeas Corpus.

JUDGE *Whitelocke* ſpoke thus: 'My Lords, we are by your Appointment here ready to clear any Aſperſion of the Houſe of Commons in their late Preſentment upon the King's Bench, that the Subject was wounded in the Judgment there lately given. If ſuch a thing were, my Lords, your Lordſhips, not they, have the Power to queſtion and judge the ſame. But, my Lords, I ſay there was no Judgment given, whereby either the Prerogative might be inlarged, or the Right of the Subject infringed. It is true, my Lords, in *Michaelmas* Term laſt, four Gentlemen petitioned for a *Habeas Corpus*, which they obtained, and were allow'd Counſel: The Return was *per ſpeciale Mandatum Domini Regis*; which likewiſe was made known to us under the Hands of eighteen Privy Counſellors. Now, my Lords, if we had delivered them preſently upon this, it muſt have been becauſe the King did not ſhew cauſe; wherein we ſhould have judged the King had done wrong; and this is beyond our Knowledge, for he might have committed them for other matters than we could have imagined. But they might ſay thus, they might have been kept in priſon all their days: I anſwer, no, but we did remit them, that we might better adviſe of the Matter; and they, the next day, might have had a new Writ, if they had pleaſed. But they ſay, we ought not to have deny'd Bail. I anſwer, if we had done ſo, it muſt needs have reflected upon the King, that he had unjuſtly impriſoned them. And it appears in *Dyer*, 2 *Eliz.* that divers Gentlemen being committed, and requiring *Habeas Corpus*, ſome were bailed, others remitted; whereby it appears, much is left to the Diſcretion of the Judges.

'FOR that which troubleth ſo much, *remittitur quouſque*; this, my Lords, was only (as I ſaid before) to take time what to do; and whereas they will have a difference between *remittitur*, and *remittitur quouſque*, my Lords, I confeſs I can find none; but theſe are new Inventions to trouble old Records. And herein, my Lords, we have dealt with Knowledge and Underſtanding; for had we given a Judgment, the Party muſt thereupon have reſted; every Judgment muſt come to an Iſſue in Matter, in Fact, or Demur in point of Law; here is neither, therefore no Judgment.

'FOR endeavouring to have a Judgment enter'd (it is true) Mr. *Attorney*, preſſed the ſame for his Majeſty's Service: But we having ſworn to do Right between his Majeſty and his Subjects, commanded the Clerk to make no Entry, but according to the old Form; and the Rule was given by the Chief Juſtice alone. I have ſpent my time in this Court, and I ſpeak confidently, I did never ſee nor know by any Record that upon ſuch a Return as this a Man was bailed, the King not firſt conſulted with, in ſuch a caſe as this.

'THE Commons Houſe do not know what Letters and Commands we receive; for theſe remain in our Court, and are not view'd by them. For the reſt of the Matters preſented by the Houſe of Commons, they were not in agitation before us, whether the King may commit; and how long he may detain a Man committed. Therefore having anſwered ſo much as concerneth us, I deſire your Lordſhips good Conſtruction of what hath been ſaid.'

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JUDGE *Doderidge* concerning the ſame Subject ſaid, 'It is no more fit for a Judge to decline to give an account of his doings, than for a Chriſtian of his Faith. God knoweth, I have endeavoured always to keep a good Conſcience, for a troubled one who can bear? The Kingdom holds of none but God; and Judgements do not paſs privately in Chambers, but publickly in Courts, (where every one may hear) which cauſeth Judgment to be given with maturity. Your Lordſhips have heard the particulars given by my Brother, how that Counſel being aſſigned to thoſe four Gentlemen in the latter end of *Michaelmas*-Term, their Cauſe receiv'd hearing; and upon conſideration of the Statutes and Records, we found ſome of them to be according to the good old Law of *Magna Charta*; but we thought they did not come ſo cloſe to this Caſe, as that Bail ſhould be thereupon preſently granted. My Lords, the *Habeas Corpus* conſiſteth of three parts; the Writ, the Return upon the Writ or Schedule, and the Entry or Rule reciting the *Habeas Corpus* and the Return, together with the Opinion of the Court, either a *Remittitur*, or a *Traditur in Ballium*. In this caſe, a *Remittitur* was granted, which we did, that we might take better adviſement upon the Caſe, and upon the *Remittitur*. My Lords, they might have had a new Writ the next day, and I wiſh they had, becauſe it may be they had ſeen more, and we had been eaſed of a great labour. And, my Lords, when the Attorney, upon the *Remittitur*, preſſed an Entry, we all ſtraitly charged the Clerk that he ſhould make no other Entry than ſuch as our Predeceſſors

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'ceſſors had uſually made in like caſes. 'For the difference between *Remittitur* 'and *Remittitur quouſque*, I could nevet 'yet find any. I have now ſate in this 'Court fifteen Years, and I ſhould know 'ſomething; ſurely if I had gone in a 'Mill ſo long, Duſt would cleave to my 'Clothes. I am old, and have one Foot 'in the Grave, therefore I will look to 'the better part as near as I can. But '*Omnia habere in memoria & in nullo 'errare, Divinum potius eſt quam humanum.*'

THE Lord Chief-Juſtice *Hyde* and Juſtice *Jones* delivered their Opinions much to the ſame purpoſe.

THE Houſe proceeded in farther Debate of the Liberty of the Subject; when Mr. *Hackwel* reſumed the Debate of the matter concerning the *Habeas Corpus*.

Mr. Hackwel *reſumed the Debate of the* Habeas Corpus.

'THE late Judgment, *ſaid he*, which 'lies in Bar, is only an Award, and no 'Judgment; and in the Lord Chief-'Juſtice's Argument there was no word 'ſpoken that the King might commit or 'detain without Cauſe.

'FOR the King to commit a Man, 'is *indignum Regi:* Mercy and Honour 'flow immediately from the King; Judg-'ment and Juſtice are his too, but they 'flow from his Miniſters: The Sword 'is carried before him, but the Scepter 'in his Hands. Theſe are true Em-'blems of a good King.

'THE Law admits not the King a 'power of detaining in Priſon at plea-'ſure: In ancient times, Priſons were 'but *pro cuſtodia, carceres non ad pœnam, 'ſed ad cuſtodiam.* Admit the King 'may commit a Man, yet to detain him 'as long as he pleaſeth is dangerous, and 'then a Man ſhall be puniſh'd before his 'Offence: Impriſonment is a maceration 'of the Body, and horror to the Mind; 'it is *vita pejor morte.*'

Mr. Selden.

MR. *Selden* laſt of all produced the Statutes, Precedents and Book Caſes which were expreſſed in point to the Queſtion in hand; and, by Order of the Houſe, the Caſe in the Lord Chief-Juſtice *Anderſon*'s Reports was read openly.

AFTER which, Sir *Edward Coke* ſaid,

Sir Edward Coke.

'OF my own Knowledge, this Book 'was written with my Lord *Anderſon*'s 'own Hand; it is no flying Report of a 'young Student, I was Sollicitor then, 'and Treaſurer *Burleigh* was as much 'againſt Commitment, as any of this 'Kingdom: it was the White-Staves 'that made this Stir. Let us draw to-'wards a Concluſion: The Queſtion is, 'whether a Freeman can be impriſoned 'by the King, without ſetting down the 'Cauſe? I leave it as bare as *Æſop*'s 'Crow; they that argue againſt it, *Ho-'nores moti, & non remoti, corpus de-'ſtruunt.* It is a Maxim, the Common-'Law hath ſo admeaſured the King's 'Prerogative, that in no Caſe it can pre-'judice the Inheritance of the Subjects: 'Had the Law given the Prerogative to 'that which is taken, it would have ſet 'ſome Time to it, elſe mark what would 'follow. I ſhall have an Eſtate of In-'heritance for Life, or for Years in my 'Land, or Propriety in my Goods, and 'I ſhall be a Tenant at Will for my Li-'berty: I ſhall have Propriety in my 'own Houſe, and not Liberty in my 'Perſon, *Perſpicue vera, non ſunt pro-'banda.* The King hath diſtributed his 'judicial Power to Courts of Juſtice, and 'to Miniſters of Juſtice; it is too low 'for ſo great a Monarch as the King is, 'to commit Men to Priſon: and it is a-'gainſt Law that Men ſhould be com-'mitted, and no Cauſe ſhew'd. I would 'not ſpeak this, but that I hope my 'Gracious King will hear of it; yet it is 'not I *Edward Coke* that ſpeak it, but 'the Records that ſpeak it: we have a 'national appropriate Law to this Na-'tion, *diverſis ab orbe Britannis:* I will 'conclude with the Acts of the Apoſtles, 'cap. 25. *It is againſt Reaſon to ſend a 'Man to Priſon, and not to ſhew the 'Cauſe.* It is now time to go to the 'Queſtion.'

IT was thereupon reſolved, *nemine contradicente*,

Reſolves touching the Subject's Liberty in his Perſon and Goods.

1. THAT no Freeman ought to be detained or kept in Priſon, or otherwiſe reſtrained by Command of the King or Privy-Council, or any other, unleſs ſome Cauſe of the Commitment, Detainer or Reſtraint be expreſſed, for which by Law he ought to be committed, detained, or reſtrained.

2. THAT the Writ of *Habeas Corpus* may not be deny'd, but ought to be granted to every Man that is committed or detain'd in Perſon, or otherwiſe reſtrain'd, tho' it be by Command of the King, the Privy-Council, or any other, he praying the ſame.

3. THAT if a Freeman be committed or detain'd in Priſon, or otherwiſe reſtrained by the Command of the King, the

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the Privy-Council, or any other, no Cauſe of ſuch Commitment, Detainer or Reſtraint being expreſſed, for which by Law he ought to be committed, detain'd or reſtrained, and the ſame be returned upon a *Habeas Corpus* granted for the ſaid Party,) then he ought to be delivered or bailed.

Commons Reſolution on the Subject's Property.

THEN they came to an unanimous Reſolution, concerning the Property of the Subject in his Goods; which was this, *viz.*

'THAT it is the ancient and undoubted Right of every Freeman, that he hath a full and abſolute Property in his Goods and Eſtate, and that no Tax, Taillage, Loan, Benevolence, or other like Charge ought to be commanded or levied by the King, or any of his Miniſters, without common Conſent by Act of Parliament.'

ON the 26th of *March*, the Propoſitions tender'd the Day before from his Majeſty, by Mr. Secretary *Cook*; were receiv'd and read, as follow:

King's Propoſals to the Commons, touching Supply.

1. TO furniſh with Men and Victuals 30 Ships, to guard the narrow Seas, and along the Coaſts.

2. TO ſet out ten other Ships, for the Relief of the Town of *Rochel*.

3. TO ſet out 10 other Ships, for the Preſervation of the *Elbe*, the *Sound* and the *Baltic* Sea.

4. TO levy, arm, cloath, victual, pay and tranſport an Army of 1000 Horſe, and 10000 Foot, for foreign Service.

5. TO pay and ſupply 6000 more, for the Service of *Denmark*.

6. TO ſupply the Forts of the Office of Ordnance.

7. TO ſupply the Stores of the Navy.

8. TO build 20 Ships yearly, for the Increaſe of the Navy.

9. TO repair the Forts within the Land.

10. TO pay the Arrears of the Office of Ordnance.

11. TO pay the Arrears of the Victualler's Office.

12. TO pay the Arrears of the Treaſure of the Navy.

13. TO pay the Arrears due for the Freight of divers Merchant-Ships imployed in his Majeſty's Service.

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14. TO provide a Magazine for Victuals for Land and Sea-Service.

THE Houſe eaſily perceived by the reading of theſe Articles, that it would be a Work of infinite Labour, to examine the Juſtice and Neceſſity of every one; and as there were no Eſtimates made, they plainly ſaw that if they ſhould take the Particulars into Conſideration, the Court would mount the Expence very high: they therefore refer'd the Debate thereof to another Day, and enter'd into a Conference with the Lords about a Petition againſt the Recuſants, prepared by the Upper-Houſe. The Perſon appointed to manage the Conference on the Part of the Commons, was Secretary *Cook*, of whoſe Speech upon this Occaſion, which is preſerved intire in that noble Collection of MSS. in the *Harleyan* Library, the following is an Extract.

A Conference betwixt the Lords and Commons, managed by Secretary Cook *againſt Recuſants.*

His Speech.

'IN the firſt place, (he ſaid) we acknowledge with all due Honour, both unto the Reverend Fathers of the Church, and to our noble Lords, in that ye have ſhined before us, as worthy Lights in the Encouragement and Maintenance of true Religion, being the true Support of all Dignities and Honours. And this Forwardneſs of you, is the more remarkable, when that viperous Generation, as your Lordſhips juſtly ſtiled them, do at eaſe with Tooth and Nail, eſſay to rend the Bowels of their Mother. Give me leave to tell you what I know, that theſe now both vaunt at home, and write to their Friends abroad, they hope all will be well, and doubt not to prevail, and to win Ground upon us.

'AND a little to awake the Zeal and Care of our Learned and Grave Fathers, it is fit that they take notice of that Hierarchy, which is already eſtabliſhed in Compoſition with their Lordſhips; for they have a Biſhop conſecrated by the Pope. This Biſhop hath his ſubalternate Officers of all Kinds, as Vicars-General, Archdeacons, Rural-Deans, Apparitors, and ſuch like: neither are theſe nominal or titular Officers alone; but they all execute their Juriſdictions, and make their ordinary Viſitations through the Kingdom, keep Courts, and determine Eccleſiaſtical Cauſes. And which is an Argument of more conſequence, they keep or-

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'dinary Intelligence by their Agents in 'Rome, and hold Correſpondence with 'the Nuncio's and Cardinals, both at 'Bruſſels and in France.

'NEITHER are the Seculars alone 'grown to this Height, but the Regu-'lars are more active and dangerous, and 'have taken deep Root; they have al-'ready planted their Societies and Col-'leges of both Sexes, they have ſettled 'Revenues, Houſes, Libraries, Veſt-'ments, and all other neceſſary Provi-'ſions, to travel or ſtay at home; nay, 'even at this time, they intend to hold 'a concurrent Aſſembly with this Par-'liament.

'BUT now ſince his ſacred Majeſty 'hath extended his Royal Arm, and 'ſince the Lords of his Council have by 'their Authority cauſed this Neſt of 'Waſps to be digged out of the Earth, 'and their Convocations to be ſcattered; 'and ſince your Lordſhips join in Cou-'rage and Reſolution, at leaſt to reduce 'this People to their lawful Reſtraint, 'that they may do no more hurt; we 'conceive great Hope and Comfort, that 'the Almighty God will from hence-'forth proſper our Endeavours both at 'Home and Abroad.

'BUT now, my Lords, to come to 'the chief Errand of this our Meeting, 'which is to make known to you the 'Approbation of our Houſe of that Pe-'tition to his Majeſty, wherein you are 'pleaſed to requeſt our Concurrence: 'The Houſe hath taken it into ſerious 'Conſideration, and from the Beginning 'to the End approve of every Word, 'and much commend your happy Pen; 'only we are required to preſent to you 'a few Additions, whereby we conceive 'the Petition may be made more agree-'able to the Statutes which are deſired 'to be put in execution, and to a for-'mer Petition granted by his Majeſty, 'recorded in both Houſes, confirmed 'under the Broad-Seal of England, and 'publiſhed in all our Courts of ordinary 'Juſtice.

'BUT theſe things we propound, not 'as our Reſolutions, or as Matters to 'raiſe Debate or Diſpute, but commend 'them only as our Advice and Deſire, 'being ready notwithſtanding to join 'with your Lordſhips in the Petition, as 'now it is, if your Lordſhips ſhall not 'find this Reaſon to be of Weight.'

THE ſame being agreed to, the afore-ſaid Petition was preſented to his Majeſty by both Houſes on the 31ſt of *March*; at the Delivery of which, the Lord-Keeper ſpoke as follows.

Moſt Gracious Sovereign,

Lord-Keeper's Speech at the preſenting of the Petition to the King againſt Popiſh Recuſants.

'THE Lords Spiritual and Temporal, 'and Commons in this preſent Par-'liament aſſembled, out of due Care of 'the Glory of Almighty God, and of 'the Honour and Safety of your Majeſty, 'do with all Humbleneſs, and with one 'unanimous Conſent, preſent to your 'Royal Hands, the moſt loyal Deſires of 'all their Hearts, which is ſet down in 'a dutiful Petition, which is to quicken 'the Laws againſt the Perturbers of the 'Peace of all States: We cannot, nor do 'not forget your Majeſty's moſt gracious 'Acts and Anſwers on the like Petition; 'they are viſible to the World, to your 'Majeſty's Honour and Comfort: We 'bend our Knees and Hearts, bleſſing 'God and your Majeſty therefore; yet 'let it not ſeem needleſs that we repair 'again to your Majeſty: The Husband-'man knows that Weeds are not de-'ſtroyed at one Weeding. Theſe are 'growing Evils, they are Weeds of a 'ſpreading Nature: And we that come 'from all Parts do think it our Duty to 'tell your Majeſty, that God's Vineyard 'is not yet cleanſed. And God himſelf 'requires, that we pray to him often, 'even for what he means and promiſeth 'to beſtow on us. But my Meſſage 'comes from the Pen of both Houſes: 'And therefore I humbly beſeech your 'Majeſty to lend a gracious Ear to hear 'me read the Petition.'

AFTER the Reading thereof, his Majeſty made this ſhort Speech.

My Lords and Gentlemen,

The King's Anſwer to the Petition.

'I DO very well approve the Method 'of your Proceedings in this Parlia-'ment, *à Jove principium*; hoping that 'the reſt of your Conſultations will ſuc-'ceed the happier. And I like the Pre-'amble of my Lord-Keeper, otherwiſe 'I ſhould have a little ſuſpected that 'you had thought me not ſo careful of 'Religion as I have, and ever ſhall be, 'wherein I am as forward as you can 'deſire. And for the Petition, I anſwer 'firſt in general, that I like it well, and 'will uſe theſe as well as other Means 'for the Maintenance and Propagation of 'that Religion, wherein I have lived, 'and do reſolve to die. But for the Par-'ticulars, you ſhall receive a more full 'Anſwer hereafter. And now I will 'only add this, that as we pray to God 'to help us, ſo we muſt help ourſelves: 'For we can have no Aſſurance of his

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'Aſſiſtance, if we do lie in Bed, and 'only pray, without uſing other means. 'And therefore I muſt remember you, 'that if we do not make Proviſion ſpee-'dily, we ſhall not be able to put one 'Ship to Sea this Year, *Verbum ſapienti 'ſat eſt.*'

AFTERWARDS the Lord-Keeper ſignified to the Houſe, that his Majeſty had now given his Anſwer to the Petition exhibited by both Houſes againſt Recuſants, and had commanded his Lordſhip to read the ſame Anſwer in this Houſe, and Mr. Secretary to read it in the Houſe of Commons. Whereupon the Clerk read the firſt Article of the ſaid Petition, and the Lord-Keeper read his Majeſty's Anſwer to the ſame, and ſo through the whole Eight Articles.

WHICH Petitions and Anſwers follow *in hæc verba.*

Moſt Gracious Sovereign,

'WE your moſt loyal and obedient, 'Subjects, the Lords Spiritual 'and Temporal, and Commons in Par-'liament aſſembled, having to our ſin-'gular Comfort obtained your Majeſty's 'pious and gracious Aſſent for a publick 'Faſt, to appeaſe the Wrath of Almighty 'God kindled againſt us, and to prevent 'thoſe grievous Judgments which do ap-'parently preſs upon us; do in all Hu-'mility preſent unto your ſacred Majeſty 'all poſſible Thanks for the ſame. And 'becauſe the public and viſible Sins of 'the Kingdom, are the undoubted Cauſes 'of thoſe viſible Evils that are fallen 'upon us, amongſt which Sins, (as is 'apparent by the Word of God) Idolatry 'and Superſtition are the moſt heinous 'and crying Sins, to the end that we 'may conſtantly hope for the Bleſſing 'of God to deſcend upon this our pub-'lic Humiliation, by abandoning thoſe 'Sins, which do make a Wall of Sepa-'ration betwixt God and us;

ARTICLE I.

'WE moſt humbly and ardently beg 'at the hands of your moſt ſacred Ma-'jeſty, that your Majeſty will be pleaſed 'to give continual Life and Motion to 'all thoſe Laws that ſtand in force againſt 'Jeſuits, Seminary Prieſts, and all that 'have taken Orders by Authority of the 'See of *Rome*, by exacting a more due 'and ſerious Execution of the ſame: 'Amongſt which Number thoſe that 'have highly abuſed your Majeſty's Cle-'mency, by returning into the Kingdom 'after their Baniſhment, contrary to your 'Highneſs's expreſs Proclamation, we 'humbly deſire may be left to the Se-'verity of your Laws, without admit-'ting of any Mediation or Interceſſion 'for them. And that ſuch of your Ma-'jeſty's unſound and ill-affected Sub-'jects, as do receive, harbour, or con-'ceal any of their viperous Generation, 'may without ſuffer delay ſuch Penalties 'and Puniſhments as the Laws moſt 'juſtly impoſe upon them.

His Majeſty's Anſwer to the firſt Article.

HIS Majeſty anſwereth, That he will, according to your Deſire, give both Life and Motion to the Laws that ſtand in force againſt Jeſuits, Seminary Prieſts, and all that have taken Orders by Authority of the See of *Rome*; and to that end his Majeſty will give ſtrict Order to all his Miniſters for the Diſcovery and Apprehending of them, and ſo leave them being apprehended to the Tryal of the Law. And in caſe, after Tryal, there ſhall be cauſe to reſpite execution of any of them, yet they ſhall be committed (according to the example of the beſt times) to the Caſtle of *Wisbich*, and there be ſafely kept from exerciſing their Functions, or ſpreading their ſuperſtitious and dangerous Doctrine, and the Receivers and Abettors ſhall be left to the Law.

ARTICLE II.

'THAT your Majeſty would be 'pleaſed to command a ſure and ſtrait 'Watch to be kept in and over your 'Majeſty's Ports and Havens, and to 'commit the Care and Charge of ſearch-'ing of Ships, for the Diſcovery and Ap-'prehenſion as well of Jeſuits and Se-'minary Prieſts brought in, as of Chil-'dren and young Students ſent over be-'yond the Seas, to ſuck in the Poiſon 'of Rebellion and Superſtition, unto 'Men of approved Fidelity and Re-'ligion: And ſuch as ſhall be convicted 'to have connived or combined in the 'bringing in of the one, or conveying 'of the other, that the Laws may paſs 'upon them with ſpeedy Execution.

His Majeſty's Anſwer to the ſecond Article.

HIS Majeſty granteth all that is in this Article; and to this end will give order to the Lord-Treaſurer, Lord-Admiral, and Lord-Warden of the Cinque-Ports,

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Ports, that in their ſeveral places they be careful to ſee this Article fully executed, giving ſtrict Charge to all ſuch as have Place and Authority under them, to uſe all Diligence therein. And his Majeſty requireth them, and all other his Officers and Miniſters, to have a vigilant Eye upon ſuch as dwell in dangerous places of Advantage or Opportunity for receiving or tranſporting of any ſuch as are here mentioned. And his Majeſty will take it for good Service, if any will give knowledge of any ſuch as have connived or combined, or ſhall connive or combine, as is mentioned in this Article, that Juſtice may be ſtrictly done upon them.

ARTICLE III.

'THAT conſidering thoſe dreadful Dangers (never to be forgotten) which did involve your Majeſty's ſacred Perſon, and the whole Repreſentative Body of your Majeſty's Kingdom, plotted and framed by the free and common acceſs of Popiſh Recuſants to the City of *London*, and to your Majeſty's Court, your Majeſty would be graciouſly pleaſed to give ſpeedy Command for the preſent putting in practice thoſe Laws that prohibit all Popiſh Recuſants to come to the Court, or within ten Miles of the City of *London*; as alſo thoſe Laws that confine them to the diſtance of five Miles from their Dwelling-Houſes; and that ſuch by-paſt Licences not warranted by Law, as have been granted to them for their repair to the City of *London*, may be diſcharged and annulled.'

His Majeſty's Anſwer to the third Article.

His Majeſty will take Order to reſtrain the Recourſe of Recuſants to the Court; and alſo for the other points in this Article, his Majeſty is well pleaſed that the Laws be duly executed, and that all unlawful Licences be annulled and diſcharged.

ARTICLE IV.

'THAT whereas it is more than probably conceived, that infinite Sums of Moneys have within theſe two or three Years laſt paſt been extracted out of the Recuſants within the Kingdom, by colour of Compoſition, and a ſmall proportion of the ſame returned into your Majeſty's Coffers, not only to the ſudden enriching of private Perſons, but to the emboldening of *Romiſh* Recuſants to entertain Maſſing Prieſts into their private Houſes, and to exerciſe all their mimick Rites of their groſs Superſtition without fear of controul; amounting (as by their daily practice and oſtentation we may conceive) to the nature of a concealed Toleration; your Majeſty would be graciouſly pleaſed to entertain this particular more nearly into your princely Wiſdom and Conſideration, and to diſſolve this Myſtery of Iniquity patched up of colourable Leaſes, Contracts and Reconveyances, being but Masks on the one part, of Fraud to deceive your Majeſty and States, on the other part for private Men to accompliſh their corrupt Ends.

His Majeſty's Anſwer to the fourth Article.

His Majeſty is moſt willing to puniſh for the time paſt, and to prevent for the future, any of the Deceits and Abuſes mentioned in this Article; and will account it a good Service in any that will inform himſelf, his Privy-Council, Officers of his Revenues, Judges, or learned Council, of any thing that may reveal this Myſtery of Iniquity. And his Majeſty doth ſtrictly command every of them, to whom ſuch Information ſhall be brought, that they ſuffer not the ſame to die, but do their uttermoſt endeavour to effect a clear diſcovery, and bring the Offenders to puniſhment. And to the intent no concealed Toleration may be effected, his Majeſty leaves the Laws to their Courſe.

ARTICLE V.

'THAT as the Perſons of Ambaſſadors from foreign Princes, and their Houſes be free for the Exerciſe of their own Religion, ſo their Houſes may not be made free Chapels and Sanctuaries unto your Majeſty's Subjects popiſhly affected, to hear Maſs, and to participate in all other Rites and Ceremonies of that Superſtition, to the great offence of Almighty God, and ſcandal of your Majeſty's People loyally and religiouſly affected: That either the Concourſe of Recuſants to ſuch places may be reſtrained, or at leaſt ſuch a vigilant Watch ſet upon them, at their Return from thoſe places, as they may be apprehended, and ſeverely proceeded withal; *ut qui palam*

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'palam in luce peccant in luce puniantur.'

CHARLES I. 1628.

His Majesty's Answer to the fifth Article.

HIS Majesty is well pleased to prohibit and restrain their coming and resort to the Houses of Ambassadors, and will command a vigilant Watch to be set for their taking and punishing, as is desired.

ARTICLE VI.

'THAT no place of Authority and 'Command, within any of the Counties 'of this your Majesty's Kingdom, or 'any Ships of your Majesty's, or which 'shall be employ'd in your Majesty's 'Service, be committed to Popish Recusants, or to Non-Communicants by 'the space of a year past, or to any such 'Persons as according to direction of 'former Acts of State, are justly to be 'suspected; as the Place and Authority 'of Lords-Lieutenants, Deputy-Lieutenants, Justices of Peace, or Captains, 'or other Officers or Ministers mentioned in the Statute made in the third 'Year of the Reign of your Father of 'blessed Memory: And that such as by 'connivance have crept into such places, 'may by your Majesty's Royal Command be discharged of the same.'

His Majesty's Answer to the sixth Article.

HIS Majesty is persuaded that this Article is already observed with good care; nevertheless, for the avoiding (as much as may be) all Errors and Escapes in that kind, his Majesty will give Charge to the Lord-Keeper, that at the next Term he call unto him all the Judges, and take Information from them of the State of their several Circuits, if any such (as are mentioned in this Article) be in the Commission of the Peace, that due Reformation may be made thereof; and will likewise give Order to the Lord-Admiral, and such others to whom it shall appertain, to make diligent Inquiry and Certificate to his Majesty, if any such be in place of Authority and Command in his Ships or Service.

ARTICLE VII.

'THAT all your Majesty's Judges, 'Justices, and Ministers of Justice, unto 'whose Care and Trust, Execution (which 'is the Life of your Majesty's Laws) is 'committed, may by your Majesty's 'Proclamation, not only be commanded 'to put in speedy Execution those Laws 'which stand in force against Jesuits, 'Seminary Priests, and Popish Recusants, 'but that your Majesty would be further pleased to command the said 'Judges and Justices of Assize to give 'a true and strict Account of their Proceedings, at their Returns out of their 'Circuits, unto the Lord-Keeper, and 'by the Lord-Keeper to be presented 'to your Majesty.

His Majesty's Answer to the seventh Article.

His Majesty doth fully grant this Article.

ARTICLE VIII.

'AND for a fair and clear Eradication of all Popery for the future, and 'for the breeding and nursing up of 'a holy Generation, and a peculiar 'People sanctified unto the true Worship 'of Almighty God, that until a provisional Law may be made for the training and educating of the Children of 'Popish Recusants, in the Grounds and 'Principles of our holy Religion, which 'we conceive will be of more Power and 'Force to unite your People to you in 'Fastness of Love, Religion, and loyal 'Obedience, than all pecuniary Mulcts 'and Penalties, which can possibly be 'devised, your Majesty would be pleased to take it into your own Princely 'Care.'

THESE our humble Petitions, proceeding from Hearts and Affections, loyally and religiously devoted to God and your Majesty's Service, and to the Safety of your Majesty's sacred Person, we most zealously present to your Princely Wisdom, craving your Majesty's cheerful and gracious Approbation.

His Majesty's Answer to the eighth Article.

HIS Majesty doth well approve it, as a Matter of necessary Consideration; and the Parliament now sitting, he re-

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commendeth to both Houſes the Preparation of a fitting Law to that Effect. And his Majeſty doth further declare, that the Mildneſs that hath been uſed towards thoſe of the Popiſh Religion hath been upon hope that foreign Princes might thereby be induced to uſe Moderation towards their Subjects of the reformed Religion; but not finding that good Effect which was expected, His Majeſty reſolveth, unleſs he ſhall very ſpeedily ſee better Fruits, to add a further Degree of Severity, to that which in this Petition is deſired.

Speeches on his Majeſty's Propoſitions, by

ON the 2d of *April*, the Propoſitions ſent from the King to the Commons, on the 26th of *March*, were debated for ſome time, in which ſeveral Gentlemen expreſſed themſelves on the Subject as follows.

Sir Francis Seymour.

'IT is ſaid that the greateſt Grievance 'is want of Supply; but I hold it a 'greater Grievance, that his Majeſty is 'brought into thoſe Neceſſities, eſpe-'cially conſidering the Supplies that of 'late have been given to the King, two 'Subſidies of Parliament, beſides Privy-'Seals, the late Loan, whereby five 'Subſidies were forcibly and unadvi-'ſedly taken, and we have yet pur-'chaſed to ourſelves nothing by all theſe 'but our own Diſhonour; we have 'drawn and provoked two powerful 'Enemies upon us. 'Tis not then what 'the Subjects do give, unleſs his Majeſty 'employ Men of Integrity and Expe-'rience; otherwiſe all that we give 'will be as caſt into a bottomleſs 'Bag.

Sir Nath. Rich.

'SOME Propoſitions we ſhall not 'meddle with, as a ſovereign Army to 'be tranſported; we are not fit for that 'yet, but we will not reject it; for 'great Princes who give out Rumour of 'raiſing great Armies, do put their 'Enemies to great Fears. Than the 'Defence of our Coaſts, nothing is more 'neceſſary; but the Bill of Poundage 'is for that particular Supply, and how 'far it may prejudice us for a future Pre-'cedent, to give other ſupply, let us be 'adviſed.

'AS to the omitting of any of the 'Propoſitions, I know you will do it 'upon Deliberation; ſome there are, not 'poſſible to be omitted, as the guarding 'of the Seas, Defence of the *Elbe*, '*Rochel*, and thoſe draw on all the reſt. 'Ships muſt have Men and Ammunition, 'and we cannot divide any of theſe. 'This Houſe is tender of the Country. 'The King will not lay a Burden that 'cannot be born. We may ſupply his 'Majeſty without this; give we now 'what we pleaſe; the King may make 'uſe of it, before the People are able 'to pay; and we ſhall not only make 'his Majeſty ſubſiſt, but advance his 'Reputation in the World, by the U-'nity of his People, more than by any 'Treaſure.

CHARLES I. Ao 1628. *Secretary* Cook.

Sir John Elliot.

'INDEED there may be ſome Ne-'ceſſity for a War offenſive; but looking 'on one late Diſaſter, I tremble to 'think of ſending more abroad.

'LET us conſider thoſe two great 'Undertakings at *Cadiz* and *Rhee*: At '*Cadiz* that was ſo glorioufly preten-'ded, where our Men arrived and found 'a Conqueſt ready; namely, the *Spaniſh* 'Ships, a Satisfaction ſufficient and fit 'for us, and this confeſſed by ſome then 'imployed, and never but granted by 'all, that it was feaſible and eaſy, why 'came this to nothing? After that Op-'portunity loſt, when the whole Army 'was landed with Deſtruction of ſome 'of our Men, why was nothing done? 'If nothing was intended, why were 'they landed, and why were they ſhip'd 'again? As for the Voyage to *Rhee*, 'was not the whole Action carry'd 'againſt the Judgment of the beſt Com-'manders, was not the Army landed? 'Not to mention the leaving of the 'Wines, nor touch the Wonder that '*Cæſar* never knew, the enriching the 'Enemy by Courteſies: conſider what 'a Caſe we now are in, if on the like 'occaſion, or with the like Inſtruments, 'we ſhall again adventure another Ex-'pedition. It was ever the Wiſdom of 'our Anceſtors here, to leave foreign 'Wars wholly to the State, and not to 'meddle with them.

WHEN

Foedera Tom. XVIII. Sir Edward Cook.

'When poor *England* ſtood alone, and had not the Acceſs of another Kingdom, and yet had more, and as potent Enemies as now it hath, yet the King of *England* prevailed.

'In the Parliament Roll, in the 42d Year of *Edward* III, the King and the Parliament gave God Thanks for his Victory againſt the Kings of *Scotland* and *France*: He had them both in *Windſor-Caſtle* as Priſoners. What was the Reaſon of that Conqueſt? Four Reaſons were given. 1. The King was aſſiſted by good Council. 2. There were valiant Men. 3. They were timely ſupplied. 4. Good Employment.

'In the 3d of *Richard* II the King was environed with *Flemings*, *Scots*, and *French*, and the King of *England* prevailed.

'In the 13th of *Richard* II the King was environed with *Spaniards*, *Scots*, and *French*, and the King of *England* prevailed.

'In the 17th of *Richard* II, Wars were proclaimed in *Ireland* and *Scotland*, and yet the King of *England* prevailed, and Thanks were given to God here; and I hope I ſhall live to give God Thanks for our King's Victories.

'In the 7th of *Henry* IV, one or two Great Men about the King ſo mewed him up, that he took no other Advice but from them; whereupon the Chancellor took this Text and Theme in his Speech at the Parliament, *Multorum conſilia requiruntur in magnis, in bello qui maximè timent ſunt in maximis periculis*. Let us give, and not be afraid of our Enemies; let us ſupply bountifully, cheerfully, and ſpeedily, but enter not into Particulars: *Solomon*'s Rule is, *Qui repetit ſeparat*; nay, *ſeparat Fœderatos*. We are united in Duty, &c. to the King; the King hath fourſcore thouſand Pounds a Year for the Navy, and to ſcowre the narrow Seas; it hath been taken, and we are now to give it, and ſhall we now give more to guard the Seas? Beſides, when that is taken of our Gift, it may be diverted another way.

'It ſhall never be ſaid, we deny all Supply; I think my ſelf bound, where there is *commune periculum* there muſt be *commune auxilium*.

Sir Thomas Wentworth.

'I CANNOT forget that Duty I owe to my Country, and unleſs we be ſecured in our Liberties we cannot give; I ſpeak not this to make Diverſions, but to the end that giving, I may give cheerfully. As for the Propoſitions to be conſidered of, I incline to decline them, and to look upon the State of our Country, whether it be fit to give or no: Are we come to an End for our Country's Liberties? Have we trenched on the Rates of the Deputy Lieutenants? Are we ſecured for Time future?

Sir Henry Martin.

'WE all deſire Remedies for our Grievances, and without them we ſhall neither be willing nor able to give: For my Part, I heartily deſire Remedy, but which is the beſt and wiſeſt Way, that is the Queſtion. As we have made ſome Progreſs in our Grievances, ſo let us now go on to Supply: There is a Proverb, *Non bis ad idem*, daſh not the Commonwealth twice againſt one Rock. We have Grievances, we muſt be eaſed of them; who ſhall eaſe us? No Nation hath a People more loving to the King than we; but let the King think it, and believe it, there is a Diſtance betwixt him and us; before we can have his Heart we muſt remove it: Our Diſeaſe is not ſo great but that it may be cured; it is the King's Evil which muſt be cured with Gold: Let us imitate *Jacob*, who wreſtled with the Angel, and would not let him go: I would we could wreſtle with the King in Duty and Love, and not to let him go in this Parliament, 'till he comply with us. We muſt take heed of too much Repetition and over-beating of Grievances; it is dangerous, and it may make a farther Separation. He that talks too much of his Grievances makes the Party that is the Cauſe of it make an Apology, and to juſtify it, and that is dangerous: Let us do as Poets in a Tragedy, that ſometimes have comical Paſſages, and ſo a generous Mind will ſink preſently. Sure a due Preſentation of ſuch Grievances to ſuch a King with Moderation will take Place with him. In all Deliberations go the ſafeſt Way: The old Way I have heard is firſt to remove Grievances: We muſt not tie and bind ourſelves by all that was done before. I have gone over the *Thames* in former Times on Foot, when it was all an Ice, but that is no Argument to perſwade me to do the like now, becauſe I did ſo once.'

Debates on the Liberty of the Subject in his Perſon.

THE Houſe waving the Debate of the Propoſitions, took into Conſideration two other Heads of the Liberty of the Subject in his Perſon; *viz. Confinement* and Deſignation to *foreign* Employment. The King's Council, by their bare Authority, had not only confined to their Houſes ſome of thoſe that refuſed to lend Money, but had ſent away ſome to diſtant Places from their Homes, and conſtrained others, on the ſame Account, to go and ſerve the King in foreign Countries. As to thoſe Points, ſeveral Gentlemen delivered their Opinion as follows;

Mr. Selden.

'CONFINEMENT is different from Impriſonment, and it is againſt the Law that any

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'any should be confined either to his 'House, or elsewhere. I know not what 'you can call a Punishment, but there is 'some Ground of it, or Mention thereof 'in Acts of Parliament, Law-Books or 'Records; but for this of Confinement 'I find none. Indeed *Jews* have been 'confined in former Times to certain 'Places, as here in *London*, to the *Old* '*Jewry*. The *Civilians* have perpetu-'al Prisons and coercive Prisons, upon 'Judgments in Court: *Carcer domesticus* 'is a Confinement for Madmen.

Sir T. Hobby.

'I was employed in 88 in that Service; 'it was then thought fit that Recusants 'should be confined in strong Places, but 'it was not held legal, and when the 'Navy was dispersed they were set at 'Liberty; and the Parliament petitioned 'the Queen for a Law to warrant the 'Confinement. Hereupon it was resolved, 'That no Freeman ought to be confined 'by any Command of the King or Privy 'Council, or any other, unless it be by 'Act of Parliament, or by other due 'Course or Warrant of Law.

THEN the House proceeded to debate concerning Designation to foreign Employment, which Sir *Peter Hayman* opened with his own Case.

Sir Peter Hayman, *about foreign Employment.*

'I HAVE, says he, forgot my Employ-'ment unto the *Palatinate*; I was called 'before the Lords of the Council, for 'what I know not: I heard it was for 'not lending on a Privy-Seal; I told 'them, if they will take my Estate let 'them; I will give it up, lend I will 'not. When I was before the Lords of 'the Council, they laid to my Charge 'my Unwillingness to serve the King; I 'said, I had my Life and Estate to serve 'my Country and my Religion: They 'put upon me, if I did not pay, I should 'be put upon an Employment of Ser-'vice: I was willing: After ten Weeks 'waiting, they told me I was to go with 'a Lord into the *Palatinate*, and that I 'should have Employment there, and 'Means befitting: I told them I was a 'Subject, and desired Means. Some put 'on very eagerly, some dealt nobly: 'They said I must go on my own Purse; 'I told them, *Nemo militat suis expen-'sis*. Some told me I *must* go; I began 'to think, what must I? None were ever 'sent out in that kind. Lawyers told me 'I could not be so sent. Having that 'Assurance, I demanded Means, and was 'resolved not to stir upon those Terms, 'and in Silence and Duty I denied. Upon 'this, they having given me a Command 'to go, after some twelve Days they told 'me they would not send me as a Sol-'dier, but to attend on an Ambassador: 'I knew that Stone would hit me; I set-'led my troubled Estate, and addressed 'myself to that Service.

Mr. Hackwell.

'THIS is a great Point that much con-'cerns the Common-wealth, if the King 'cannot command a Subject to his ne-'cessary Service; and on the other Side, 'it will be little less than an honourable 'Banishment to the Subject, if he may. 'Our Books say the King cannot compel 'any to go out of the Realm; and upon 'an Action brought against him he can-'not plead in Bar, that he is by Com-'mand from the King in foreign Service; 'but the King may give him his Protecti-'on. In the Parliament Roll, 5 *Ed-'ward* III, N. 9, there was an Ordinance 'whereby the King had Power to send 'some to *Ireland*, and it is ordained that 'such Sages of the Law and Soldiers, 'where Need shall be, though they re-'fuse to go and excuse themselves, if 'their Excuses be not reasonable, the 'King may do to them according to 'Right and Reason. If the King by Law 'could do this of himself, and send them 'to *Ireland*, his own Dominion, he would 'never have taken Power from his Parlia-'ment; and if Men do not according to 'that Law, there is no Imprisonment pre-'scribed.

Sir E. Cook.

'No Restraint, be it never so little, 'but is Imprisonment, and foreign Em-'ployment is a kind of honourable Ba-'nishment. I myself was designed to go 'to *Ireland*; I was willing to go, and 'hoped, if I had gone, to have found 'some *Mompessons* there: There is a 'Difference when the Party is the King's 'Servant, and when not. The 46th of '*Edward* III was the Time when the 'Law was in its Height; Sir *Richard* '*Pembridge* was a Baron, and the King's 'Servant, and Warden of the Cinque 'Ports: He was commanded to go to '*Ireland*, and serve as Deputy there, 'which he refused: He was not com-'mitted, but the King was highly of-'fended, and having Offices, and Fees, 'and Lands *pro servitio suo impenso*, the 'King seized his Lands and Offices: I 'went to the Parliament Roll, 47 *Eliz.* 'where I found another Precedent for fo-'reign Employment: They that have 'Offices *pro consilio*, or *servitio impen-'so*, if they refuse, those Lands and 'Offices so given are seized, but no Com-'mitment.

Sir Thomas Wentworth.

'IF any Man owes a Man a Displea-'sure, and shall procure him to be put 'into foreign Employment, it will be a 'Matter of high Concernment to the Sub-'ject: We know the Honour and Justice 'of the King; but we know not what 'his Ministers, or the Mediation of Am-'bassadors may do to work their own 'Wrath upon any Man.

'IF

FOEDERA Tom. XVIII. Sir John Elliot.

'If you grant this Liberty, what are 'you the better by other Privileges? 'What Difference is there between Im-'priſonment at home, and conſtrained 'Employment abroad? It is no leſs than 'a temporary Baniſhment, neither is it 'for his Majeſty's Service to conſtrain his 'Subjects to Employment abroad: Ho-'nour and Reward invite them rather to 'ſeek it; but to be compelled ſtands not 'with our Liberty.

THESE Debates produced this Reſolution, 'That no Freeman ought to be con-'fined by any Command from the King, 'or Privy-Council, or any other, unleſs 'it be by Act of Parliament, or by other 'due Courſe or Warrant of Law.

As to the Matter of Supply, the Debate was put off 'till the *Friday* following.

Meſſage from the King to the Commons about the Duke of Bucks.

THE King being afraid that the Houſe of Commons would fall again upon the Duke of *Bucks*, upon a Rumour that he had ſpoke ill of the Parliament at the Council-Board, ſent a Meſſage to confute that Report by Mr. Secretary *Cook*, on *Thurſday* the 3d of *April*, who delivered it as follows:

'His Majeſty having underſtood that 'ſome Rumours were ſpread abroad of a 'ſharp Meſſage delivered by me Yeſter-'day, and of ſome malicious Words that 'the Duke ſhould ſpeak Yeſterday at the 'Council-Board, he commanded me to 'tell you of the Malice of thoſe falſe 'Reports; for that nothing fell from the 'Duke, or that Board, but what was 'for the Good of this Aſſembly. He 'would have you obſerve the Malice of 'thoſe Spirits that thus put in theſe Jea-'louſies: Had the Duke ſo ſpoken, he 'ſhould have contradicted himſelf; for 'all of us of the Council can tell he was 'the firſt Mover and Perſwader of this 'Aſſembly of Parliament to the King*. 'Eſteem of the King according to his 'Actions, and not theſe Tales. His Ma-'jeſty takes Notice of our Purpoſe, that 'on *Friday* we will reſolve upon Sup-'ply, which his Majeſty graciouſly ac-'cepts of, and that our free Gift, with-'out any Condition, ſhould teſtify to the 'World that we will be as far from en-'croaching upon his Prerogative, as he 'will be to encroach upon our Liberties: 'And this ſhall well appear when we 'preſent our Grievances to him, and then 'we ſhall know that he hath no Intenti-'on to violate our Liberties, only let us 'not preſent them with any Aſperity of 'Words: He counts it his greateſt Glory 'to be a King of Freemen, not of Vil-'lains. He thought to have delivered 'this Meſſage himſelf, but that he feared 'it would take us too much Time.

Then he added a Word of his own; 'Yeſterday after Dinner we attended his 'Majeſty, and he asked us what we had 'done? We ſaid, we had entered into 'the Conſideration of Supply, and that 'the final Reſolution was deferred 'till '*Friday*; and that this was done for juſt 'Reaſons, to join the Buſineſs of his 'Majeſty's and our Country's together; 'and this would further his Majeſty, and 'it would give Content to the Country, 'and that this Union here might be ſpread 'abroad in the World. His Majeſty an-'ſwered, For God's ſake why ſhould any 'hinder them in their Liberties? If they 'did it not, I ſhould think they dealt 'not faithfully with me. You may ſee a 'true Character of his Majeſty's Diſpoſi-'tion. Let us proceed with Courage, and 'reſt aſſured his Majeſty will give great 'Ear unto us, and let us all join to make 'a perfect Union to win the King's Heart; 'we ſhall find a gracious Anſwer from 'the King, and a hearty Cooperation 'from thoſe that you think to be averſe 'to us.

AFTER ſome Debates upon this Meſſage, they acknowledged that his Majeſty had put a threefold Obligation upon them; 1. In giving them Satisfaction. 2. In giving them Aſſurance (which is a great Law) that he will protect and relieve them. 3. In giving them Advice as may befit the Gravity of that Aſſembly, and his own Honour: So they concluded *to carry themſelves as their Progenitors had done before, who never were marked for ſtepping too far on the King's Prerogative*; and then they returned his Majeſty their humble Thanks†.

Another Meſſage from the King.

April 4, Mr. Secretary *Cook* delivered another Meſſage from the King, to aſſure them of the Enjoyment of their Rights and Liberties with as much Freedom and Security in his Time, as in any Age heretofore under the beſt of our Kings, and that whether

* It is obſervable, that the Secretary took Care not to tell them that it was meerly out of Policy, to create a better Opinion of the Duke, purſuant to the Hint given by Sir *Robert Cotton*.

† The good Diſpoſition of the Commons at the Beginning of this Parliament was well obſerved in a Letter of Mr. *William Bedell* to Biſhop *Uſher*, dated at *London*, *April* 11, 1628.---- 'In Parliament Affairs the Be-'ginnings yet go marvellouſly well, the lower Houſe excellently temper'd: Nothing has been yet put to the 'Queſtion. The upper Houſe joined with them; inſomuch that when they received a Motion for a publick 'Faſt, they added another for putting in Execution all Laws and Acts of State againſt Recuſants. The Pe-'tition againſt Recuſants was penn'd by the Biſhops of *Norwich* and *Lithfield*. The Author of a *mo-dern Hiſtory* juſtly laments, that ſo happy a Juncture as this ſeemed to be for eſtabliſhing a good Underſtanding between the King and his People, had ſlipped. 'Had *Buckingham*, ſays he, now retired 'to the Enjoyment of his immenſe Riches; had the Biſhop of *Canterbury* been reſtored to the Exercise of 'his ſacred Function, of which he had been unjuſtly deprived; had *Montagu* been puniſhed, *Laud* decourted; 'had

whether they thought fit to ſecure themſelves by Bill or otherwiſe, if it was done with due reſpect of his Honour, and the Publick Good, of which he did not doubt, he would certainly give Way to it; adding, that the more Confidence the Houſe ſhew'd in his Majeſty's Grace and Goodneſs, the more they ſhould prevail to obtain their own Deſire.

Five Subſidies voted.

AFTER ſome Debate, in which Mr. *Pym* took notice of the great Neceſſity for haſtening the Reſolutions to ſupply his Majeſty, they voted him five Subſidies.

April 7, Mr. Secretary *Cook* reported to the Houſe what the King ſaid, when he acquainted his Majeſty of their Reſolution; *viz.* 'He was pleaſed to ask by 'how many Voices they were granted? 'I ſaid, but by one. His Majeſty ask'd, 'how many were againſt him? I ſaid 'none; for they were voted by one Voice, 'and one general Conſent. His Majeſty 'was much affected therewith, and called the Lords in Council, and there I 'gave them an Account of what had paſſed; beſides, it gave his Majeſty no 'ſmall content, that altho' five Subſidies 'be inferior to his Wants, yet *it is the 'greateſt Gift that ever was given in 'Parliament*; and now he ſees with this 'he ſhall have the Affections of his People, which will be greater to him than 'all Value. He ſaid, he lik'd Parliaments 'at the firſt, but ſince (he knew not 'how) he was grown to a Diſtaſte of them; 'but was now where he was before, he 'loves them and ſhall rejoice to meet with 'his People often.'

The King's Acceptance reported.

MR. Secretary farther acquainted the Houſe of a Speech of the Duke of *Buckingham*'s upon the ſame Occaſion at the Council-Table; which was very ſweet and popular, had it come from any other Perſon. The Speech was this;

Duke of Buckingham's *Speech upon it at the* Council-Table.

'SIR, methink, I behold you a great 'King, for Love is greater than Majeſty. 'An Opinion that the People loved you 'not, had almoſt loſt you in the Opinion 'of the World; but this Day makes you 'appear as you are, a glorious King, loved 'at Home, and now to be feared Abroad: 'This falling out ſo happily, give me leave, 'I beſeech you, to be an humble Suitor 'to your Majeſty, 1. For myſelf, that I 'who have had the Honour to be your 'Favourite, may now give up that Title unto them; they to be your Favourites, and 'I to be your Servant. My 2d Suit is, 'that they having done alſo well, you 'will account of them as one; a Body of 'many Members, but all of one Heart. 'Opinion might have made them differ, 'but Affection moved them all to join with 'like Love in this great Gift: For Proportion, tho' it be leſs than your Occaſions may ask, yet it is more than ever Subjects gave in ſo ſhort a time; nor am I 'perſuaded it will reſt there, for this is but 'as an Earneſt of their Affections, to let 'you ſee, and the World know, what Subjects you have, that when the Honour 'and Good of the State is engaged, and 'Aid asked in the ordinary way of Parliament, you cannot want. This is not 'the Gift of five Subſidies alone, but the 'opening of a Mine of Subſidies that lieth in their Hearts. This good Beginning hath wrought already theſe Effects, 'they have taken your Heart, drawn from 'you a Declaration that you will love 'Parliaments. And again, this will meet (I make no Queſtion) with ſuch Reſpect, 'that their Demands will be juſt, dutiful, 'and moderate; for they that know thus to 'give, know well what is fit to ask. Then 'cannot your Majeſty do leſs than outgo their Demands, or elſe you do leſs 'than your ſelf or them; for your Meſſage begot Truſt, their Truth and your 'Promiſes muſt then beget Performances. 'This being done, then ſhall I with a glad 'Heart behold this Work as well ended 'as now begun, and then ſhall I hope that 'Parliaments ſhall be made hereafter ſo 'frequent, by the Effects and good Uſe of 'them, as they ſhall have this farther 'Benefit, to deter from approaching your 'Ears thoſe Projectors and Inducers of 'Innovation, as Diſturbers both of Church 'and Common-wealth. Now, Sir, to open 'my Heart, and to eaſe my Grief, pleaſe 'you to pardon me a Word more; I muſt 'confeſs I have long lived in Pain. Sleep 'hath given me no Reſt, Favours and 'Fortunes no Content; ſuch have been my 'ſecret Sorrows, to be thought the Man 'of Separation, and that divided the King 'from his People, and them from him; but 'I hope it ſhall appear they were ſome 'miſtaken Minds that would have made 'me the evil Spirit that walketh between 'a good Maſter and loyal People by ill 'Offices; whereas, by your Majeſty's 'Favour, I ſhall endeavour to approve

'had the *Papiſts* been delivered over to the Law, as *Echard* ſays, the *pious King had promiſed*; had *Neale*, *Wren*, 'and other ſuch Prelates, fallen under the Weight of Parliamentary Diſpleaſure, and the general Hatred of the 'People; had the *Petition of Right*, which was then on foot in the Houſe of Commons, and ſoon after confirmed by the King, been duly obſerved; all which was moſt Juſt, Reaſonable and Eaſy; there is no room to doubt 'but this Prince might have Reigned as happily and glorioufly as ever did any one of his Predeceſſors; he being 'as obſtinate in his *good* Meaſures as his *bad*, and influenced in both rather by his Miniſters than his own Will. 'But inſtead of ſuch prudent and ſafe Meaſures of Government, it was his Majeſty's Unhappineſs to hear no 'Council but what came from *Villiers*, *Laud*, and ſuch like Counſellors, for whom there was no Safety, but in 'the abſolute Power of the Prince; which they therefore endeavoured to raiſe as high as he would have it; and 'that they ſucceeded but too well, the Sequel fully made appear.

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'my self a good Spirit, breathing nothing 'but the best of Services to them all. 'Therefore this Day I account more bleſ- 'ſed to me than my Birth, to ſee my ſelf 'able to ſerve them, to ſee you brought 'in Love with Parliaments, to ſee a Par- 'liament expreſs ſuch Love to you, and 'God ſo love me and mine, as I joy to ſee 'this Day.'

SIR *John Elliot* expreſſed his Diſlike that the Duke's Name ſhould be intermingled with the King's, *contrary to the Cuſtom of our Fathers, and to the Honour of our Times*, and deſired it might not be ſuffered hereafter.

Conference between the Lords and Commons on Liberty and Property managed by Sir Dudley Diggs, &c.

SEVERAL Members were now appointed to manage a Conference with the Lords upon the Reſolutions of the Commons relating to the Liberties and Properties of the Subject.

SIR *Dudley Diggs* opened the Conference by way of Introduction concerning the Foundation and Antiquity of our Laws and Cuſtoms. Sir *Edward Littleton* of the *Inner-Temple*, afterwards Lord Keeper, ſpoke at large upon the Subject of Perſonal Liberty. Mr. *Selden*, of the *Inner-Temple*, inſiſted upon the Precedents in that Matter, and ſhew'd that the late Impriſonment of Gentlemen for the receiving the Loan, was without Precedent. Sir *Edward Cook* maintained the Argument as to the rational Part of the Law. The Managers, in ſhort, proved, that the forementioned Reſolutions of the Commons were part of *Magna Charta*, ſix Acts of Parliament, 12 Precedents in Terms, and 31 more.

April 8 and 9 were ſpent in the Debate about Billeting of Soldiers upon the Subject contrary to Law, and on the 10th Mr. Secretary *Cook* deliver'd this Meſſage from the King; *viz.* 'That his Majeſty 'deſireth this Houſe not to make any Re- 'ceſs theſe *Eaſter* Holidays, that the 'World may take notice how earneſt 'his Majeſty and we are for the public 'Affairs in *Chriſtendom*, which by ſuch 'a Receſs would receive Interruption.

King's Meſſage to the Commons for Non Receſs at Eaſter excepted to.

THIS Meſſage was far from being ſatisfactory to the Houſe, and was particularly reſented firſt by Sir *Robert Phillips*, who ſaid 'That in the 12 and 18 of the 'late King, upon the like Intimation, the 'Houſe reſolv'd it was in their own Pow- 'er to adjourn or ſit; hereafter, *ſaid he*, 'this may be put upon us by Princes of 'leſs Piety; let a Committee conſider of 'it, and of our Right herein, and make a 'Declaration.'

By Sir Robert Phillips.

Sir Edward Cook.

SIR *Edward Cook* ſpoke to the ſame purpoſe, and ſaid, 'I am as tender of the 'Privileges of this Houſe, as of my Life, 'and they are the Heart-ſtrings of the 'Common-wealth. *The King makes a* 'Prorogation, *but the Houſe adjourns* 'itſelf. If the King write to an Abbot 'for a *Corody*, for a *Valet*, if it be *ex* 'rogatu, tho' the Abbot yield to it, yet 'it binds not: Therefore I deſire that it 'be enter'd, that this is done *ex rogatu* 'Regis.'

THE matter in ſhort was referred to a Committee to conſider of the Power of the Houſe to adjourn itſelf, to the end that if it were now yielded to in Obedience to his Majeſty, it might not turn to Prejudice in time to come.

Commons Anſwer.

HEREUPON a Meſſage was ſent to acquaint the King, *that the Houſe would give all Expedition to his Majeſty's Service, notwithſtanding their purpoſe of Receſs.* To which his Majeſty returned Anſwer, 'That the Motion proceeded 'from himſelf, *in regard of his Engage-* 'ment in the Affairs of *Chriſtendom*, that 'he wiſhed them all Alacrity in their 'Proceedings, and that there might be 'no Receſs at all.'

King's Reply.

ON the 11th of *April* Secretary *Cook* moved to expedite the Vote of Subſidies, and to have it immediately turned into an Act. 'We have many Petitions, *ſaid he*, 'to the King, and they are Petitions of 'Right; we have freely and bountifully 'given five Subſidies, but no Time is ap- 'pointed, and Subſidy without Time is no 'Subſidy; let us appoint a Time.

Secretary Cook's Speech for Subſidies.

SIR *Dudley Diggs* ſeconded the Motion. 'We have, *ſaid he*, freely conclu- 'ded our Liberties, we have offered five 'Subſidies; his Majeſty hath given us 'graciousAnſwers; we have Good by our 'Beginnings, what have we had hitherto 'done for the King? Nothing is done 'that the King can take notice of. The 'World thinks that this Parliament hath 'not expreſſed that Reſolution that it did 'at the firſt; how much does it concern 'the King that the World be ſatisfy'd with 'his Honour? Our Succeſs and Honour 'is the King's; Princes want not thoſe 'that may ingratiate themſelves with them 'by doing ill Offices. There is a Stop, 'and never did a Parliament propound any 'thing but it hath been perfected ſooner 'than this is: May not the King ſay, what 'have I done? They grow cold; have I 'not told them I will proceed with as 'much Grace as ever King did? He will 'ſettle our Proprieties and Goods: Have 'we not had a gracious Anſwer? Are we 'Hand in Hand for his Supply? Shall it be 'ſaid that this Day it was moved, but de- 'nied? It may put our whole Buſineſs 'back; wherein can this diſadvantage us? 'This binds us not; I dare ſay confident- 'ly, we ſhall have as much as ever any 'Subjects had from their King.

Sir Dudley Diggs.

SIR *Thomas Wentworth* propoſed a middle Way, which paſſed into a Reſolution of the Houſe; *viz. That Grievances and Supply go Hand in Hand.*

April 12, Mr. Secretary *Cook* delivered another Meſſage from the King to haſten the Supply; which, becauſe it gave Offence, we give the Reader at Length.

King's threatning Meſſage about Supply.

'HIS Majeſty having given timely Notice to this Houſe, as well of the Preſſure of the Time, as of the Neceſſity of Supply, hath long ſince expected ſome Fruit of that which was ſo happily begun; but finding a Stop beyond all Expectation, after ſo good Beginning, he hath commanded me to tell you, that without any farther, or unneceſſary Delay, he would have you to proceed in this Buſineſs; for however he hath been willing and conſenting his Affairs and ours ſhould concur and proceed together, yet his Meaning was not that the one ſhould give Interruption to the other, nor the Time to be ſpun out upon any Pretence, upon which the common Cauſe of Chriſtendom doth ſo much depend. He bids us therefore take heed that we force not him to make an unpleaſing End of that which was ſo well begun.

'I WILL diſcharge my Duty, I ſhall humbly deſire this honourable Houſe not to undervalue or overſtrain this Meſſage. If we conceive any thing in it to tend as if his Majeſty threatened to diſſolve this Parliament, we are deceived. His Majeſty intends the contrary, and to put us in ſuch a Way that our Buſineſs may have ſpeedy Succeſs. His Majeſty takes Notice of a peremptory Order, whereby he conceived that his Buſineſs was excluded at leaſt for a Time: That which doth moſt preſs his Majeſty is Time. Believe that the Affairs now in Hand preſs his Majeſty's Heart more than us: Let us remove Delays that are more than neceſſary; let us awaken ourſelves, he intends a ſpeedy Diſpatch.

'I MUST with ſome Grief tell you, that Notice is taken, as if this Houſe preſſed not upon the Abuſes of Power only, but upon Power itſelf. This toucheth the King and us, who are ſupported by that Power. Let the King hear of any Abuſes of Power, he will willingly hear us; and let us not bend ourſelves againſt the Extention of his Royal Power, but contain ourſelves within thoſe Bounds, that we meddle only with Preſſures and Abuſes of Power, and we ſhall have the beſt Satisfaction that ever King gave. I beſeech you all concur this Way, and uſe that Moderation we have had the Honour yet to gain.

THE Secretary being called upon to explain what he meant by the Word *Power*, he anſwered, *I cannot deſcend to Particulars, or go from that his Majeſty gave me Warrant or Power to deliver.*

THIS threatening Meſſage, which did the King great Injury, the rather becauſe it ſhewed a Backwardneſs in the King to redreſs the Grievances, occaſioned many Debates, in which Sir *Robert Phillips* ſaid, *he hoped their Moderation would have given his Majeſty a right Underſtanding of their Loyalty.* Others propoſed 'to find out a Way, by God's Providence, to make this Meſſage happy to King and People, it concerning the King's Honour abroad, and our Safety at home, that this Parliament be happy. Let us prevent, ſay they, theſe Miſchiefs which by frequent Meſſages thus obſtruct us. Let thoſe Gentlemen near the Chair ſee that we have endeavoured to apply ourſelves to his Majeſty's Service, notwithſtanding this Meſſage. In 12 *Jac.* a Meſſage of this Nature produced no Good: Nothing ſo endangers us with his Majeſty as that Opinion that we are antimonarchically affected; whereas ſuch is, and ever hath been our Loyalty, if we were to chooſe a Government, we would chooſe this Monarchy of *England* above all Governments in the World.

Debates on it.

ABOUT two Days after, Mr. Secretary *Cook* did again preſs the Affair of the Supply, alledging, 'that all Negotiations of Ambaſſadors are at a Stop while the Houſe ſits, and that this Stop is as a Froſt upon the Earth, which hinders the ſweet Vapours between his Majeſty and his Subjects; and that as Matters ſtand, the Soldiers can neither be diſbanded, nor put in Service.

Secretary Cook preſſes again for Supply.

'THIS Motion, ſaid Mr. *Wandesford*, comes unexpectedly, but it is fit to receive ſome Satisfaction: The proceeding now with our Grievances ſhall open the Stop that hinders his Majeſty's Affairs.' Sir *Humphry May* added, 'that Sweetneſs, Truſt, and Confidence, are the only Weapons for us to deal with our King, and that Coldneſs, Inforcement, and Conſtraint, will never work our Ends. If, ſaid he, we compaſs all we deſire, and have not his Majeſty's Heart, what will a Law, or any thing elſe do us good?

More Debates on it.

IN ſhort, theſe Meſſages one upon the Neck of another, gave frequent Occaſions to the Court-Party to preſs the Houſe to content his Majeſty; and the general Strain of all their Speeches was to inſpire the Members with the Dread of the fatal Conſequences of a Quarrel betwixt the King and his Parliaments. As his Majeſty

also, and the Lord-Keeper, by his Order, had often made use of the same Means to frighten the Commons, it cannot be doubted, says *Rapin*, that these Men spoke pursuant to the Intentions, and perhaps by Order of the Court. But this Threat so often hinted by the King himself, and by the Lord-Keeper, and now again by Members of the House known to be devoted to the Court, sometimes in obscure, and at other times in plain Terms, produced an Effect quite contrary to what the Court expected; and, instead of terrifying the Commons, only made them the more watchful of the King's Proceedings.

UPON the whole, it was ordered that a special Committee of eight Persons shall presently withdraw themselves, and consult together upon some Heads, and upon the Substance of a fair Representation to his Majesty, by way of Answer to all his Messages, which the Speaker shall deliver in his Speech to his Majesty upon *Easter-Monday* (if the King please to give Access) and at the same time to deliver the Petition against billeting of Soldiers, the Unlawfulness and insupportable Miseries of which were fully and pathetically opened in the said Petition, which was delivered accordingly upon *Easter-Monday*, the 21st of *April*, when the Commons being admitted to the King's Presence, the Speaker accompany'd it with the following Speech.

Most Gracious and Dread Sovereign,

Speaker's Speech to the King when he presented the Petition against Billeting of Soldiers.

'YOUR dutiful and loyal Commons 'here assembled, were lately humble Suitors to your Majesty for Access to your 'Royal Presence: The Occasion that 'moved their Desires herein, was a Particular of Importance worthy your 'Princely Consideration; which, as it 'well deserves, should have been the 'only Subject of my Speech at this Time.

'BUT since your gracious Answer for 'this Access, obtained by a Message from 'your Majesty, they have had some 'Cause to doubt, that your Majesty is 'not so well satisfied with the Manner of 'their Proceedings as their hearty Desire 'is you should be; especially in that 'Part which concerns your Majesty's present Supply, as if in the Prosecution 'thereof they of late used some Slackness 'or Delay.

'AND because no Unhappiness of theirs 'can parallel with that which may proceed from a Misunderstanding in your 'Majesty of their clear and loyal Intentions, they have commanded me to attend your Majesty with an humble and 'summary Declaration of their Proceedings since this short Time of their Sitting, which they hope will give your 'Majesty abundant Satisfaction, that never People did more truly desire to be 'embraced in the Favour and gracious 'Opinion of their Sovereign; and withal 'to let you see, that as you can have 'no where more faithful Counsel, so your 'great Designs and Occasions can no where 'be so speedily or heartily supported, as 'in this old and ancient Way of Parliament.

'FOR this Purpose they humbly beseech 'your Majesty to take into your Royal 'Consideration, that although by ancient Right of Parliament the Matters 'there debated are to be disposed in their 'true Method and Order, and that their 'ancient Custom hath been to take into 'their Considerations the common Grievances of the Kingdom, before they 'enter upon the Matter of Supply; yet 'to make a full Expression of that Zeal 'and Affection which they bear to your 'Royal Majesty, equally at least, if not 'exceeding the best Affections of their 'Predecessors to the best of your Progenitors; they have in this Assembly, 'contrary to the ordinary Proceedings of 'Parliament, given your Majesty's Supply Precedence before the common Grievance of the Subject, how pressing soever, joining with it only those fundamental and vital Liberties of the Kingdom which give Subsistence and Ability 'to your Subjects.

'THIS was their original Order and Resolution, and was grounded upon a true 'Discerning that these two Considerations 'could not be secured, but did both of 'them entirely concern your Majesty's 'Service, consisting no less in enabling 'and encouraging the Subject, than in 'proportioning a Present suiting to your 'Majesty's Occasions and their Abilities; 'nay, so far have they been from using 'any unnecessary Delays, as though of 'the Two, that of Supply were the latter 'Proposition amongst them, that the Grand 'Committee to which both were referred, 'hath made that of your Majesty's Supply first ready for Conclusion.

'AND to be sure your Majesty's Supply might receive no Interruption by 'the other, differing from Usage and 'Custom, in Cases of this Nature, sent 'up of those that concern the Subjects 'by Parcels, some to your Majesty, and 'some to the Lords, to the End your Majesty might receive such speedy Content 'as suited with the largest and best Extent of their first Order.

'SIR, You are the Breath of our Nostrils, and the Light of our Eyes; and 'besides those many Comforts which under you and your Royal Progenitors, in 'this Frame of Government, this Nation 'hath

'hath enjoyed, the Religion we profeſs 'hath taught us whoſe Image you are; 'and we do all moſt humbly beſeech 'your Majeſty to believe that nothing is, 'or can be more dear to us than the ſa-'cred Rights and Prerogatives of your 'Crown; no Perſon or Council can be 'greater Lovers of you, nor be more 'careful to maintain them; and the pre-'ſerving of thoſe fundamental Liberties 'which concern the Freedom of our Per-'ſons, and Property of Goods and Eſtates, 'is an eſſential Means to eſtabliſh the true 'Glory of a Monarchy.

'For rich and free Subjects, as they are 'beſt governed, ſo they are moſt able to 'do your Majeſty Service either in Peace 'or War, which next under God hath 'been the Cauſe of the happy and fa-'mous Victories of this Nation, beyond 'other Kingdoms of larger Territories 'and greater Number of People.

'What Information ſoever contrary to 'this ſhall be brought unto your Majeſty, 'can come from no other than ſuch as for 'their own Ends, under Colour of ad-'vancing the Prerogative, do indeed un-'dermine and weaken Royal Power by 'impoveriſhing the Subjects, render this 'Monarchy leſs glorious, and the People 'leſs able to ſerve your Majeſty.

'Having (by this that hath been ſaid) 'cleared our Hearts and Proceedings to 'your Majeſty, our Truſt is, that in your 'Royal Judgment we ſhall be free from 'the leaſt Opinion of giving any neceſſa-'ry Stop to our Proceedings in the Matter 'of your Supply, and that your Majeſty 'will be pleaſed to entertain Belief of 'our Alacrity, and Cheerfulneſs in your 'Service, and that hereafter no ſuch Miſ-'fortune ſhall befal us, to be miſunder-'ſtood of your Majeſty in any thing.

'We all moſt humbly beſeech your 'Majeſty to receive no Information in 'this, or any other Buſineſs, from pri-'vate Relations, but to weigh and judge 'of our Proceedings from thoſe Reſolu-'tions of the Houſe that ſhall be repre-'ſented from our ſelves.

'This rightly and graciouſly under-'ſtood, we are confident, from the Know-'ledge of your Goodneſs and our own 'Hearts, that the ending of this Parlia-'ment ſhall be much more happy than 'the Beginning, and be to all Ages *The 'bleſſed Parliament*, for making perfect 'Union between the beſt King and the 'beſt People, that your Majeſty may ever 'delight in calling us together, and we 'in the Comforts of your gracious Favour 'towards us.

'In this Hope I return to my firſt Er-'rand, which will beſt appear by that 'which I ſhall humbly deſire you to hear, 'it being an humble Petition of the Houſe 'of Commons, for the redreſſing of thoſe 'many Inconveniencies and Di-'ſtractions that have befallen your Sub-'jects by the billeting of Soldiers in 'private Mens Houſes, againſt their Wills.

'Your Royal Progenitors have ever 'held their Subjects Hearts the beſt Gar-'riſon of this Kingdom; and our hum-'ble Suit to your Majeſty is, that our 'Faith and Loyalty may have ſuch Place 'in your Royal Thoughts, as to reſt aſ-'ſured that all your Subjects will be rea-'dy to lay down their Lives for the De-'fence of your ſacred Perſon, and this 'Kingdom.

'Not going ourſelves into our Coun-'tries this *Eaſter*, we ſhould think it a 'great Happineſs to us, as we know it 'would be a ſingular Comfort and En-'couragement to them that ſent us hi-'ther, if we might but ſend them the 'News of a gracious Anſwer from your 'Majeſty in this Particular, which the 'Reaſons of the Petition we hope will 'move your moſt Excellent Majeſty gra-'ciouſly to vouchſafe.

The Petition concerning the Billeting of Soldiers, preſented to the King's moſt Excellent Majeſty,

'In all Humility complaining, ſhew-'eth unto your moſt Excellent Majeſty 'the *Commons* now in Parliament aſſem-'bled, That whereas by the fundamental 'Laws of this Realm every Freeman 'hath, and of Right ought to have, a 'full and abſolute Propriety in his Goods 'and Eſtate, and that theſe for the bil-'leting and placing of Soldiers in the 'Houſe of any ſuch Freeman, againſt 'his Will, is directly contrary to the ſaid 'Laws, under which we and our Anceſ-'tors have been ſo long and happily go-'verned; yet in apparent Violation of 'the ſaid ancient and undoubted Right 'of all your Majeſty's loyal Subjects of 'this your Kingdom in general, and to 'the grievous and inſupportable Vexation 'and Detriment of many Countries and 'Perſons in particular, a new and almoſt 'unheard of Way hath been invented 'and put in Practice, to lay Soldiers up-'on them, ſcattered in Companies here 'and there, even in the Hearts and Bow-'els of this Kingdom, and to compel 'many of your Majeſty's Subjects to re-'ceive and lodge them in their own Hou-'ſes, and both themſelves and others to 'contribute towards the Maintenance of 'them, to the exceeding great Diſturbance 'of your Majeſty, the general Terror of 'all, and utter Undoing of many of your 'People; inſomuch as we cannot ſuffici-'ently recount, nor in any way propor-'tionable to the lively Senſe that we have 'of our Miſeries herein, are we able to 'repreſent unto your Majeſty the innu-

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'merable Miſchiefs and moſt grievous 'Vexations, that by this Means alone we 'do now ſuffer, whereof we will not pre-'ſume to trouble your ſacred Ears with 'particular Inſtances; only, moſt Graci-'ous Sovereign, we beg Leave to offer to 'your moſt gracious View, a compaſſion-'ate Conſideration of a View of them in 'particular.

1. 'THE Service of Almighty God is 'hereby greatly hindered, the People in 'many Places not daring to repair to the 'Church, leſt in the mean time the Sol-'diers ſhould rifle their Houſes.

2. 'THE ancient and good Government 'of the Country is hereby neglected, and 'almoſt contemned.

3. 'YOUR Officers of Juſtice, in Per-'formance of their Duties, have been re-'ſiſted and endangered.

4. 'THE Rents and Revenues of your 'Gentry greatly and generally diminiſhed; 'Farmers, to ſecure themſelves from the 'Soldiers Inſolence, being by the Clamour 'and Sollicitation of their fearful and in-'jured Wives and Children, enforced to 'give up their wonted Dwellings, and to 'retire themſelves into Places of more ſe-'cure Habitation.

5. 'HUSBANDMEN, that are as it were 'the Heads of the Country, corrupted by 'ill Example of the Soldiers, and encou-'raged to idle Life, give over Work, 'and rather ſeek to live idly, at another 'Man's Charges, than by their own La-'bours.

6. 'TRADESMEN and Artificers, almoſt 'diſcouraged, and being enforced to leave 'their Trades, and to employ their Time 'in preſerving themſelves and their Fa-'milies from Cruelty.

7. 'MARKETS unfrequented, and our Ways 'grown ſo dangerous, that the People 'dare not paſs to and fro upon their 'uſual Occaſions.

8. 'FREQUENT Robberies, Aſſaults, Bat-'teries, Burglaries, Rapes, Rapines, Mur-'ders, barbarous Cruelties, and other moſt 'abominable Vices and Outrages are ge-'nerally complained of from all Parts 'where theſe Companies have been, and 'had their Abode, few of which Inſo-'lences have been ſo much as queſtion-'ed, and fewer, according to their Deme-'rit, puniſhed.

'THESE, and many other lamentable 'Effects, moſt Dread and Dear Sovereign, 'have, by the billeting of Soldiers, al-'ready fallen upon us your loyal Sub-'jects, tending no leſs to the Diſſervice 'of your Majeſty than to their Impover-'iſhing and Deſtruction; ſo that thereby 'they are exceedingly diſabled to yield 'your Majeſty thoſe Supplies for your 'urgent Occaſions which they heartily 'deſire; and yet they are further per-'plexed with Apprehenſion of more ap-'proaching Danger; one in regard of 'your Subjects at home, the other of 'Enemies from abroad; in both which 'Reſpects it ſeems to threaten no ſmall 'Calamity to the meaner ſort of your 'People, being exceeding poor, where-'of in many Places are great Multitudes, 'and therefore in Times of more ſettled, 'and more conſtant Adminiſtration of 'Juſtice, not eaſily ruled, are moſt apt 'upon this Occaſion to caſt off the Reins 'of Government, and by joining them-'ſelves with thoſe diſordered Soldiers, 'are very like to fall into Mutiny and 'Rebellion; which, in faithful Diſcharge 'of our Duties, we cannot forbear moſt 'humbly to preſent to your high and ex-'cellent Wiſdom, being preſſed with pro-'probable Fears that ſome ſuch Miſchief 'will ſhortly enſue, if an effectual and 'ſpeedy Courſe be not taken to remove 'out of the Land, or otherwiſe to disband 'thoſe unruly Companies.

'FOR the *Second*, we do moſt hum-'bly beſeech your Majeſty to take into 'your Princely Conſideration, that many 'of thoſe Companies, beſides their diſſo-'lute Diſpoſitions and Carriages, are ſuch 'as do openly profeſs themſelves *Papiſts*, 'and therefore to be ſuſpected, that if 'Occaſion ſerve, they will rather adhere 'to a foreign Enemy of that Religion, 'than to your Majeſty, their Liege Lord 'and Sovereign, eſpecially ſome of their 'Captains and Commanders, being as Po-'piſhly affected as themſelves, and having 'ſerved in the Wars on the Part of the 'King of *Spain*, and Arch-Dutcheſs, 'againſt your Majeſty's Allies; which of 'what pernicious Conſequence it may 'prove, and how prejudicial to the Safe-'ty of your Kingdom, we leave to your 'Majeſty's High and Princely Wiſdom.

'AND now upon theſe, and many more 'which might be alledged, moſt weigh-'ty and important Reaſons, grounded on 'the Maintenance of the Worſhip and 'Service of Almighty God, the Conti-'nuance and Advancement of your Ma-'jeſty's high Honour and Profit, the Pre-'ſervation of the ancient and undoubted 'Liberties of your People, and therein 'of Juſtice, Induſtry, and Valour, which 'nearly concern the Glory and Happineſs 'of your Majeſty and all your Subjects, 'and the preventing of Calamity and 'Ruin of both Church and Common-'wealth,

'WE your Majeſty's moſt humble and 'loyal Subjects the Knights, Citi-'zens and Burgeſſes of your Houſe 'of Commons, in the Name of all 'the Commonalty of your King-'dom, who are upon this Occaſion 'moſt miſerably diſconſolate and af-'flicted,

'flicted, proſtrate at the Throne of 'your Grace and Juſtice, do moſt 'ardently beg a preſent Remove of 'this inſupportable Burden, and that 'your Majeſty would be graciouſly 'pleaſed to ſecure us from the like 'Preſſure in the Time to come.'

To the Speech and Petition his Majeſty reply'd, 'That they ſhould go on ſpeedi-'ly with their Buſineſſes without any 'more Apology; that it was their Duty 'to give Credit to what he ſaid, as to 'Him that ſat at the Helm; and that as 'to their Petition, he would make An-'ſwer in convenient Time.'

Remark on the Behaviour of the King, and of the Commons.

'IT is merry enough, ſays our Author, 'to ſee how the King and Commons play'd 'upon each other. They expreſſed not 'their real Thoughts when they ſpoke to 'each other, and yet they underſtood one 'another perfectly, though they feigned 'they did not. The Commons knew very 'well that the Reaſons to juſtify the De-'lay of the Supply alledged in their Re-'preſentation were not good, and that 'the King was ſenſible of the ſame thing; 'but they thought he would ſeem to be 'ſatisfied that he might not oblige them 'to tell him to his Face that they could 'not truſt to his Promiſes, and that they 'looked upon this Delay as the only Means 'to have their Grievances redreſſed. The 'King feigned to be ignorant of this Rea-'ſon, and took Advantage of the Com-'mons uſing dark Hints, and going about 'the Buſh inſtead of ſpeaking their Minds 'plainly. On the other Hand, though 'the King had no Deſign to redreſs Grie-'vances, he would fain, however, have it 'thought that he intended it as ſoon as 'the Buſineſs of Supply was diſpatched. 'The Commons, on their Part, pretend-'ing to be ignorant of his Thoughts, had 'a Mind to make believe that the Delay 'of Supply came from quite another 'Cauſe, though they were ſure that the 'King could not be deceived. But the 'King not thinking himſelf obliged to uſe 'the ſame Ceremony with the Commons 'as he expected from them, talked to 'them in a higher Strain, well knowing 'that unleſs Things ſhould come to an 'Extremity, they would not think fit to 'ſpeak more plainly.'

Proceedings upon the Petition of Right.

THE Commons, whoſe View, as has been already ſaid, was to reap ſome Advantage by the five Subſidies which they propoſed to grant to the King, had prepared that called *The Petition of Right*, to be preſented to his Majeſty in the Name of both Houſes, to which they deſired the Concurrence of the Lords; with whom the Commons alſo debated the Legality of trying Soldiers billeted in private Houſes, by martial Law. The King's Serjeant, *Aſhley*, argued, that the Propoſitions made by the Commons *tended rather to Anarchy than Monarchy, and that they muſt allow the King to govern by Acts of State*; for which the Lords committed him, and he recanted. Another of his Majeſty's Serjeants, Sir ..... *Davids*, talked much more like an *Engliſhman*; for notwithſtanding the Obligations of his Poſt, he defended the Rights of the Subjects as well as of the Sovereign, aſſerting the *Engliſh* Monarchy to be truly Regal, but not Tyrannical; and that the Government was over *Freemen*, and not *Slaves*.

MEAN time the King was not a little alarmed for fear of having ſuch a Petition preſented to him, which too plainly eſtabliſhed the Rights of the People, becauſe he ſaw that if he rejected it he ſhould loſe the five Subſidies, the Bill not being yet paſſed. On the other Hand, if he granted the Contents of the Petition, he was ſenſible that he ſhould tie up his own Hands for the future, and that it would be a plain Confeſſion that the Acts of Authority which he had 'till then exerciſed were contrary to Law. Into this very Straight alſo the Commons wanted to draw him by the *Petition of Right*: Wherefore he omitted nothing that was in his Power to ward off the Blow. As he had a great Party in the Houſe of Lords, he managed it ſo that they, by pretending to agree with the Commons in the Subſtance of the Petition, drew up a Plan of Propoſals to be made to the King touching the Liberty and Property of the Subject, with which the Commons, after a Conference thereupon with the Lords, were not ſatisfied, and ſaw they were only contrived to choak, or elude the *Petition of Right*, which would in a great Meaſure become needleſs if thoſe Propoſals were received. The Truth is, there was a great deal of Difference, as we ſhall ſee by and by, between theſe Declarations and what was required in the Petition. The Declarations or Propoſals were all expreſſed in general Terms, which might give the King room to cavil upon the Performance of each Article, as he had been ſeen to do in the Buſineſs of Loans, and the Impriſonment of thoſe that refuſed to comply. The King therein did not pretend to act contrary to the Laws: He rather thought himſelf authorized by the Law, and the Judges of the Realm had countenanced his Pretenſions. But the *Petition of Right* was more full and particular, and left but little room for Cavils. On the other Hand, the Difference was not ſmall between the direct and Parliamentary Reply which the Commons required, and bare and general Declarations which were not capable

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of contenting the People; ſo that the Commons entirely rejected them. The ſaid Propoſals, which were more reſpectful and ſubmiſſive to the King than the Petition, and which the Biſhop of *Canterbury* introduced with a ſmooth ſoftening Speech, were read firſt by the Biſhop of *Norwich*, and then by the Clerk of the Upper-Houſe, as follow:

Propoſitions tendered by the Lords to the Commons touching the Petition of Right.

THAT his Majeſty would be graciouſly pleaſed to declare, 1. 'That the good old 'Law, called *Magna Charta*, and the ſix 'Statutes conceived to be Declarations and 'Explanations of it, do ſtill ſtand in Force 'to all Intents and Purpoſes.

2. 'THAT according to *Magna Charta* 'and the Statutes aforeſaid, as alſo ac- 'cording to the moſt ancient Cuſtoms and 'Laws of this Land, every free Sub- 'ject of this Realm hath a fundamental 'Propriety in his Goods, and a funda- 'mental Liberty of his Perſon.

3. 'THAT it is his Royal Pleaſure, to ra- 'tify and confirm to all his loyal Subjects 'all their ancient juſt Liberties, Privileges, 'and Rights, in as ample and beneficial 'manner, to all Intents and Purpoſes, as 'their Anceſtors enjoyed the ſame under 'the beſt of his moſt noble Progenitors.

4. 'THAT for the Satisfaction and Secu- 'rity of his loyal Subjects, his Majeſty 'will proceed in all Caſes within the Cog- 'nizance of the Common Law, concerning 'the Liberty of the Subject, according 'to the Common Law of this Land, and 'according to the Laws eſtabliſhed in this 'Kingdom, and in no other Manner.

5. 'As touching his Majeſty's Royal 'Prerogative, intrinſical to his Sovereign- 'ty, and intruſted him by God, *ad commu- 'nem totius populi ſalutem, & non ad 'deſtructionem*, that his Majeſty would 'reſolve not to uſe or divert the ſame to 'the Prejudice of any of his loyal People 'in their Propriety of their Goods, or 'Liberty of their Perſons: And in caſe, 'for the Security of his Majeſty's Royal 'Perſon, the common Safety of his Peo- 'ple, or the peaceable Government of this 'Kingdom, his Majeſty ſhall find juſt 'Cauſe, for reaſon of State, to impriſon or 'reſtrain any Man's Perſon, his Majeſty 'would graciouſly declare, That within a 'convenient Time he ſhall and will ex- 'preſs the Cauſe of the Commitment or 'Reſtraint either General or Special; and 'upon a Cauſe ſo expreſſed, will leave 'him immediately to be try'd according to 'the Common Juſtice of the Kingdom.

THE King not being able to ſucceed in his Deſign by Means of the Upper-Houſe, try'd to ſatisfy the Commons by making them the ſame Offers of his own Accord, which the Lords had only ſeemed to deſire of him. And to this Purpoſe having ſent for both Houſes to *Whitehall*, on the 28th of *April*, the Lord-Keeper, in his Name, and Preſence, made a Speech to urge the Diſpatch of the Supply without longer Debate upon the Liberty of the Subject. 'His Majeſty, ſays he, has com- 'manded me to let you know, that he 'holdeth the Statute of *Magna Charta* 'and the other ſix Statutes inſiſted on for 'the Subjects Liberty, to be all in Force, 'and aſſures you that he will maintain all 'his Subjects in the juſt Freedom of their 'Perſons and Safety of their Eſtates; 'and that he will govern according to the 'Laws and Statutes of this Realm, and 'that ye ſhall find as much Security in his 'Majeſty's Royal Word and Promiſe 'as in the Strength of any Law ye 'can make; ſo that hereafter ye ſhall ne- 'ver have Cauſe to complain.'

CHARLES I. *Anno* 1628.

Lord-Keeper's Speech preſſing for the Supply.

THUS, as Dr. *Kennet* very well obſerved, the only Queſtion here betwixt the King and Parliament was this; Whether his Majeſty's Royal Word and Promiſe delivered by the Speaker in the King's Name and Preſence, was a ſufficient Security for redreſs of Grievances, and future Maintenance of Rights and Liberties; or whether this verbal Promiſe ought not rather to be put into a written Law, as a more ſolemn Aſſurance to the People: The firſt was thought moſt conducing to the King's Honour; the ſecond more agreeable to the Conſtitution of Parliaments.

Mr. Secretary Cook for Reliance on the King's Promiſe, and his Definition of Government and Law.

WHEN the Commons were returned from the Lords Houſe, Mr. Secretary *Cook*, who was Member for the Univerſity of *Cambridge*, made a Speech for Reliance on the King's Word; 'It is to be preſumed, ſaid 'he, that his Government will be accor- 'ding to the Law. We cannot but re- 'member what his Father ſaid, *He is 'no King, but a Tyrant, that governs not 'by Law.* But this Kingdom is to be 'governed by the Common Law, and his 'Majeſty aſſures us as much: The Inter- 'pretation is left to the Judges, and to his 'Great Council, and all is to be regula- 'ted by the Common Law; I mean not '*Magna Charta* only, for that *Magna 'Charta* was part of the Common Law, 'and the Ancient Law of this Kingdom; 'all our Difference is in the Application 'of this Law, and how this Law with 'Difference is derived into every Court. 'I conceive there are two Rules, the one 'of Braſs that is rigid and will not bend, 'and that is the Law of the *King's Bench*; 'and there comes in the Law of the Chan- 'cery and of Equity: This is Application 'of Law in private Mens Cauſes, when 'it comes to *Meum* and *Tuum*. And thus 'the general Government of Caſes with 'relation to the Common State of the 'Kingdom is from the Council-Board, and

'there

'there they are to vary from the Law of the Kingdom. Suppoſe it be in Time of Dearth, Propriety of Goods may in that Time be forced and be brought to the Market: We ſaw the Experience of it in Coals in *London*, and the Council-Board cauſed them to be brought forth and ſold. In a Time of Peſtilence Men may be reſtrained. If a Schiſm be like to grow in a Church, the State will enquire after the Favourers of it. If there be Fear of Invaſion, and it be encouraged by Hope of a Party among us, it is in the Power of Government to reſtrain Men to their Houſes. Whatſoever Law we make, it muſt come to his Majeſty's Allowance; and if his Majeſty find Cauſe in his Government, he may not put Life to it. We daily ſee all Laws are broken, and all Laws will be broke for the Publick Good, and the King may pardon all Offences. The King's Heart is the beſt Guarder of all his Promiſes; his Promiſe is bound with his Heart. *The wrath of a king is like the roaring of a lion*; and all Laws with his Wrath are to no Effect; but the King's Favour *is like the dew of the graſs*. As his Majeſty hath now ſhewed himſelf the beſt of Kings, let us acknowledge his Majeſty's Goodneſs, and Return to that Union which we all deſire.'

BUT this Motion was not received with general Acceptation; and Sir *Benjamin Rudyard* moved that the Effect of the King's Promiſe might be put into a Bill. His Speech is too remarkable to be paſſed over.

Sir Benjamin Rudyard's *Speech.*

'WE are now, ſaid he, upon a great Buſineſs, and the manner of handling it may be as great as the Buſineſs itſelf. Liberty is a precious Thing, for every Man may ſet his own Price upon it, and he that doth not value it deſerves to be valued accordingly: For my own part I am clear without Scruple, that what we have reſolved is according to the Law; and if any Judge in *England* were of a contrary Opinion, I am ſure we ſhould have heard of him e'er now. Out of all queſtion, the very Scope and Driſt of *Magna Charta* was to reduce the regal to a legal Power in matter of Impriſonment, or elſe it had not been worthy ſo much contending for.

'IT is true, that the King ought to have a Truſt repoſed in him; God forbid but he ſhould, and I hope it is impoſſible to take it from him; for it lies not in the Wit of Man to deviſe ſuch a Law as ſhall comprehend all Particulars, all Accidents, but extraordinary Caſes may happen, which when they come, if they be diſpoſed of for the common Good, there will be no Law againſt them; yet muſt the Law be general, for otherwiſe Admiſſions and Exceptions will fret and eat out the Law to nothing. God himſelf hath conſtituted a general Law of Nature to govern the ordinary Courſe of things; he hath made no Law for Miracles; yet there is this Obſervation of them, that they are rather *præter naturam*, than *contra naturam*, and always *propter bonos fines*: So the King's Prerogatives are rather beſides the Law than againſt it; and when they are directly to their Ends for the Publick Good, they are not only concurring Laws, but even Laws in Singularity and Excellency.'

'BUT to come nearer, let us conſider where we now are, what Steps we have gone and gained: The King's learned Council have acknowledged all the Laws to be ſtill in Force; the Judges have not allowed any Judgment againſt theſe Laws; the Lords alſo have confeſſed that the Laws are in full Strength; they have farther retained our Reſolutions entire and without Prejudice.

'ALL this hitherto is for our Advantage; but above all, his Majeſty hath this Day (himſelf being publickly preſent) declared by the Mouth of the Lord-Keeper, before both the Houſes, that *Magna Charta* and the other ſix Statutes are in Force; That he will maintain his Subjects in the Liberties of their Perſons and Proprieties of their Goods; That he will govern them according to the Laws of the Kingdom, *&c.* The King is a good Man, and it is no Diminution to a King to be called ſo; for whoſoever is a good Man ſhall be greater than a King that is not ſo. The King certainly is very tender of his preſent Honour, and of his Fame hereafter. He will think it hard to have a worſe Mark ſet upon him than upon any of his Anceſtors, by extraordinary Reſtraints: His Majeſty hath already intimated unto us, by a Meſſage, that he doth willingly give way to have the Abuſe of Power reformed; by which I do verily believe he doth very well underſtand what a miſerable Power it is which hath produced ſo much Weakneſs to himſelf and to the Kingdom; and it is one Happineſs that he is ſo ready to redreſs it.

'FOR mine own Part, I ſhall be very glad to ſee that old decrepit Law, *Magna Charta*, which hath been ſo long kept and lain Bed-ridden, as it were; I ſhall be glad to ſee it walk abroad again with new Vigour and Luſtre, attended and followed with the other ſix Statutes; queſtionleſs it will be a great heartning to the People. I doubt not but upon a debating Conference with the Lords we may happily fall upon a fair and fit Accommodation concerning the Li-

FOEDERA Tom. XVIII.

CHARLES I Anno 1628.

'berty of our Perſons and Propriety of 'our Goods. I hope we may have a Bill 'to agree in the Point againſt Impriſon-'ment for Loans or Privy-Seals. As for 'intrinſical Power, and Reaſon of State, 'they are Matters in the Clouds, where 'I deſire we may leave them, and not 'meddle with them at all, leſt by the 'way of Admittance we may loſe ſome-'what of that which is our own already: 'Yet this, by the Way, I will ſay of 'Reaſon of State, That in the Latitude 'by which it is uſed, it hath eaten out 'almoſt not only the Laws, but all the 'Religion of Chriſtendom.

'Now I will only remember you of 'one Precept, and that of the wiſeſt Man. '*Be not over wiſe; be not over juſt:* 'And he gives his Reaſon; *for why wilt 'thou be deſolate?* If Juſtice and Wiſ-'dom may be ſtretched to Deſolation, let 'us thereby learn that Moderation is the 'Virtue of Virtues, and Wiſdom of Wiſ-'doms. Let it be our Maſter-piece ſo 'to carry the Buſineſs that we may keep 'Parliaments on Foot: For as long as 'they be frequent, there will be no irre-'gular Power, which though it cannot be 'broken at once, yet in ſhort Time it 'will be made and mouldered away; 'there can be no total or final Loſs of 'Liberties as long as they laſt; what we 'cannot get at one Time we ſhall have at 'another.'

UPON this Debate it was ordered, that a Committee of Lawyers prepare a Bill, containing the Subſtance of *Magna Charta* and the other Statutes that concern the Liberty of the Subjects, which Affair took up two Days *.

ON the 1ſt of *May* Mr. Secretary *Cook* delivered a Meſſage from his Majeſty, *viz.* to know whether the Houſe will reſt on his *Royal Word* declared to them by the Lord-Keeper; which if they do, he again aſſures them, it ſhall be Royally performed.

UPON this there was a great Silence in the Houſe for ſome Space, when Mr. Secretary proceeded and ſaid, 'That he 'knew his Majeſty was reſolved to do as 'much as ever King did for his Subjects. 'When Means were denied, his Majeſty 'being a young King, and newly come 'to his Crown, which he found engaged 'in a War, what could we expect in ſuch '*Neceſſities*? His Majeſty called this 'Parliament to make up the Breach: His 'Majeſty aſſures us, we ſhall not have 'the like Cauſe to complain: He aſſures 'us the Laws ſhall be eſtabliſhed, what 'can we deſire more? All is that we pro-'vide for Poſterity, and prevent the like 'Suffering for the future. Can we do 'more? We are come to the Liberty of 'the Subjects and the Prerogative of the 'King. I hope we ſhall not add any 'thing to ourſelves to depreſs him. I 'will not divine, I think we ſhall find 'Difficulty with the King, or with the 'Lords: I ſhall not deliver my Opinion 'as Counſellor to his Majeſty, which I 'will not juſtify and ſay here, or at the 'Council-Board. Will we in this Ne-'ceſſity ſtrive to bring ourſelves into a 'better Condition and greater Liberty than 'our Fathers had, and the Crown into a 'worſe than ever? I dare not adviſe his 'Majeſty to admit of that. If this that 'we now deſire be no Innovation, it is 'all contained in thoſe Acts and Statutes, 'and whatſoever elſe we would add more 'is a Diminution to the King's Power, 'and an Addition to our own. We 'deal with a wiſe and prudent Prince that 'hath a Sword in his Hand for our Good, 'and this Good is ſupported by Power. 'Do not think that by Caſes of Law and 'Debate we can make that not to be Law 'which by Experience we every Day 'find neceſſary. Make what Law you 'will, if I do diſcharge the Place I bear, 'I muſt commit Men, and muſt not diſ-'cover the Cauſe to any Jailor or Judge: 'If I by this Power commit one without 'juſt Cauſe, the Burden falls heavy on 'me by his Majeſty's Diſpleaſure, and 'he will remove me from my Place. Go-'vernment is a ſolid Thing, and muſt be 'ſupported for our Good.'

SIR *Robert Phillips* ſaid, 'We are 'now come to the End of our Journey, 'and the well diſpoſing of an Anſwer to 'this Meſſage will give Happineſs or Mi-'ſery to this Kingdom.'

IN ſhort, it was plain from the Debate, that no poſitive Anſwer could be given to ſuch a Meſſage. Open Denial had ſeemed a rude Affront, and expreſs Aſſent had been (in the Apprehenſion of moſt) a giving up the Cauſe of *Engliſh* Parliaments.

NEXT Day the Houſe entered into a Grand Committee to debate of this Matter. Mr. *Herbert* being in the Chair, ſome few who were for laying aſide the *Petition of Right*, argued for reſting on his Majeſty's Promiſe; but the Majority ſaid, that the Subject had ſuffered more in the Violation of ancient Liberties within theſe

* ON the ſame Day, *viz. April* 28, there were Debates in the Houſe of Commons upon the Augmentation of poor Livings, and there are two very good Speeches preſerved on that Subject; one printed in *Oxford*, *4to*, entituled, *Sir* Benjamin Rudyard's *Speech in a Committee of the Houſe of Commons, in Behalf of the Clergy, and of Pariſhes miſerably deſtitute of Inſtruction, through want of Maintenance*; the other a Speech in the Houſe of Commons touching the Augmentation of poor Benefices. Printed in Dr. *Kennet*'s Caſe of Impropriat. Append. *8vo*.

few Years, than in three hundred Years before; and therefore Care ought to be taken to eſtabliſh the legal Security by ſome ſolemn Act for the Time to come. Sir *Edward Coke* propoſed, that to pay all poſſible Deference to his Majeſty's Honour, the Bill ſhould not come from the Houſe, but from the King. Others deſired the Houſe to conſider when and where the late Promiſe was made: Was it not in the Face of both Houſes? Cruel Kings have been careful to perform their Promiſes, yea, though they have been unlawful, as *Herod*. Therefore, ſay they, if we reſt upon his Majeſty's Promiſe, we may aſſure ourſelves of the Performance of it. Beſides, we bind his Majeſty by relying on his Word: We have Laws enough; it is the Execution of them that is our Life, and it is the King that gives Life and Execution.

SIR *Thomas Wentworth* concluded the Debate, ſaying, 'That never did a Parliament truſt more in the Goodneſs of their King for their own private Safety than the preſent; but we are ambitious that his Majeſty's Goodneſs may remain to Poſterity, and we are accountable to a publick Truſt: And therefore ſeeing there hath been a publick Violation of the Laws by his Miniſters, nothing will ſatisfy him but a publick Amends.'

THIS ſo well agreed with the Senſe of the Houſe, that they made it the Subject of a Meſſage to be delivered by the Speaker to his Majeſty.

Another Meſſage from his Majeſty by Secretary Cook.

DURING theſe Deliberations another Meſſage was delivered to the Houſe from his Majeſty by Secretary *Cook*, acquainting them, in order to haſten the Supply, 'that publick Affairs would admit of no 'longer Delay, and that his Majeſty intended to put an End to this Seſſion in 'a Week's Time; but that upon Diſpatch 'and good Correſpondence, there ſhould 'be another Seſſion at *Michaelmas* next, 'for the perfecting of ſuch things as cannot now be done.' However, this did not divert the Commons from their Purpoſe of turning the *Petition of Right* into an Act of Parliament. They were not to be frightened with the Menace of putting an End to the Seſſion, the King having gone too far to draw back. The only Point was to know whether he would be pleaſed to grant by Bill what he was willing to grant any other Way, and he could not break with the Parliament on that Account, without entirely forfeiting the Love of the People, and without loſing the five Subſidies: So that the Commons were reſolved not to let ſlip this Opportunity of firmly eſtabliſhing the Rights of the Subjects. The aforeſaid Meſſage was taken into Conſideration next Day, when Sir *John Elliot* ſpoke to this Effect: 'The 'King will rank himſelf with the beſt of 'Kings, and therefore he would have us to 'rank ourſelves with the beſt of Subjects. 'We will not encroach upon that Sove'reignty which God hath put into his 'Hands. This makes me fear that his 'Majeſty is miſinformed in what we go 'about: As for the Time of this Seſſion 'it is but ſhort, and look how many Meſ'ſages we have, ſo many Interruptions, 'and Miſreports, and Miſrepreſentations 'to his Majeſty produce thoſe Meſſages.'

Sir *Miles Fleetwood* ſaid, 'The Breach 'of this Parliament will be the greateſt 'Miſery that ever befel us: The Eyes 'of Chriſtendom are upon this Parlia'ment: The States of all our Proteſtant 'Friends are ready to be ſwallowed up by 'the Emperor's Forces, and our own King'dom is in a miſerable Straight: Our 'Religion is invaded by the *Roman Ca'tholicks*, under Colour of a Commiſſion 'that is intolerable: The Defence of our 'Realm by Shipping is decayed: The 'King's Revenue is ſold and gone; where 'ſhall the Relief be obtained, but in 'Parliament?'

IN Concluſion the Commons agreed upon an Anſwer to all the preceding Meſſages, and preſented it to his Majeſty by their Speaker, who having firſt thanked him in their Name for his gracious Aſſurance that he would govern according to the Laws, and told him, that the Commons greateſt Confidence was in his Goodneſs, deſired that by a Bill they might ſatisfy the People of their Rights; and added, That it was not their Intention to encroach upon the Royal Prerogative.

The Speaker's Speech to the King.

HIS Majeſty's Anſwer was delivered by the Lord-Keeper as follows:

Mr. Speaker, and you Gentlemen of the Houſe of Commons,

The King's Meſſage by the Lord-Keeper.

'HIS Majeſty hath commanded me to 'tell you, that he expected an Anſwer 'by your Actions, and not Delay by 'Diſcourſe. Ye acknowledge his Truſt 'and Confidence in your Proceedings, but 'his Majeſty ſees not how you requite 'him by your Confidence of his Word 'and Actions: For what need Explana'tions, if ye doubted not the Perform'ance of the true Meaning? For Expla'nations will hazard an Encroachment up'on his Prerogative: And it may well be 'ſaid, What need a new Law to confirm 'an old, if you repoſe Confidence in 'the Declaration his Majeſty made by me 'to both Houſes; and yourſelves ac'knowledge that your greateſt Truſt and 'Confidence muſt be in his Majeſty's 'Grace and Goodneſs, without which no'thing ye can frame will be of Safety 'or Avail to you. Yet to ſhew clearly

'the

'the Sincerity of his Majesty's Intentions, 'he is content that a Bill be drawn for 'a Confirmation of *Magna Charta*, and 'the other six Statutes insisted upon for 'the Subjects Liberties, if ye shall choose 'that as the best Way, but so as it may 'be without Additions, Paraphrases, or 'Explanations.

'THUS, if you please, you may be se-'cured from your needless Fears, and this 'Parliament may have a happy wish'd 'for End: Whereas by the contrary, if 'ye seek to tie your King by new, and 'indeed impossible Bonds, ye must be 'accountable to God and your Country 'for the ill Success of this Meeting. His 'Majesty hath given his Royal Word that 'ye shall have no Cause to complain here-'after; less than which hath been enough 'to reconcile Great Princes, and therefore 'ought much more to prevail between a 'King and his Subjects.

'LASTLY, I am commanded to tell 'you, that his Majesty's Pleasure is, that 'without farther Replies, or Messages, or 'other unnecessary Delays, ye do what 'ye mean to do speedily, remembering 'the last Message that Secretary *Cook* 'brought you in point of Time; his 'Majesty always intending to perform his 'Promise to his Power.'

Another of his Messages.

AFTER this, *viz.* on the 6th of *May*, another Message was brought from the King by Secretary *Cook* to press the House to rely on the King's Word, notwithstanding the Intimation of his Majesty's Approbation of a Bill.

HE further added, this Debate was fitter to be done before the whole House, and not before the Committee, and that it was a new Course to go to a Committee of the whole House.

Remark on it.

BOTH the Answer and Message shewed how much the King dreaded the *Petition of Right*, which he justly apprehended would contain not only the Substance of *Magna Charta*, and of the six Statutes, but such Explanations as would prevent all future Cavils concerning the true Intent of those Laws. No Wonder therefore that he avoided the giving of this Sanction to the said Charter and Statutes, when he was conscious that though they had been long in Force, he had in Violation thereof exacted Money from his Subjects by way of Loan, and imprisoned such as refused to comply. But nothing could more tend to convince the Commons of the Necessity of such Explanations, than the King's Endeavours to avoid them. And the extreme Desire he shewed that they should rest on his Word, was a very strong Reason for securing the Liberty of the Subject by something more binding than they took his Word to be.

MR. *Rapin*, to whom we are obliged for these Remarks, thinks it also very strange that the Lord-Keeper, in the Close of his Speech last mentioned, should dictate to the House to debate the Matter, not in a Committee, but in a whole House. For the better understanding both of the Fact, and of the Remark, our Author acquaints such of his Readers as are Strangers to the Method of Parliaments, that in a full House a Member is allowed to speak but once to the same Point without the Liberty of answering or replying. But when the House is formed into a Committee, every one may argue; answer, or reply by which Means the Points in Hand are so fully canvassed and cleared, that it is easy for every one present to frame his Opinion upon the Arguments, Answers, and Replies which he has heard. It seems therefore by what the Lord-Keeper insinuated to the Commons, that the King was apprehensive of the Consequences of this Way of debating; but they did not think proper to receive his Instructions, or to alter their usual Method.

SIR *John Elliot* replied to the Secretary, that the Proceeding in a Committee is more honourable and advantagious to the King and the House, for that Way leads most to Truth, and it is a more open Way, and where every Man may add his Reason, and make Answer upon the hearing of other Mens Reasons and Arguments. The House therefore entered into a Committee to take into Consideration all that could be said for or against what the King desired; and having caused the Door to be shut, and the Key to be laid on the Table, the general Sense of the Majority was thus expressed by Sir *Edward Coke*, which being but short, we give it as it is taken from *Rushworth*.

Sir Edward Coke's *Speech for the* Petition of Right.

'WAS it ever known, said he, that 'general Words were a sufficient Satisfacti-'on to particular Grievances? Was ever a 'verbal Declaration of the King *Verbum* '*Regni?* When there are Grievances, the 'Parliament is to redress them. Did ever 'Parliament rely on Messages? They put 'up Petitions of their Grievances, and the 'King never answered them: The King's 'Answer is very gracious, but what is 'the Law of the Realm? that is the 'Question. I put no Diffidence in his 'Majesty; the King must speak by a 'Record, and in Particulars, and not in 'General. Did you ever know the King's 'Message come into a Bill of Subsidies? 'All succeeding Kings will say, Ye must 'trust me as well as ye did my Pre-'decessors, and trust my Messages; but 'Messages of Love never came into a Par-'liament.

'liament. Let us put up a *Petition of Right*: Not that I diſtruſt the King, but 'becauſe I cannot take his Truſt except 'in a Parliamentary Way.'

As the Commons had reſolved that Supply and Grievances ſhould go *pari paſſu*, the *Petition of Right* was no ſooner ready with the Addition of the Clauſe of Martial Law, and preſented to the Lords for their Concurrence *, at a Conference which was on the 8th of *May*, but they made one Step farther in the Buſineſs of the Five Subſidies, ordering that the two firſt ſhould be paid the 10th of *July*, one more the 12th of *October*, another the 20th of *December*, and the laſt on the 1ſt of *March* enſuing; which tho' it was done to take from the King all Pretence of complaining that the Buſineſs of the Supply was neglected, yet it did not ſatisfy him. He wanted to have the Subſidy-Bill drawn up and paſſed before the *Petition of Right* was preſented to him, which the Commons were fully reſolved not to do, being perſwaded that as ſoon as the Subſidy-Bill ſhould be paſſed, the Parliament would either be prorogued or diſſolved.

Commons fix a Time for Payment of the Subſidies before the Bill is paſſed.

Sir *Edward Coke*, who was the Manager of the Conference for the Commons, thus expreſſed himſelf: 'My Lords, it is 'evident what Neceſſity there is, both in 'reſpect of yourſelves and your Poſteri-'ties, to have good Succeſs of this Buſi-'neſs. We have a Maxim in the Houſe 'of Commons, and written on the Walls 'of it, *That old Ways are the ſafeſt 'and ſureſt Ways*: And at laſt we have 'fallen upon that which we thought (if 'your Lordſhips approve of it) to be the 'moſt ancient Way of all, and that is my 'Lords, *via fauſta*, both to his Majeſty, to 'your Lordſhips, and ourſelves. We have 'therefore drawn up a Form of a Petiti-'on, deſiring your Lordſhips, who are 'involved in the ſame Danger, to concur 'with us herein.' Then the Petition was 'read.

May 12, The Lords, of whom there was a very ſtrong Party for the Court, had another Conference with the Commons, wherein the Lord-Keeper declared the Reſult of the Debates in the Upper-Houſe upon the *Petition of Right*, viz. *That upon a Motion of his they had agreed to alter ſome Words, and put in others, to make it more ſweet and palatable to the King*: And then he communicated the following Letter, which they received from his Majeſty while they were debating the Articles of Commitments.

To the Right Truſty and Right Well-beloved the Lords Spiritual and Temporal of the higher Houſe of Parliament.

CAROLUS REX.

'We being deſirous of nothing more than 'the Advancement of the Peace and Proſ-'perity of our People, have given Leave 'for free Debate upon the higheſt Points 'of our Prerogative Royal, which in the 'Time of our Predeceſſors, Kings and 'Queens of this Realm, were ever re-'ſtrained, as Matters that they would not 'have diſcuſſed; and in other things we 'have been willing ſo far to deſcend to 'the Deſires of our good Subjects, as might 'fully ſatisfy all moderate Minds, and 'free them from all juſt Fears and Jea-'louſies, which thoſe Meſſages which we 'have heretofore ſent into the Commons 'Houſe will well demonſtrate unto the 'World; yet we find it ſtill inſiſted up-'on, that in no Caſe whatſoever, ſhould 'it never ſo nearly concern Matters of State 'or Government, we or our Privy-Council 'have Power to commit any Man with-'out the Cauſe ſhewed; whereas it often 'happens, that ſhould the Cauſe be ſhew-'ed, the Service itſelf would thereby be 'deſtroyed and defeated, and the Cauſe 'alledged muſt be ſuch as may be deter-'mined by our Judges of our Courts of '*Weſtminſter*, in a legal and ordinary 'way of Juſtice; whereas the Cauſes 'may be ſuch as thoſe Judges have not 'Capacity of Judicature, nor Rules of 'Law to direct and guide their Judgment 'in Caſes of that tranſcendent nature; 'which happening ſo often, the very 'encroaching on that conſtant Rule of 'Government for ſo many Ages within 'this Kingdom practiſed, would ſoon 'diſſolve the very Foundation and Frame 'of our Monarchy. Wherefore as to our 'Commons, we made fair Propoſitions, 'which might equally preſerve the juſt 'Liberty of the Subject; ſo, my Lords, 'we have thought good to let you know, 'that without the Overthrow of Sove-'reignty we cannot ſuffer this Power to 'be impeached: Notwithſtanding, to clear 'our Conſcience and juſt Intentions, this 'we publiſh, that it is not in our Heart, 'nor will we ever extend our Royal Pow-'er lent unto us from God, beyond the 'juſt Rule of Moderation, in any thing 'which ſhall be contrary to our Laws and 'Cuſtoms,

* The Reader is referred for Particulars to a Tract entituled, *The Privileges and Practices of Parliaments in* England, *collected out of the Common Laws of this Land, ſeen and allowed by the Learned in the Law; commended to the High Court of Parliament.* Printed 1628, 4*to*. He may alſo conſult another of the ſame Size and Date, written by Sir *Walter Raleigh*, and dedicated to the King and Parliament, entituled, *The Prerogative of Parliaments in* England, *proved in a Dialogue between a Counſellor of State and a Juſtice of Peace.*

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CHARLES I. Anno 1628.

'Customs, wherein the Safety of our People ſhall be our only Aim. And we do hereby declare our Royal Pleaſure and Reſolution to be, which, God willing, we ſhall ever conſtantly continue and maintain, that neither We, nor our Privy-Council, ſhall, or will, at any time hereafter, commit, or command to Priſon, or otherwiſe reſtrain the Perſons of any for not lending Money to us, nor for any Cauſe which in our Conſcience doth not concern the publick Good and Safety of Us, and our People, we will not be drawn to pretend any Cauſe wherein our Judgment and Conſcience is not ſatisfy'd with: Baſe Thoughts we hope no Man can imagine will fall into our Royal Breaſt; and that in all Caſes of this Nature which ſhall hereafter happen, we ſhall, upon the humble Petition of the Party, or Addreſs of our Judges unto us, readily and really expreſs the true Cauſe of their Commitment, or Reſtraint, ſo ſoon as with Convenience and Safety the ſame is fit to be diſcloſed and expreſſed; and that in all Cauſes criminal, of ordinary Juriſdiction, our Judges ſhall proceed to the Deliverance or Bailment of the Priſoner, according to the known and ordinary Rules of the Laws of this Land, and according to the Statutes of *Magna Charta*, and thoſe other ſix Statutes inſiſted upon, which we do take Knowledge ſtand in full Force, and which we intend not to abrogate and weaken, againſt the true Intention thereof. This we have thought fit to ſignify, the rather to ſhorten any long Debate upon this great Queſtion, the Seaſon of the Year being ſo far advanced, and our great Occaſions of State not lending many more Days for longer Continuance of this Seſſion of Parliament.'

Given under our Signet, at our Palace at Weſtminſter, *the* 10*th of* May*, *in the fourth Year of our Reign.*

UPON the Communication of this Letter Sir *Thomas Wentworth* ſaid, it was a Letter of Grace, but that the People will only like of that which is done in a Parliamentary Way; that the Debate of it would ſpend much Time, neither was it directed to the Houſe of Commons.

Inflexibility of the Commons.

IN ſhort, the Commons took no farther Notice of this Letter, which they looked upon as another Artifice of the King, by ſuch obſcure and ambiguous Expreſſions and Reſtrictions to elude his Promiſes at the very Time that he would have them be received as ſolemn, authentick, and ſatisfactory, and by ſo far evading the *Petition of Right* that he might be at Liberty to uſe his Prerogative as he had done hitherto. But the Commons had another Attack to ſuſtain from the Lords, who, at a Conference held on the 17th, upon a Motion made by Biſhop *Williams*, who nevertheleſs ſpoke learnedly for the Petition, propoſed an additional Clauſe†, which would have rendered it of no Effect; as was at leaſt the Intention of the Court, by whom the Houſe of Lords was probably guided in this Matter. It ran thus: 'We 'preſent this our humble Petition to your 'Majeſty, with the Care not only of preſerving our own Liberties, but with due 'Regard to leave entire that Sovereign 'Power wherewith your Majeſty is truſted, 'for the Protection, Safety, and Happineſs 'of the People.'

A Saving Clauſe propounded by the Lords, rejected.

THIS *Saving Clauſe* was nicely debated in the Houſe of Commons, and rejected eſpecially for theſe three Reaſons:

The Reaſons for rejecting it.

1. BECAUSE of the Ambiguity of the Words *Sovereign Power*, which the Parliaments had never uſed in ſpeaking of the King's Prerogatives.

2. BECAUSE this Addition was in the Nature of a *Saving* of the King's Sovereignty, which rendered the Petition of no Force. And it was alledged, that in the Reign of *Edward* I, the Parliament having preſented the like Petition to the King, he would have added theſe Words, *Saving the King's Right and Sovereignty*; but the Parliament would not conſent to it, becauſe ſuch ſort of *Savings* invalidate whatever they are annexed to. It was ſaid likewiſe, that for the ſame Reaſon the Kings of old would never ſuffer the *Clergy* to inſert in any of their Acts, *Saving the Honour of God and the Church.*

3. BECAUSE if this Addition was general, and had no Reference to the Petition, there was no need of admitting it; but if on the contrary it did refer to the Petition, it was evident it rendered the Petition of no Effect.

THERE were ſeveral remarkable Speeches in both Houſes on this Occaſion, recorded by *Ruſhworth* and others, which are as entertaining and inſtructive as the Subject is important.

COKE ſays, that Sir *Robert Heath*, Attorney-General, pleaded againſt this Petition eagerly and impertinently, and that in the Houſe of Lords the Duke of *Buckingham*, *Laud*, *Neale*, and ſuch like Prelates, did what they could to cruſh it. But the Repreſentation of Grievances was ſo lively in the Speeches of the beſt Mem-

* THIS Letter is dated in *Ruſhworth* the 20th, which is ſo palpable a Miſtake, that it is ſtrange it ſhould have been overlooked by Mr. *Rapin*'s Tranſlator or Printer.

† COKE ſays, that neither the King nor *Laud* ever forgot him for what he ſaid in favour of it.

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4. 'THE Fourth and laſt aimeth at Redreſs touching Commiſſions for proceeding to the Trial and Condemnation of 'Offenders, and cauſing them to be executed by Martial Law, in Times and 'Places when, and where, if by the 'Laws and Statutes of the Land they 'had deſerved Death, by the ſame Laws 'and Statutes alſo they might, and by 'none other ought to be try'd and executed.'

'THIS Petition the Houſe of Commons heretofore offered to your Lordſhips Conſideration, accompanied with 'an humble Deſire that in your Nobleneſs and Juſtice you would be pleaſed 'to join with them in preſenting it to his 'Majeſty, that ſo coming from the whole 'Body of the Realm, the Peers and People, to him that is the Head of both, 'our Gracious Sovereign, who muſt crown 'the Work, or elſe all our Labour is in vain, 'it might, by your Lordſhips Concurrence 'and Aſſiſtance, find the more eaſy Paſſage, 'and obtain the better Anſwer.'

'THE *Saving Clauſe* propounded 'by your Lordſhips to be added to the 'Petition is a Clauſe ſpecious in Shew, 'and ſmooth in Words, but in Conſequence moſt dangerous, as I hope to 'make moſt evident; however, coming 'from your Lordſhips, the Houſe of Commons took it into Conſideration, as became 'them, and apprehending upon the firſt 'Debate that it threatened Ruin to the 'whole Petition, they did heretofore deliver ſome Reaſons to your Lordſhips 'for which they then deſired to be ſpared 'from admitting it.

To theſe Reaſons your Lordſhips offered ſome Anſwers at the laſt Meeting, 'which having been faithfully reported 'to our Houſe, and there debated, as was 'requiſite for a Buſineſs of ſuch Weight 'and Importance, I muſt ſay truly to 'your Lordſhips, yet with due Reverence 'to your Opinions, the Commons are not 'ſatisfy'd with your Arguments, and 'therefore they have commanded me to 'recollect your Lordſhips Reaſons for this 'Clauſe, and in a fair Reply to let you ſee 'the Cauſes why they differ from you in 'Opinion.

'MY Lords, the Heads of thoſe particular Reaſons which you inſiſted on the 'laſt Day were only theſe:

1. 'Firſt, you told us that the Word '(*Leave*) was of ſuch Nature that it would 'give no new thing to his Majeſty.

2. 'THAT no juſt Exception could be 'taken to the Words (*Sovereign Power*) 'for that as his Majeſty is a King, ſo he 'is a Sovereign, and as he is a Sovereign, 'ſo he hath Power.

3. 'THAT the Sovereign Power mentioned in this Clauſe is not abſolute, or 'indefinite, but limited and regulated by 'the Particle (*That*) and the Word ſubſequent, which reſtrains it to be apply'd 'only for Protection, Safety, and Happineſs of the People, whereby ye inferred there could be no Danger in the 'Allowance of ſuch Power.

4. 'THAT this Clauſe contained no more 'in Subſtance but the like Expreſſions of 'our Meanings in this Petition, which 'we had formerly ſignify'd to his Majeſty by the Mouth of Mr. Speaker, that 'we no way intended to encroach upon 'his Majeſty's Sovereign Power or Prerogative.

5. 'THAT in our Petition we have uſed 'other Words, and of larger Extent touching our Liberties than are contained in 'the Statutes whereon it is grounded: In 'reſpect of which Enlargement it was fit 'to have ſome expreſs or imply'd Saving 'or Narrative declaratory for the King's 'Sovereign Power, of which Narrative 'ye alledge this Clauſe to be.

6. LASTLY, whereas the Commons, as 'a main Argument againſt the Clauſe, 'had much inſiſted upon this, that it was 'unprecedented and unparliamentary in 'a Petition from the Subjects to inſert 'a Saving for the Crown. Your Lordſhips 'brought, for Inſtance, to the contrary the 'two Statutes of 25 *Edward* I, commonly called *Confirmatio Chartarum*, and '28 *Edward* I, known by the Name of '*Articuli ſuper Chartas*: In both which 'Statutes there are Savings for the Kings.

'I WILL now, with your Lordſhips 'Favour, come to the Points of our Reply, 'wherein, I moſt humbly beſeech your 'Lordſhips to weigh the Reaſons which 'I ſhall preſent, not as the Senſe of my 'ſelf, the weakeſt Member of our Houſe, 'but as the genuine and true Senſe of 'the whole Houſe of Commons concerned in a Buſineſs there debated with the 'greateſt Gravity and Solemnity, with 'the greateſt Concurrence of Opinions 'and Unanimity that ever was in any 'Buſineſs maturely agitated in that 'Houſe.'

'ADMIT

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'ADMIT this Clauſe to be annexed with reference to the Petition, and it muſt neceſſarily conclude, and have this Expoſition, That Loans and the like Charges are againſt the Laws and Statutes of the Realm, *unleſs they be warranted by Sovereign Power*, and that they cannot be commanded or raiſed without Aſſent of Parliament, *unleſs it be by Sovereign Power*. What were this but to admit a Sovereign Power in the King above the Laws and Statutes of the Kingdom?

'ANOTHER Part of this Petition is, That the free Subjects of this Realm ought not to be impriſoned by Law without Cauſe ſhewed. But by this Clauſe a Sovereign Power will be admitted and left entire to his Majeſty, ſufficient to controul the Force of Law, and to bring in this new and dangerous Interpretation, That the free Subjects of this Realm ought not by Law to live impriſoned without Cauſe ſhewed, *unleſs it be by Sovereign Power*.

'IN a Word, this Clauſe, if it ſhould be admitted, would take away the Effect of every Part of the Petition, and become deſtructive to the whole; for thence will be the Expoſition touching the Billeting of Soldiers and Mariners in Freemens Houſes againſt their Wills; and thence will be the Expoſition touching the Times and Places for Execution of the Law-marſhal, contrary to the Laws and Statutes of the Realm.

'THE Scope of this Petition, as I have before obſerved, is not to amend our Caſe, but to reſtore us to the ſame State we were in before; whereas if this Clauſe be received, inſtead of mending the Condition of the poor Subjects, whoſe Liberties of late have been miſerably violated by ſome Miniſters, we ſhall leave them worſe than we found them; inſtead of curing their Wounds we ſhall make them deeper. We have ſet Bounds to our Deſires in this great Buſineſs, whereof one is not to diminiſh the Prerogative of the King by mounting too high; and if we bound ourſelves on the other ſide with this Limit, not to abridge the lawful Privileges of the Subject, by deſcending beneath that which is meet, no Man we hope can blame us.

'MY Lords, Mention is made in the additional Clauſe, not only of *Sovereign Power*, but likewiſe of a *Truſt* repoſed in his Majeſty touching the Uſe of Sovereign Power.

'THE Word *Truſt* is of great Latitude, and ought to be well and warily applied and reſtrained, eſpecially in the Caſe of a King: There is a Truſt inſeparably repoſed in the Perſons of the Kings of *England*, but that Truſt is regulated by Law: For Example; when Statutes are made to prohibit Things not *mala in ſe*, but only *mala quia prohibita*, under certain Forfeitures and Penalties to accrue to the King and to the Informers that ſhall ſue for the Breach of them. The Commons muſt, and ever will acknowledge a Regal and Sovereign Prerogative in the King touching ſuch Statutes, that it is his Majeſty's abſolute and undoubted Power to grant Diſpenſations to particular Perſons, with the Clauſes of *non obſtante*, to do as they might have done before thoſe Statutes, wherein his Majeſty conferring Grace and Favour upon ſome, doth not do Wrong to others: but there is a Difference between thoſe Statutes and the Laws and Statutes whereon the Petition is grounded. By thoſe Statutes the Subject hath no Intereſt in the Penalties, which are all the Fruit ſuch Statutes can produce, until by Suit or Information commenced he become entituled to the particular Forfeitures; whereas the Laws and Statutes mentioned in our Petition are of another Nature: There ſhall your Lordſhips find us to rely upon the good old Statute called *Magna Charta*, which declareth and confirmeth the ancient common Laws of the Liberties of *England*. There ſhall your Lordſhips alſo find us to inſiſt upon diverſe other moſt material Statutes made in the Reigns of ſeveral Kings for Explanation and Ratification of the lawful Rights and Privileges belonging to the Subjects of this Realm: Laws not inflicting Penalties upon Offenders *in malis prohibitis*; but Laws declarative or poſitive, conferring or confirming *ipſo facto* an inherent Right and Intereſt of Liberty and Freedom in the Subjects of this Realm, as their Birth-rights and Inheritance deſcendable to their Heirs and Poſterity: Statutes incorporate into the Body of the Common Law, over which (with Reverence be it ſpoken) there is no Truſt repoſed in the King's Sovereign Power, or Prerogative Royal, to enable him to diſpenſe with them, or to take from his Subjects that Birth-right and Inheritance which they have in their Liberties by vertue of Common Law, and of theſe Statutes.

'BUT if this Clauſe be added to our Petition, we ſhall then make a danger-

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'ous Overture to confound this good Deſtination touching what Statutes the King is truſted to controul by Diſpenſations, and what not, and ſhall give an Intimation to Poſterity, as if it were the Opinion both of the Lords and Commons aſſembled in Parliament, that there is a Truſt repoſed in the King to lay aſide his Sovereign Power in ſome emergent Caſes, as well of the Common Law, and ſuch Statutes as declare and ratify the Subjects Liberty, or confer Intereſt upon their Perſons, as thoſe other penal Statutes of ſuch Nature as I have mentioned before; which as we can by no means admit, ſo we believe aſſuredly that it is far from the Deſire of our moſt gracious Sovereign to affect ſo vaſt a Truſt, which being tranſmitted to a Succeſſor of a different Temper, might enable him to alter the whole Frame and Fabrick of the Commonwealth, and to diſſolve that Government whereby his Kingdom hath flouriſhed for ſo many Ages under his Majeſty's moſt Royal Anceſtors and Predeceſſors.

'OUR next Reaſon is, that we hold it contrary to all Courſe of Parliament, and abſolutely repugnant to the very Nature of a *Petition of Right*, conſiſting of Particulars, as ours doth, to clog it with a general Saving, or Declaration, to the weakening of the Right demanded; and we are bold to renew with ſome Confidence our Allegation, that there can be no Precedent ſhewed of any ſuch Clauſe in any ſuch Petitions in Times paſt. — If any general *Saving*, or Words amounting to one, ſhould be annexed to our Petition, it cannot work to confirm things not excepted, which are none; but to confound things included, which are all the Parts of the Petition; and it muſt needs beget this dangerous Expoſition, that the Rights and Liberties of the Subject, declared and demanded by this Petition, are not theirs abſolutely, but *ſub modo*; not to continue always, but only to take Place when the King is pleaſed not to exerciſe that *Sovereign Power* wherewith this Clauſe admitted he is truſted for the Protection, Safety, and Happineſs of his People. And thus that Birth-right and Inheritance which we have in our Liberties, ſhall, by our own Aſſents, be turned into a meer Tenancy at Will and Sufferance.

'I BESEECH your Lordſhips to obſerve the Circumſtance of Time wherein we offer this Petition to be preſented to your Lordſhips, and by us unto his Majeſty: Do we offer it when *Magna Charta* ſtands clogged with *Saving*? No, my Lords, but at this Day, when later and better Confirmations have vindicated and ſet free that Law from all Exceptions; and ſhall we now annex another and worſe *Saving* to it, by an unneceſſary Clauſe in that Petition which we expect ſhould have the Fruits and Effects of a Law? Shall we ourſelves relinquiſh or adulterate that which coſt our Anceſtors ſuch Care and Labour to purchaſe and refine? No, my Lords, but as we ſhould hold ourſelves unhappy, if we ſhould not amend the wretched Eſtate of the poor Subject, ſo let us hold it a Wickedneſs to impair it.

'I HAVE formerly opened my Reaſons, proving the Danger of this Clauſe, and am commanded to illuſtrate the Impertinency of adding it to the Petition by a familiar Caſe which was put in our Houſe by a learned Gentleman, and of my own Robe: The Caſe is this; Two Manors or Lordſhips lie adjoining together, and perchance intermixed ſo as there is ſome Difficulty to diſcern the true Bounds of either; as there may be touching the Confines where the Liberty of the Subject and the Prerogative of the Crown do border each upon the other: To the one of the Manors the King hath clear Right, and is in actual Poſſeſſion of it; but the other is the Subject's. The King being miſinformed that the Subject hath intruded upon his Majeſty's Manor, asketh his Subject whether he doth enter upon his Majeſty's Manor, or pretendeth any Title to it, or any part of it? The Subject being now juſtly occaſioned, maketh Anſwer truly to the King, that he hath not intruded, nor will intrude upon his Majeſty's Manor, nor doth make any Claim or Title to it, or any part of it. This Anſwer is proper and fair; nay, it were unmannerly and ill done of the Subject not ſo to anſwer upon this Occaſion: Afterwards the King, upon colour of ſome double or ſingle matter of Record, ſeizeth into his Highneſs's Hands, upon a pretended Title, the Subject's Manor. The Subject then exhibiteth his Petition of Right to his Majeſty, to attain Reſtitution of his own Manor, and therein layeth down Title to his own Manor only: Were it not improper and abſurd in this Caſe for him to tell the King that he did not intend to make any Claim or Title to his Majeſty's Manors, which is not queſtioned? Doubtleſs it were. This

'Caſe

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'Case rightly applied will fit our Purpose well, and notably explain the Nature of our Petition.

'WHY should we speak of leaving entire the King's *Sovereign Power* whereon we encroach not, while we only seek to recover our own Liberties and Privileges which have been seized upon by some of the King's Ministers? If our Petition did trench actually upon his Majesty's Prerogative, would our saying that we intended it, not make the thing otherwise than the Truth?

'MY Lords, there needeth no Protestation or Declaration to the contrary of that which we have not done; and to put in such a Clause, cannot argue less than a Fear in us, as if we had invaded it; which we hold sacred, and are assured that we have not touched, either in our Words or in our Intentions. And touching your Lordships Observation upon the Word (*Leave*) if it be not a proper Word to give any new thing to the King, sure we are it is a Word as dangerous in another Sense; for it may amount, without all question, to acknowledge an old Right of *Sovereign Power* in his Majesty above these Laws and Statutes whereon only our Liberties are founded; a Doctrine which we most humbly crave your Lordships Leaves freely to protest against. And for your Lordships proffering that some *Saving* should be requisite for Preservation of his Majesty's Sovereign Power, in respect our Petition runneth in larger Words than our Laws and Statutes whereon we ground it, what is this but a clear Confession by your Lordships that this Clause was intended by you to be that *Saving*? for other Saving than this we find not tendered by you: And if it be such a Saving, how can it stand with your Lordships other Arguments, that it should be of no other Effect than our former Expression to his Majesty by the Mouth of our Speaker?

'IT hath not been yet shewn unto us from your Lordships that we have in any of our Expressions, or Applications, strained or misapplied any of the Laws or Statutes whereon we do insist; and we are very confident, and well assured, that no such Mistaking can be assigned in any Point of our Petition now under Question: If therefore it do not exceed the true Sense and Construction of *Magna Charta*, which hath been so often vouched this Parliament, in the subsequent Laws of Explanation whereon it is grounded, what Reason is there to add a *Saving* to this Petition more than to those Laws? since we desire to transmit the Fruits of these our Labours to Posterity, not only for the Justification of ourselves in Right of our present, and their future Liberties, but also for a brave Expression and perpetual Testimony of that Grace and Justice which we assure ourselves we shall receive in his Majesty's speedy and clear Answer. This is the Thing we seek for, and this the Thing we hoped for, and this the only thing that will settle such an Unity and Confidence betwixt his Majesty and us, and raise such a Chearfulness in the Hearts of all his loving Subjects, as will make us proceed unanimously, and with all Expedition to supply him for his great Occasions in such Measure, and in such Way as may make him safe at home, and feared abroad.'

SIR *Henry Martin* took up the Argument next, and entered into the rational Part of it, as follows:

Sir Henry Martin's *Speech as to the rational Part of the Matter of the Conference.*

'IF your Lordships will be pleased to remember that strict Oath every Member of our House hath taken this very Session in these Words; *I* (A. B.) *do utterly testify, and declare in my Conscience, that the King's Highness is the supreme, or sovereign Governor of this Realm in all Causes*, &c. *and to my utmost Power will assist and defend all Jurisdictions, Privileges, Preheminences, and Authorities granted, or belonging to the King's Highness, or united or annexed to the Imperial Crown of this Realm*, &c. your Lordships need not to borrow from our Protestations any Exhortations to us to entertain a Writing in Assistance of the King's Sovereign Power, since we stand obliged, by the most sacred Bond of a solemn Oath, to assist and defend the same, if Cause and Occasion so required: So that the only Question between your Lordships and us is, whether this Clause should be added to our Petition, and received into it as part thereof; which to do, your Lordships Reasons have not perswaded us, because so to admit it were to overthrow the Fabrick and Substance of our *Petition of Right*, and to annihilate the Right pretended by us; and the Petition itself in Effect: For these Words being added to our Petition, *viz. We humbly present this Petition*, &c. *with due Regard to leave entire your Sovereign Power*, &c. do manifestly include an Ex-

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'ception to our Petition; and an Exception being of the Nature of the Thing whereunto it is an Exception, *Exceptio eſt de regulâ*, muſt of Neceſſity deſtroy the Rule, or Petition, ſo far as to the Caſe excepted: *Exceptio firmat regulam in caſibus non exceptis, in caſibus exceptis deſtruit regulam.* Then this Conſtruction followeth upon our Petition thus enlarged: That after we have petitioned that no Freeman ſhould be compelled by Impriſonment to lend or contribute Money to his Majeſty without his Aſſent in Parliament, nor receive againſt his Will Soldiers into his Houſe, or undergo a Commiſſion of Martial Law for Life or Member in Time of Peace, we ſhould add, except his Majeſty be pleaſed to require our Monies, and impriſon us for not lending, and ſend Soldiers into our Houſes, and execute us by Martial Law in time of Peace, by vertue of his Sovereign Power; which Conſtruction, as it followeth neceſſarily upon this Enlargement, ſo it concludeth againſt our Rights in the Premiſſes, and utterly fruſtrateth all our Petition; neither may it ſeem ſtrange if this Clauſe additional (which of itſelf, in quality of a Propoſition, we confeſs) being added to our Petition, which alſo is true, ſhould overthrow the very Frame and Fabrick of it, ſeeing the Logicians take Knowledge of ſuch a Fallacy, by them called *Fallacia à benè diviſis ad mala conjuncta.* *Horace* the Poet giveth an Inſtance to this Purpoſe of a Painter, who when he had painted the Head of a Man according to Art, would then join to it the Neck of a Horſe, and ſo mar the one and the other; whereas each by itſelf might have been a Piece of right good Workmanſhip.

'THE ſecond Branch of my Lord-Keeper's rational Part was enforced out of the laſt Words of this Addition, by which his Lordſhip ſaid, that they did not leave entire all *Sovereign Power*, but that *wherewith his Majeſty is truſted for the Protection, Safety, and Happineſs of the* People; as if his Lordſhip would infer that *Sovereign Power wherewith*, &c. in this Place to be *Terminum diminuentem*, a Term of Diminution or Qualification, and in that Conſideration might induce us to accept it. But, under his Lordſhip's Correction, we cannot ſo interpret it. For, firſt, we are aſſured that there is no Sovereign Power wherewith his Majeſty is truſted, either by God or Man, but only that which is for the Protection, Safety, and Happineſs of his People; and therefore that Limitation can make no Impreſſion upon us. But we conceive it rather in this Place to have the Force *Termini ad augentis*, to be a Term of important Advantage againſt our Petition, a Term of Reſtriction, and that whereſoever his Majeſty's Sovereign Power ſhould be exerciſed upon us in all and every the Particulars mentioned in the Petition, we ſhould without farther Enquiry ſubmit thereunto, as aſſuming and taking it *pro conceſſo*, that it induced to our Happineſs, &c.

'SINCE therefore (as the Petition is now conceived) it carrieth the Form and Face of a Picture, which repreſenteth to the Life the Preſſures and Grievances of the People, with the eaſy Remedies; therefore we hope that his Majeſty, caſting upon it a gracious Eye, will compaſſionate his poor loyal Subjects, and afford a comfortable Anſwer. I do humbly pray your Lordſhips not to mar or blemiſh the Grace and Face of this Picture with this unneceſſary Addition; and unneceſſary I prove it to be according to that Rule, *expreſſio ejus quod tacitè in eſt nihil operatur.* And Sovereign Power, in Caſes where it hath Place, and ought to be uſed, is alway neceſſarily underſtood, and though not expreſſed, yet ſupply'd by reaſonable Intendment, or by the Opinion of all learned Men: And therefore it neither is, nor can be by us expreſly included, eſpecially in this Petition, where the Addition thereof would make ſuch a Confuſion of the whole Senſe and Subſtance.

'THE King's Sovereign Power and Prerogative is always able to ſave itſelf; and if it were not, we muſt without this Addition ſave it to our utmoſt Powers, if we will ſave our Oath, and ſave ourſelves. The true State of the Caſe thus ſtanding between your Lordſhips and us, the Houſe of Commons doth not a little marvel upon what Grounds your Lordſhips are ſo earneſt to urge upon them this Addition, to be inſerted into their Petition. They nothing doubt but that the ſame proceeded out of a Sollicitude and Fear which your Lordſhips have, leſt otherwiſe the ſimple and abſolute Paſſage of this Petition might be conſtrued hereafter in Prejudice of his, Majeſty's ſovereign Power: And this your Lordſhips Sollicitude and Fear proceedeth from your Love, as the Poet ſaith,

Res eſt ſolliciti plena timoris amor.

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'BUT I humbly pray your Lordſhips to examine with us the Grounds of this your Sollicitude and Fear, which Grounds needs muſt be laid either upon the Words of the Petition, or the Intention of the Petitioners.

'UPON the Words there is no Poſſibility to lay them, for therein is no mention made of the Sovereign Power; and were the Words doubtful, as thus, *We pray the like things be not done hereafter under pretext of your Majeſty's Sovereign Power:* Yet in reſpect of the Proteſtations preceding, concomitant and ſubſequent to the Petition, ſuch doubtful Words ought reaſonably to be interpreted only of ſuch Sovereign Power as was not applicable to the Caſes wherein it was exercis'd, and of ſuch Sovereign Power as ſhould be juſtly practis'd: But there are no ſuch doubtful Words, and therefore it followeth, that your Lordſhips Fear and Sollicitude muſt be grounded upon the Intention of the Petitioners. Now your Lordſhips well know that the Houſe of Commons is not ignorant, that in a Seſſion of Parliament, though it continue as many Weeks as this hath done Days, yet there is nothing *prius & poſterius*, but all things are held and taken as done at one time; if ſo, what a ſtrange Collection was this! that at the ſame time the Houſe of Commons ſhould oblige themſelves by a fearful Adjuration to aſſiſt and defend all Privileges and Prerogatives belonging to the King, and at the ſame time by a Petition (cautiouſly convey'd) endeavour, or intend to diveſt and deprive the King of ſome Prerogatives belonging to his Crown. If therefore ſuch Fear and Sollicitude can neither be grounded upon the Words of the Petition, nor Intention of the Petitioners, I humbly pray your Lordſhips to lay them aſide, as we do believe that the Propoſition of this Addition from your Lordſhips was not only excuſable, but commendable, as proceeding from your Love.

'I now offer certain Reaſons to your Lordſhips, which it has pleaſed the Houſe of Commons to inſtruct and furniſh me with, to procure your abſolute Conjunction with us in preſenting this Petition.

'THE firſt Argument, wherewith I was commanded to move your Lordſhips, was drawn *à Perſonis*, from the Conſideration of the Perſons who are Petitioners, the Houſe of Commons, a Houſe whoſe Temper, Mildneſs and Moderation in this Parliament, hath been ſuch, as we ſhould be unthankful and injurious to Almighty God, if we ſhould not acknowledge his good Hand upon us, upon our Tongues, upon our Hearts, procured, no doubt, by our late ſolemn and publick Humiliation and Prayers.

'THIS Moderation will the better appear, if in the firſt place it be remember'd in what Paſſion and Diſtemper many Members of this Houſe arriv'd thither, what Boſoms, what Pockets full of Complaints and lamentable Grievances, the moſt part brought thither, and thoſe every Day renew'd by Letters and Packets from all Parts and Quarters: You know the old Proverb, *Ubi dolor ibi digitus, ubi amor ibi oculus*; it is hard to keep our Fingers from often handling the Parts ill-affected, but yet our Moderation overcame our Paſſion, our Diſcretion overcame our Affection.

'THIS Moderation alſo will the better appear, if in the ſecond place it be not forgotten, how our Anceſtors and Predeceſſors carried themſelves in Parliaments, when upon lighter Provocations, leſs wou'd not ſerve their Turns than new ſevere Commiſſions to hear and determine Offences againſt their Liberties, publick Eccleſiaſtical Curſes or Excommunications againſt the Authors or Actors of ſuch Violations, Accuſations, Condemnations, Executions and Baniſhments. But what have we ſaid all this Parliament? We only look forward, not backward; we deſire Amendment hereafter, no Man's Puniſhment for ought done heretofore, nothing written by us in Blood, nay not one Word ſpoken againſt any Man's Perſon in Diſpleaſure. The Concluſion of our Petition is, that we may be better intreated in time to come: And doth not this moderate Petition deſerve your Lordſhip's chearful Conjunction *ex congruo & condigno?* If a Worm being trodden upon could ſpeak, a Worm would ſay, tread upon me no more I pray you. Higher we riſe not, lower we cannot deſcend, and thus much we think in Modeſty may well be ſpoken in our own Commendation, thence to move your Lordſhips to vouchſafe us your noble Company in this Petition, without ſurcharging it with this Addition.

'OUR next Argument is drawn *à tempore*, from the Unſeaſonableneſs of the Time; the wiſe Man ſaith there is a time for all things under the Sun *tempus ſuum*; and if in the wiſe Man's Judgment a Word ſpoken in its due time be precious as Gold and Silver, then an unſeaſonable time detracts as much from the Thing or Word done or ſpoken: We hold (under your Favours) that the time is not ſeaſonable now for this Addition; it is true, that of itſelf Sovereign Power is a thing always ſo Sacred, that to handle it otherwiſe than tenderly is a kind of Sacrilege, and to ſpeak of it otherwiſe than reverently is a kind of Blaſphemy; but every vulgar Capacity is not ſo affected; the moſt part of Men, nay almoſt all Men judge and eſteem

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'esteem all things not according to their own 'intrinsic Virtue and Quality, but according 'to their immediate Effects and Operations 'which the same things have upon them: 'Hence it is, that Religion itself receiveth 'more or less Credit or Approbation, as 'the Teachers or Professors are worse or 'better; yea, if God himself send a very 'wet Harvest or Seed-time, Men are apt 'enough to censure divine Power. The So-'vereign Power hath not now, for the pre-'sent, the ancient amiable Aspect in respect 'of some late sad Influences, but by God's 'Grace it will soon recover.

'To intermix with this Petition any 'mention of Sovereign Power, *rebus sic stan-'tibus*, when angry Men say Sovereign 'Power hath been abus'd, and the most 'moderate wish it had not been so us'd, we 'hold it not seasonable under your Lord-'ships Correction.

'OUR next Argument is drawn *à loco*. 'We think the Place where your Lordships 'would have this Addition inserted, *viz.* 'in the Petition, no convenient or seaso-'nable Place. Your Lordships will easily 'believe that this Petition will run through 'many hands; every Man will be desirous 'to see and to read what their Knights and 'their Burgesses have done in Parliament 'upon their Complaints, what they have 'brought home upon their five Subsidies. 'If in perusing this Petition they fall upon 'the mention of Sovereign Power, they pre-'sently fall to arguing and reasoning, and 'descanting what Sovereign Power is, what 'is the Latitude, whence the Original, and 'where the Bounds? with many such cu-'rious and captious Questions; by which 'course Sovereign Power is little advanced 'or advantaged: for I have ever been of 'opinion, that it is then best with Sove-'reign Power, when it is had in *tacit ve-'neration*, not when 'tis prophaned by pub-'lic Hearings or Examinations.

'OUR last Argument is drawn from our 'Duty and Loyalty to his Majesty; in con-'sideration whereof, we are fearful at this 'time to take this Addition into our Pe-'tition, lest we should do his Majesty herein 'some Disservice. With your Lordships we 'make the Great Council of the King and 'Kingdom; and though your Lordships 'having the Happiness to be near his Ma-'jesty, know other things better, yet cer-'tainly the State and Condition of the se-'veral Parts for which we serve, their Dis-'positions and Inclinations, their Appre-'hensions, their Fears and Jealousies, are 'best known to us; and here I pray your 'Lordships to give me leave to use the 'Figure called *Reticentia*, that is, to in-'sinuate and intimate more than I mean 'to speak. Our chief and principal end in 'this Parliament is to make up all Rents 'and Breaches between the King and his 'Subjects, to draw and knit them together 'from that distance, whereof the World 'abroad takes too much notice, to work 'a perfect Union and Reconciliation: How 'improperly and unapt at this time this 'Addition will be, in respect of this end, 'we cannot but foresee, and therefore shun 'it, and do resolve that it is neither agree-'able to the Persons of such Counsellors, 'of whom we are; nor answerable to that 'Love and Duty which we owe to his Ma-'jesty, to hazard an End of such unspeak-'able Consequence, upon the admittance 'of this Addition into our Petition, whereof '(as we have shew'd) the Omission at this 'time can by no means harm the King's 'Prerogative, the Expression may produce 'manifold Inconveniencies: And therefore, 'since the Admittance of your Lordships 'Addition unto our Petition is incoherent 'and incompatible with the Body of the 'same; since there is no necessary use of 'it for the saving of the King's Prerogative; 'since the Moderation of our Petition de-'serveth your Lordships cheerful Conjunc-'tion with us; since this Addition is unsea-'sonable for the time, and inconvenient in 'respect of the place where your Lordships 'would have it inserted; and lastly, may 'prove a Disservice to his Majesty: I con-'clude with a most affectionate Prayer to 'your Lordships, to conclude with the 'House of Commons in presenting this Pe-'tition to his Sacred Majesty as it is, without 'this Addition.'

THE Lords were afraid to throw out the Petition, on account of this Addition, which in truth was not absolutely neces-sary; and being satisfied with having given the King this Testimony of their Affection for his Service, they insisted no longer upon it. And upon the 26th of *May*, at another Conference, the Lords agreed with the Commons in the Petition of Right with these small Amendments, *Means* to be in-serted instead of *Pretext*, and instead of *unlawful* to put in *not warrantable by the Laws and Statutes of the Realm*; to which Amendments the Commons readily agreed: So that this Petition, which had been ten Weeks in Debate, was read, en-grossed, and passed by both Houses with the greatest Unanimity and Dispatch, and order'd to be presented to the King. Ac-cordingly on the 28th of *May* there was a Conference between the Lords and Com-mons about the manner of delivering the Petition, when upon a Report of the Lords Opinion to the Lower House by Sir *Ed-ward Coke*, it was agreed, That no Ad-dition or Preface be used to the King, but that the Petition be presented to his Ma-jesty by Command of the Lords and Com-mons, and that his Majesty be desired that

Lords and Commons agree on the Petition of Right.

to

to the Content of his People he would be pleaſed to give his gracious Anſwer in full Parliament, that it might be inrolled, and ſerve hereafter for a Rule to the Courts of Juſtice as an Act of Parliament.

THE King went to the Houſe of Peers on the 2d of *June*, and made this ſhort Speech to both Houſes.

King's Speech to them on that Occaſion.

'GENTLEMEN, I am come hither to 'perform my Duty; I think no Man can 'think it long, ſince I have not taken ſo 'many Days in anſwering your Petition, as 'you have ſpent Weeks in framing it: And 'I am come hither to ſhew you, that as well 'in *formal* things as in *eſſential*, I deſire 'to give you as much content as in me lies.'

THEN the Lord-Keeper, after commending the King's Favour to them, deſired them to hear their own Petition read, and his Majeſty's gracious Anſwer; and the ſame were read accordingly as follows.

To the King's moſt Excellent Majeſty,

Petition of Right.

'HUmbly ſhew unto our Sovereign 'Lord the King, the Lords Spiritual 'and Temporal, and Commons in Parliament aſſembled, that whereas it is declared and enacted by a Statute made in *Edw.* I. 'the Reign of King *Edward* I. commonly 'call'd *Statutum de Tallagio non concedendo*, that no Tallage or Aid ſhall be laid 'or levied by the King or his Heirs in this 'Realm, without the Good will and Aſſent 'of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other the 'Freemen of the Commonalty of this Realm: 'And by Authority of Parliament holden 'in the 25th Year of the Reign of King '*Edward* III. it is declared and enacted, 25 *Edw.* III. 'That from thenceforth no Perſon ſhould 'be compelled to make any Loans to the 'King againſt his Will, becauſe ſuch Loans 'were againſt Reaſon and the Franchiſe of 'the Land; and by other Laws of this 'Realm it is provided, That none ſhould 'be charged by any Charge or Impoſition, 'call'd a *Benevolence*, nor by ſuch like 'Charge, by which the Statutes beforemen'tioned, and other the good Laws and 'Statutes of this Realm, your Subjects have 'inherited this Freedom, that they ſhould 'not be compelled to contribute to any Tax, 'Tallage, Aid, or other like Charge not 'ſet by common Conſent in Parliament.

'YET nevertheleſs of late divers Com'miſſions directed to ſundry Commiſſioners 'in ſeveral Counties, with Inſtructions, 'have iſſued, by means whereof your People 'have been in divers Places aſſembled and 'required to lend certain Sums of Money 'unto your Majeſty; and many of them, 'upon their Refuſal ſo to do, have had an 'Oath adminiſtred unto them, not warran'table by the Laws or Statutes of this 'Realm, and have been conſtrain'd to be- CHARLES I. A°. 1628. 'come bound to make appearance, and give 'attendance before your Privy Council, and 'in other places; and others of them have 'been therefore impriſoned, confined, and 'ſundry other ways moleſted and diſquieted. 'And divers other Charges have been laid 'and levied upon your People in ſeveral 'Counties by Lords Lieutenants, Deputy 'Lieutenants, Commiſſioners for Muſters, 'Juſtices of Peace, and others by Command 'or Direction from your Majeſty or your 'Privy Council, againſt the Laws and free 'Cuſtoms of the Realm.

'And where alſo by the Statute call'd '*The Great Charter of the Liberties of* 'England, it is declared and enacted, 9 *Hen.* III. 29. 'That no Freeman may be taken or impri'ſoned, or diſſeis'd of his Freeholds or Li'berties, or his Free Cuſtoms, or be out'law'd or exiled, or in any manner de'ſtroyed, but by the lawful Judgment of 'his Peers, or by the Law of the Land.

'And in the 28th Year of the Reign of 'K. *Edward* III. it was declared and enact- 28 *Edw.* III. 3. 'ed by Authority of Parliament, That no 'Man, of what Eſtate or Condition that he 'be, ſhould be put out of his Land or Te'nements, nor taken nor impriſoned, nor 'diſherited, nor put to death, without being 'brought to anſwer by due Proceſs of Law.

'Nevertheleſs, againſt the Tenor of the 'ſaid Statutes, and other the good Laws and 37 *Edw.* III. 'Statutes of your Realm to that end provi- 18. 'ded, divers of your Subjects have of late 38 *Edw.* III. 9. 42 *Edw.* III. 3. 'been impriſoned without any Cauſe ſhew'd, 17 *Ric.* II. 6. 'and when for their Deliverance they were 'brought before your Juſtices by your Ma'jeſty's Writs of *Habeas Corpus*, there to 'undergo and receive as the Court ſhould 'order, and their Keepers commanded to 'certify the Cauſes of their Detainer, no 'Cauſe was certified but that they were de'tained by your Majeſty's ſpecial Com'mand, ſignified by the Lords of your Pri'vy Council; and yet were returned back 'to ſeveral Priſons, without being charged 'with any thing to which they might make 'anſwer according to Law.

'And whereas of late great Companies of 'Soldiers and Mariners have been diſperſed 'into divers Counties of the Realm, and 'the Inhabitants againſt their wills have 'been compelled to receive them into their 'Houſes, and there to ſuffer them to ſo'journ, againſt the Laws and Cuſtoms of 'this Realm, and to the great Grievance 'and Vexation of the People.

'AND whereas alſo by Authority of 'Parliament in the 25th Year of the Reign 25 *Edw.* III. 9. 'of *Edward* III. it is declared and enacted, 'That no Man ſhall be forejudged of Life 'or Limb againſt the Form of the great 'Charter, and the Law of the Land: And 'by the ſaid great Charter, and other the 'Laws and Statutes of this your Realm,

'no

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'no Man ought to be adjudg'd to death, 'but by the Laws eſtabliſhed in this your 'Realm, either by the Cuſtoms of the 'ſame Realm, or by Acts of Parliament: 'And whereas no Offender of what kind 'ſoever is exempted from the Proceedings to 'be uſed, and Puniſhments to be inflicted by 'the Laws and Statutes of this your Realm; 'nevertheleſs of late divers Commiſſions, 'under your Majeſty's Great Seal, have iſ-'ſued forth, by which certain Perſons have 'been aſſigned and appointed Commiſſioners, 'with Power and Authority to proceed 'within the Land, according to the Juſtice 'of the Martial Law, againſt ſuch Soldiers 'and Mariners, or other diſſolute Perſons 'joining with them, as ſhould commit any 'Murder, Robbery, Felony, Mutiny, or 'other Outrage or Miſdemeanor whatſoever; 'and by ſuch ſummary Courſe and Order, as 'is agreeable to Martial Law, and is uſed in 'Armies in time of War, to proceed to the 'Tryal and Condemnation of ſuch Offenders, 'and them to cauſe to be executed and put 'to death according to the Law-Martial.

'BY pretext whereof, ſome of your Ma-'jeſty's Subjects have been by ſome of the 'ſaid Commiſſioners put to death, when 'and where, if by the Laws and Statutes 'of the Land they had deſerved death, 'by the ſame Laws and Statutes alſo they 'might, and by no other ought to have 'been adjudged and executed.

'AND alſo ſundry grievous Offenders by 'colour thereof, claiming an Exemption, have 'eſcap'd the Puniſhment due to them by the 'Laws and Statutes of this your Realm.

'THEY do therefore humbly pray your 'moſt excellent Majeſty, that no Man here-'after be compell'd to make or yield any 'Gift, Loan, Benevolence, Tax, or ſuch 'like Charge, without common Conſent by 'Act of Parliament, and that none be called 'to make anſwer, or take ſuch Oath, or to 'give Attendance, or be confined, or other-'wiſe moleſted or diſquieted, concerning 'the ſame, or for Refuſal thereof: And 'that no Freeman, in any ſuch manner as 'is before mentioned, be impriſoned or 'detained: And that your Majeſty will 'be pleaſed to remove the ſaid Soldiers 'and Mariners, that your People may not 'be ſo burthened in time to come: And 'that the aforeſaid Commiſſions for pro-'ceeding by Martial Law may be revoked 'and annulled; and that hereafter no Com-'miſſions of the like nature may iſſue forth to 'any Perſon or Perſons whatſoever, to be 'executed as aforeſaid, leſt by colour of 'them any of your Majeſty's Subjects be 'deſtroyed or put to death, contrary to the 'Laws and Franchiſe of the Land.

'ALL which they moſt humbly pray 'of your moſt excellent Majeſty, as their 'Rights and Liberties according to the Laws 'and Statutes of this Realm: And that 'your Majeſty would alſo vouchſafe to de-'clare, that the Awards, Doings, and Pro-'ceedings to the prejudice of your People 'in any of the Premiſes, ſhall not be drawn 'hereafter into Conſequence or Example: 'And that your Majeſty would be alſo gra-'ciouſly pleaſed, for the further Comfort 'and Safety of your People, to declare your 'Royal Will and Pleaſure, that in the things 'aforeſaid all your Officers and Miniſters 'ſhall ſerve you, according to the Laws 'and Statutes of this Realm, as they ren-'der the Honour of your Majeſty and the 'Proſperity of this Kingdom.'

IT has already been obſerved, that the King had uſed all poſſible Endeavours to hinder this Petition from being preſented to him, and to ſatisfy the Commons with general Promiſes, which properly bound him to nothing, and which did not deſtroy his Scheme of Government. So, though he made as if he were come to the Parliament on purpoſe to paſs the *Petition of Right*, and to give a ſatisfactory Anſwer to it, yet he purſued his own Plan, and ſhewed how much he dreaded to tie himſelf up, by the following Anſwer, in which one eaſily perceives the ſame general Promiſes, and the ſame Reſtrictions, as in what he had offered already, without touching upon any of the particular Caſes ſpecified in the Petition.

THE King's Anſwer was at the ſame time delivered in theſe Words;

The King's Anſwer.

The King willeth that Right be done according to the Laws and Cuſtoms of the Realm; and that the Statutes be put in due Execution, that his Subjects may have no Cauſe to complain of any Wrong or Oppreſſions contrary to their juſt Rights and Liberties, to the Preſervation whereof he holds himſelf in Conſcience as well obliged, as of his Prerogative.

ON the 3d of *June* this Anſwer was read in the Houſe of Commons, where it was thought ſo inſufficient, that Sir *John Elliot* ſtood up, and made a long Speech, wherein he gave ſo full and pathetic a Repreſentation of all Grievances, both general and particular, as if they had never before been mentioned.

Sir John Elliot's Speech in laying open the Grievances.

HE reduced the Cauſe of all our Evils to five Heads:

1. OUR Inſincerity and Doubting in Religion, which he exemplified by the Freedom and Increaſe of Papiſts; by the Compoſition with them in the North, the Slightneſs of thoſe Payments, and the Eaſineſs in them; by the Hopes, Preſumptions, and Reports of all the Papiſts in general; by the Diſpoſition of Commanders, the Truſt of Officers, the Confidence of Secrecies of Employments in this Kingdom, in *Ireland*, and elſewhere.

2.

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2. OUR Want of Counſel, which ſacrificed our Honour and our Men ſent to the *Palatinate*, ſtopping thoſe greater Supplies appointed for that Service, by which it might have been made defenſible; this, ſaid he, gave direction to that late Expedition to *Rhée*, whoſe Wounds are yet bleeding, by means whereof the Proteſtants of *France*, and their King, by a neceſſary Conſequence, are divided, and that Country ſo prepared againſt us, that we have nothing to promiſe our Neighbours, hardly for ourſelves; inſomuch as by the Iſſue and Succeſs it may rather be thought a Conception of *Spain*, than begotten here by us.

3. THE Inſufficiency and Unfaithfulneſs of our Generals: Witneſs *firſt* the Expedition to *Cales*, where we arrived, and found a Conqueſt ready, (*viz.*) the *Spaniſh* Ships fit for the Satisfaction of a Voyage, either in point of Honour, or in point of Profit: Why was it neglected? Why was it not atchieved, it being granted on all hands feaſible? When the whole Army landed, why was there nothing attempted? if nothing were intended, wherefore did they land? If there were a Service, why were they ſhipped again? Witneſs, *ſecondly*, that to *Rhée*, where the whole Action was carried againſt the Judgment and Opinion of the Officers, (*viz.*) thoſe that were of the Council. Was not the firſt, was not the laſt, was not all, at Land, in the Intrenching, in the Continuance there, in the Aſſault, in the Retreat, without their Aſſent? To ſay nothing of leaving the Wines and the Salt, which were in our poſſeſſion, and of a Value, as they ſay, to anſwer much of our Expence; nor of that Wonder, which no *Alexander* or *Cæſar* ever knew, the enriching of an Enemy by Courteſies, when the Soldiers want help, nor of the private Intercourſes and Parleys with the Fort, which continually were held; what they intended, may be read in the Succeſs. And *thirdly*, Witneſs the laſt Voyage to *Rochel*, which needs no Obſervation, and is freſh in Memory.

4. THE fourth Head is the Ignorance and Corruption of our Miniſters. Survey the Court; ſurvey the Country, the Church, the City, the Bar, the Bench, the Courts, the Shipping, the Land, the Seas, all will yield variety of Proofs. The Exchequer is empty, the Reputation thereof gone, the ancient Lands are ſold, the Jewels pawn'd, the Plate engag'd, the Debt ſtill great, almoſt all Charges both extraordinary and ordinary by Projects.

5. THE Oppreſſion of the Subject. It needs no Demonſtration; the whole Kingdom is a Proof, and that Oppreſſion ſpeaks the exhauſting of our Treaſures. What waſte of our Proviſions, what Conſumption of our Ships, what Deſtruction of our Men have been? Witneſs the Voyage to *Algier*; witneſs that of *Mansfield*, witneſs that of *Cales*, witneſs the next, witneſs that to *Rhée*, witneſs the laſt, witneſs the *Palatinate*, witneſs the *Turks*, witneſs the *Dunkirks*, witneſs all; we were never ſo much weaken'd, nor had leſs hopes how to be reſtored.

THESE, Mr. *Speaker*, are our Dangers, theſe are they do threaten us, and thoſe are like that *Trojan* Horſe brought in cunningly to ſurpriſe us; in theſe do lurk the ſtrongeſt of our Enemies, ready to iſſue on us; and if we do not now the more ſpeedily expel them, theſe are the Signs, the Invitations to others.

THESE will prepare their Entrance, that we ſhall have no Means left of Refuge or Defence; for if we have theſe Enemies at home, how can we ſtrive with thoſe that are abroad? If we be free from theſe, no other can impeach us: Our ancient *Engliſh* Virtue, that old *Spartan* Valour clear'd from theſe Diſorders, being in Sincerity of Religion once made Friends with Heaven, having Maturity of Counſels, Sufficiency of Generals, Incorruption of Officers, Opulency in the King, Liberty in the People, Repletion in Treaſures, Reſtitution of Proviſions, Reparation of Ships, Preſervation of Men: *Our ancient* Engliſh *Virtue*, I ſay, thus rectified, will ſecure us; and unleſs there be a ſpeedy Reformation in theſe, I know not what Hopes or Expectations we may have.

THESE things, Sir, I ſhall deſire to have taken into Conſideration, that as we are the Great Council of the Kingdom, and have the Apprehenſion of theſe Dangers, we may truly repreſent them unto the King; wherein I conceive we are bound by a treble Obligation of Duty unto God, of Duty to his Majeſty, and of Duty to our Country.

AND therefore I wiſh it may ſo ſtand with the Wiſdom and Judgment of the Houſe, that they may be drawn into the Body of a Remonſtrance, and therein all humbly expreſſed with a Prayer unto his Majeſty, for the Safety of himſelf, and for the Safety of the Kingdom, and for the Safety of Religion: That he will be pleaſed to give us Time to make perfect Inquiſition thereof, or to take them into his own Wiſdom, and there give them ſuch timely Reformation, as the Neceſſity of the Cauſe, and his Juſtice doth import.

AND thus, Sir, with a large Affection and Loyalty to his Majeſty, and with a firm Duty and Service to my Country, I have ſuddenly, and it may be with ſome Diſorder, expreſs'd the weak Apprehenſion I have; wherein if I have erred, I humbly crave your Pardon, and ſo ſubmit to the Cenſure of the Houſe. So far Sir *John Elliot*.

SOME of the Members, who nevertheleſs were for petitioning his Majeſty for a fuller

More Debates on the Subject.

Answer, thought it not consistent with the Wisdom of the House at that Conjuncture to begin with a Recapitulation of Misfortunes, which were now obvious to all, and judg'd it more adviseable not to look back, but forward. It was intimated by Sir *Henry Martin*, that Sir *John Elliot*'s Speech was suggested from Disaffection to his Majesty; and others said it proceeded from some Distrust of his Majesty's Answer to the Petition; but Sir *John* professed the contrary, and that himself and others had form'd a previous Resolution to open these last mentioned Grievances to satisfy his Majesty, only they waited for an Opportunity; which Averment of Sir *John*'s was attested by Sir *Thomas Wentworth* and Sir *Robert Philips*. Whilst Sir *John* was speaking, an Interruption was made by Sir *Humphry May*, Chancellor of the Dutchy of *Lancaster*, expressing a Dislike; but he was commanded by the Commons to go on: and being afterwards questioned for the Passage in that Speech, viz. *That some Actions seemed to be but Conceptions of* Spain; he explained himself, that in respect of the Affairs of *Denmark*, he thought the Engagement of that unfortunate Accident of *Rhee* to be a Conception of *Spain*, rather than to have any Motion from our Council here.

Sir Henry Martin.

Sir Humphry May.

Sir Edward Coke.

In this Debate Sir *Edward Coke* moved for the presenting an humble Remonstrance to his Majesty, touching the Dangers of the King and Kingdom, and the Means of preserving both; whereupon the House went into a Grand Committee, and the Remonstrance was ordered to be dispatched by the Committee for the Bill of Subsidies. Mean time came a Message from the King by the Speaker, giving notice, that his Majesty resolved to abide by his former Answer without any Alteration, that he would put an end to the Session the 11th of this Month, and that therefore he wish'd the House would so husband their time, that his Majesty may with the more Comfort bring them speedily together again; at which time, if there be any farther Grievances not contained or expressed in the Petition, they may be more maturely considered than the Time will now permit.

The Commons, who were then proceeding against Dr. *Manwaring*, demanded and obtained Judgment upon him from the Lords; which Censure immediately succeeding Sir *John Elliot*'s Representation of Grievances, startled *Laud* as much as Sir *John*'s Representation did the Duke of *Buckingham*: And the King, that he might not hear any more Business of this kind, sent another * Message to the House on the 5th of *June* by the Speaker, to acquaint them that he will certainly hold to the Day prefixed for ending the Session, and that therefore he requires them not to enter into, or proceed with any new Business, which may spend greater time, or lay any *Scandal or Aspersion upon the State-Government or its Ministers*.

Another Message from the King.

Sir *Robert Philips* upon this occasion express'd himself thus; 'I perceive that towards God and towards Man, there is little 'hope after our humble and careful Endeavours, seeing our Sins are so many, and 'so great. I consider my own Infirmities, 'and if ever my Passions were wrought upon, 'they are now; this Message stirs me up 'especially: When I remember with what 'Moderation we have proceeded, I cannot 'but wonder to see the miserable Strait we 'are now in. Former Times have given 'Wounds enough to the Peoples Liberties, 'We came hither full of Wounds, and we 'have cured what we could, and what is 'the Return of all but Misery and Desolation? What did we aim at but to have 'served his Majesty, and to have done that 'that would have made him great and glorious? If this be a Fault, then we are all 'criminous: What shall we do, since our 'humble Purposes are thus prevented, which 'were not to have laid any Aspersion on 'the Government, since it tended to no 'other end but to give his Majesty true Information of his and our Danger? And to 'this we are enforced out of a Necessity of 'Duty to the King, our Country, and to 'Posterity; but we being stopped, and stopped in such manner as we are injoined, so 'we must now leave to be a Council. I hear 'this, with that Grief, as the saddest Message of the greatest Loss in the World. 'But let us still be wise, be humble, let us 'make a fair Declaration to the King.

Sir Robert Philips.

'Our Sins are so exceeding great (said 'Sir *John Elliot*) that unless we speedily 'return to God, God will remove himself 'farther from us. Ye know with what Affection and Integrity we have proceeded 'hitherto to have gained his Majesty's Heart, 'and out of a Necessity of our Duty were 'brought to that Course we were in: I doubt 'a Misrepresentation to his Majesty hath 'drawn this Mark of his Displeasure upon 'us. I observe in the Message, amongst 'other sad Particulars, it is conceived, that 'we were about to lay some Aspersions on 'the Government. Give me leave to protest, 'that so clear were our Intentions, that we 'desire only to vindicate those Dishonours 'to our King and Country, *&c.* It is said 'also as if we cast some Aspersions on his 'Majesty's Ministers, I am confident no Minister, how dear soever, can—

Sir John Elliot.

Here the Speaker started out of his Chair, and apprehending that Sir *John* was going

* This last was the Message that improv'd the Fears and Jealousies of the Commons, and made them believe that the Duke of *Buckingham* had done them ill Offices with the King; tho' Mr. *Rapin* has, for want of due Attention to *Rushworth*, &c. left it quite out of his History.

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going to fall upon the Duke and some of the Ministers of State, said, *There's a Command laid upon me to order you not to proceed.* Whereupon Sir *John* sate down, and Sir *Dudley Diggs* in great Concern said, *Must we not proceed? Let us sit in silence, we are miserable: We know not what we do.* Accordingly there was a profound Silence in the House for a while, 'till Sir *Nathaniel Rich* broke it, by saying, 'We must now speak, or for ever after hold 'our peace; for us to be silent when King 'and Kingdom are in this Calamity, is not fit. 'The Question is, Whether we shall secure 'ourselves by Silence, yea or no? I know 'it is more for our own Security, but it is 'not for the Security of those whom we 'serve; let us think on them: Some In-'struments desire a change, we fear his Ma-'jesty's Safety, and the Safety of the King-'dom. I do not say we now see it; and 'shall we now sit still and do nothing, and 'so be scattered? Let us go together to 'the Lords, and shew our Dangers, that 'we may then go to the King together.'

Sir Dudley Diggs.

Sir Nathaniel Rich.

SOME of the Court-Party saying, that Sir *John Elliot's* Speech, which he made concerning Grievances (after the reading of the King's Answer to the Grievances) had given Offence to his Majesty, the House declared, 'That every Member of the 'House is free from any Imputation of Un-'dutifulness for any Expressions in the 'House, from the Beginning of the Par-'liament to that day; and order'd, that the 'House be turned into a Committee, to 'consider what is fit to be done for the 'Safety of the Kingdom, and that no Man 'go out of the House on pain of being 'sent to the Tower.' But Sir *John Finch* the Speaker desiring leave to go out, he had it, and immediately went and inform'd the King of what was doing in the House; which being now turned into a Grand Committee, Mr. *Whitby* in the Chair, Mr. *Wandesford* stood up and said, 'I am as full 'of Grief as others: Let us recollect our 'English Hearts, and not sit still but do 'our Duties. Two ways are propounded; 'to go to the Lords, or to the King; I 'think it is fit we go to the King, for 'this doth concern our Liberties, and let 'us not fear to make a Remonstrance of our 'Rights; we are his Counsellors: There 'are some Men which call Evil Good, and 'Good Evil, and Bitter Sweet. Justice is 'now called Popularity and Faction.'

Mr. Wandesford.

Then Sir *Edward Coke* spoke his Mind freely as follows; 'We have dealt with 'that Duty and Moderation that never was 'the like, *Rebus sic stantibus*, after such 'a Violation of the Liberties of the Subject; 'let us take this to heart. In 30 *Ed.* III. 'were they then in doubt in Parliament to 'name Men that misled the King? they ac-'cused *John* of *Gaunt* the King's Son, and 'Lord *Latimer*, and Lord *Nevil*, for mis-'advising the King, and they went to the 'Tower for it: Now when there is such 'a Downfal of the State, shall we hold 'our tongues? How shall we answer our 'Duties to God and Men? 7 *Hen.* IV. *Parl.* '*Rot.* Num. 31, and 32. 11 *H.* IV. Num. 13, 'there the Council are complained of, and 'are removed from the King; they mewed 'up the King, and dissuaded him from the 'Common Good; and why are we now re-'tired from that way we were in? Why 'may we not name those that are the Cause 'of all our Evils? In 4 *Hen.* III. and 27 'Edw. III. and 13 *Ric.* II. the Parliament 'moderateth the King's Prerogative, and 'nothing grows to abuse, but this House 'hath power to treat of it: What shall we 'do? Let us palliate no longer; if we do, 'God will not prosper us. I think the 'Duke of *Buckingham* is the Cause of all 'our Miseries; and 'till the King be in-'formed thereof, we shall never go out with 'Honour, or sit with Honour here; that 'Man is the Grievance of Grievances: Let 'us set down the Causes of all our Disasters, 'and all will reflect upon him. As for 'going to the Lords, that is not *Via Regia*; 'our Liberties are now impeached, we are 'concerned; it is not *Via Regia*, the Lords 'are not participant with our Liberties.'

Sir Edward Coke.

Duke of Bucks *the Grievance of Grievances.*

MR. *Selden* advised, that a Declaration be drawn, to express the dutiful Carriage of the House towards his Majesty, and set forth the Violation of their Liberties; and to shew how that great Person, the Duke, had raised Distractions, for fear of being questioned. *All this time*, said that illustrious Senator, *we have cast a Mantle on what was done last Parliament; but now being driven again to look on that Man, let us proceed with that which was then so well begun, and let the Charge be renewed that was last Parliament against him; to which he made an Answer, the Particulars whereof were sufficient that we might demand Judgment on that Answer only.* In conclusion, the House agreed upon several Heads concerning Innovation in Religion, the Safety of the King and Kingdom, Misgovernment, Misfortune of our late Designs, with the Causes of them; and when the Question was going to be put, that it should be instanced that the Duke was the principal Cause of all those Evils, the Speaker came in with a Message from the King, requiring the House to adjourn 'till next Day, and that all Committees in the mean time cease; which was accordingly complied with, as was the like Order to the House of Lords, delivered by the Lord-Keeper.

Mr. Selden's *Advice for a Declaration against the Duke of* Bucks.

THE Temper of some of the principal Speakers in this Day's Debate is best to be learnt

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learnt from a Letter that Colonel *Alured*, one of the Members, wrote next day to old Mr. *Chamberlain* of the Court of Wards; which we the rather inſert, becauſe 'tis a concurrent Proof of the abovementioned Paſſages.

SIR,

Col. Alured's Letter.

'YEſterday was a Day of Deſolation among us in Parliament, and this Day, we fear, will be the Day of our Diſſolution. Upon *Tueſday* Sir *John Elliot* moved, that as we intended to furniſh his Majeſty with Money, we ſhould alſo ſupply him with Counſel, which was one part of the Occaſion why we were ſent by the Country, and called for by his Majeſty: And ſince that Houſe was the greateſt Council of the Kingdom, where, or when ſhould his Majeſty have better Counſel than from thence? So he deſired there might be a Declaration made to the King of the Danger wherein the Kingdom ſtood, by the Decay and Contempt of Religion, the Inſufficiency of his Generals, the Unfaithfulneſs of his Officers, the Weakneſs of his Counſels, the exhauſting of his Treaſure, the Death of his Men, the Decay of Trade, the Loſs of Shipping, the many and powerful Enemies, the few and the poor Friends we had abroad.

'IN the enumerating of which, the Chancellor of the Dutchy ſaid, it was a ſtrange Language; yet the Houſe commanded Sir *John Elliot* to go on. Then the Chancellor deſired that if he went on, himſelf might go out; whereupon they all bade him be gone, yet he ſtaid and heard him out: And the Houſe generally inclined to ſuch a Declaration, to be preſented in a humble and modeſt Manner, not preſcribing the King the way, but leaving it to his Judgment for Reformation. So the next Day we had a Meſſage from his Majeſty by Mr. Speaker, that the Seſſion ſhould end that Day ſevennight, and that therefore we ſhould husband the time, and diſpatch the old Buſineſs, without entertaining new: Intending to purſue their Declaration, they had another Meſſage brought them yeſterday Morning, which requiring not to caſt or lay any Aſperſion upon any Miniſter of his Majeſty, the Houſe was much affected to be ſo reſtrained, ſince the Houſe in former times had proceeded by fining and committing *John* of *Gaunt* the King's Son, and others; and of late have meddled with, and ſentenced the Lord-Chancellor *Bacon*, and the Lord-Treaſurer *Cranfield*. Then Sir *Robert Philips* ſpoke, and mingled his Words with Weeping. Mr. *Prynne* did the like, and Sir *Edward Coke*, overcome with Paſſion, ſeeing the Deſolation likely to enſue, was forced to ſit down, when he began to ſpeak, through the Abundance of Tears; yea, the Speaker in his Speech could not refrain from weeping and ſhedding of Tears; beſides a great many, whoſe great Griefs made them dumb and ſilent; yet ſome bore up in that Storm, and encouraged others: In the end, they deſired the Speaker to leave the Chair, and Mr. *Whitby* was to come into it, that they might ſpeak the freer and the frequenter, and commanded that no Man go out of the Houſe upon pain of being ſent to the *Tower*. Then the Speaker humbly and earneſtly beſought the Houſe to give him leave to abſent himſelf for half an Hour, preſuming they did not think he did it for any ill Intention; which was inſtantly granted him. Then upon many Debates about their Liberties hereby infringed, and the imminent Danger wherein the Kingdom ſtood, Sir *Edward Coke* told them, he now ſaw God had not accepted of their humble and moderate Carriages and fair Proceedings; and the rather, becauſe he thought they dealt not ſincerely with the King, and with the Country, in making a true Repreſentation of the Cauſes of all theſe Miſeries, which now he repented himſelf, ſince Things were come to this paſs, that he did it not ſooner; and therefore, he not knowing whether ever he ſhould ſpeak in this Houſe again, would now do it freely, and there profeſſed that the Author and Cauſe of all thoſe Miſeries was the Duke of *Buckingham*, which was entertained and anſwered with a chearful Acclamation of the Houſe, as when one good Hound recovers the Scent, the reſt come in with a full Cry: So they purſued it, and every one came on home, and laid the Blame where they thought the Fault was. And as they were voting it to the Queſtion, whether they ſhould name him in their intended Remonſtrance, the ſole or the principal Cauſe of all their Miſeries at Home and Abroad; the Speaker having been three Hours abſent, and with the King, returned with this Meſſage, that the Houſe ſhould then riſe (being about 11 a-Clock, and no Committees ſhould ſit in the Afternoon) 'till to-morrow Morning: What we ſhall expect this Morning, God of Heaven knows. We ſhall meet timely this Morning, partly for the Buſineſs ſake, and partly becauſe two Days ſince we made an Order, that whoſoever comes in after Prayers, pays 12 *d.* to the Poor. Sir, excuſe my Haſte, and let us have your Prayers, whereof both you and we have here need. So, in ſcribling Haſte, I reſt,

Affectionately at your Service,

June 6, 1628.

THOMAS ALURED.

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Another Meſſage from the King to the Commons.

ON the 6th of *June* the Speaker came with another (healing) Meſſage to qualify the Reſtraint which the laſt Meſſage was ſuppoſed to lay the Commons under, with reſpect to the King's Miniſters. His Majeſty ſent them word, that he did not mean to bar them from their juſt Privileges to complain of any of his Miniſters, *but he would not have them caſt any Blame on their Counſels to his Majeſty; i. e.* properly ſpeaking, he would not have them attacked, or at moſt he would only ſuffer them to be proſecuted for private Offences, which they might happen to be guilty of as private Men; but not for State-Affairs, as Miniſters and Privy-Counſellors.

Remarks on it.

THIS, ſays *Rapin*, was another Proof of what he had obſerv'd in King *Charles*'s whole Conduct, that he was ſo firm in his Principles concerning Government, that he could not think of yielding any thing; or if he ſeemed to give any thing with one hand, he immediately took it away with the other, by ſome Reſtriction which rendered it of no effect.

Sir Robert Philips's Speech.

UPON this Sir *Robert Philips* ſaid, 'I 'riſe up with a Diſpoſition ſomewhat in 'more Hope of Comfort than yeſterday; 'yet in regard of the Uncertainty of Coun-'ſels I ſhall not change much: In the firſt 'place I muſt be bold without flattering, 'a thing not incident to me, to tell you, 'Mr. Speaker, you have not only at all 'times diſcharged the Duty of a good 'Speaker, but of a good Man, for which 'I render you many Thanks. As to his 'Majeſty's Anſwer to our Petition, if it fall 'out to be ſhort, I free his Majeſty, and I 'believe his Reſolution was to give that 'that we all expected; but in that, as in 'others, we have ſuffer'd by reaſon of in-'terpoſed Perſons between his Majeſty and 'us; but this Day is by intervenient Ac-'cidents diverted from that, but ſo as in 'time we go to his Majeſty: Therefore let 'us remove thoſe Jealouſies in his Majeſty 'of our Proceedings, which by ſome Men 'overgrown have been miſrepreſented. We 'have proceeded with Temper, in confi-'dence of his Majeſty's Goodneſs to us, and 'of our Fidelity to him; and if any have 'conſtrued that what we have done, hath 'been out of fear, let him know we came 'hither Freemen, and will ever reſolve to 'endure the worſt; and they are poor Men 'that make ſuch Interpretations of Parlia-'ments. In this way and method we pro-'ceeded; and if any thing fall out unhap-'pily, it is not King *Charles* that adviſed 'himſelf, but King *Charles* miſadviſed by 'others, and miſled by miſordered Counſel. 'It becomes us to conſider what we were 'doing, and now to adviſe what is fit to 'be done. We were taking conſideration 'of the State of the Kingdom, and to pre-'ſent to his Majeſty the Danger he and 'we were in. If ſince that, any Man hath 'been named in particular (though I love 'to ſpeak of my Betters with Humility) 'let him thank himſelf and his Counſels; 'but thoſe neceſſary Jealouſies give us oc-'caſion to name him. I aſſure myſelf we 'ſhall proceed with Temper, and give his 'Majeſty ſatisfaction if we proceed in that 'way. His Majeſty's Meſſage is now ex-'planatory in point of our Liberties, that 'he intends not to bar us of our Rights, and 'that he would not have any Aſperſion caſt 'on the Counſels paſt: Let us preſent to 'his Majeſty, ſhortly and faithfully, and 'declare our Intentions that we intend not 'to lay any Aſperſion upon him, but out 'of a Neceſſity to prevent the imminent 'Dangers we are ſurrounded with, and to 'preſent to him the Affairs at home and 'abroad, and to deſire his Majeſty, that no 'Interpoſition or Miſinformation of Men in 'fault may prevail, but to expect the Iſſue 'that ſhall be full of Duty and Loyalty.'

Commons Meſſage to the Lords.

BUT the Commons being ſatisfied with neither of theſe Meſſages, ſent one to the Lords to deſire they would join in an humble Requeſt to the King, to give a clear and ſatisfactory Anſwer in full Parliament to the *Petition of Right*; whereunto the Lords agreed.

AFTERWARDS the Houſe was turned again into a Committee, and conſidered of ſome more Heads to be inſerted in the Declaration or Remonſtrance, particularly the Deſign to bring Foreign Forces into the Nation under the command of *Dalbier*: And *Burlemack* was called into the Houſe, who confeſſed he received 30,000 *l.* by a Privy-Seal, dated the 30th of *January* laſt, for the buying and bringing over of Horſes, Arms, *&c.* that 1000 of them were actually levied, which were to come over with their Riders, and that Arms were provided for them in *Holland*, but that he heard a Countermand was gone to ſtop them.

Burlemack *called in.*

THE King finding that it was not poſſible for him to avoid giving ſuch an Anſwer as the Parliament deſired, reſolved at laſt to do it with a good Grace, otherwiſe he plainly ſaw that the Buſineſs of the Supply would be delayed for ever. Therefore on the 7th of *June*, the King came to the Houſe of Lords, and the Commons being ſent for, the Lord-Keeper preſented the humble Petition of both Houſes, and ſaid,

May it pleaſe your moſt excellent Majeſty,

Petition of both Houſes to the King for a further Anſwer to the Petition of Right.

'THE Lords Spiritual and Temporal, 'and Commons in Parliament aſſem-'bled, taking into Conſideration, that the 'good Intelligence between your Majeſty 'and your People doth much depend upon 'your Majeſty's Anſwer unto their Petition 'of Right formerly preſented, with unani-'mous

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'mous Conſent do now become moſt humble Suitors unto your Majeſty, that you would be pleaſed to give a clear and ſatisfactory Anſwer thereunto in full Parliament.'

To which the King reply'd;

His Majeſty's Anſwer.

'THE Anſwer I have already given you was made with ſo good Deliberation, and approved by the Judgments of ſo many wiſe Men, that I could not have imagined but it ſhould have given you full Satisfaction: But to avoid all ambiguous Interpretations, and to ſhew you there is no Doubleneſs in my Meaning, I am willing to pleaſure you as well in Words as in Subſtance; read your Petition, and you ſhall have an Anſwer that I am ſure will pleaſe you.'

THE Petition was read, and this Anſwer was returned, *Soit droit fait come il eſt deſire.* Upon which there was a general Shout of both Lords and Commons.

THEN ſaid his Majeſty, 'This I am ſure is full, yet no more than I granted you in my firſt Anſwer; for the Meaning of that was to confirm your Liberties, knowing, according to your own Proteſtations, that ye neither mean nor can hurt my Prerogative. And I aſſure you my Maxim is, that the People's Liberties ſtrengthen the King's Prerogative, and the King's Prerogative is to defend the People's Liberties.

'YOU ſee how ready I have ſhewed myſelf to ſatisfy your Demands, ſo that I have done my part; wherefore if this Parliament have not a happy Concluſion, the Sin is yours, I am free from it.'

UPON this the Commons returned to their own Houſe with unſpeakable Joy; and in order to expreſs their Gratitude, tho' they were very ſenſible that as ſoon as the Money-Bill was paſſed, the King would put an end to their Seſſion, frequent mention was made of proceeding with the Subſidy-Bill, of ſending the Bills (which were ready) to the Lords, of perfecting the Bill of Tonnage and Poundage; and Sir *John Strangeways* alſo expreſſed his Joy at the Anſwer, and further added, let us perfect our Remonſtrance: King *James* was wont to ſay, *He knew that by Parliaments, which otherwiſe he could never have known.*

THE Joy for the paſſing of this Petition was as great without doors as within; there was Ringing of Bells, and Bonfires thro' the whole City of *London*, and all True Hearts had a ſhare in the publick Satisfaction. This was obſerv'd as a happy Juncture for a laſting Reconciliation between the King and Parliament, if *Buckingham*'s Fate (as is ſaid by an eminent Author) had not followed his Majeſty like an evil Genius, who had he had Capacity enough to have known the Danger he was in, by defying the Legiſlature, would ſurely have ſecured himſelf by withdrawing from Court, and have ſaved his Maſter the Odium of ſtanding out againſt the Cry of his People; but *Laud* was his moſt intimate Friend and Counſellor, and as there was hardly one Act of Diſcretion and Moderation in that haughty Prelate's whole Life, ſo 'tis no wonder he ſhould inſpire the Duke with the moſt revengeful and reſolute Sentiments. It was the Opinion of another Writer of this Reign (which is ſubmitted with the former to the Reader's Judgment) that if the Commons could at this Juncture have withdrawn their intended Remonſtrance, or if the King could have looked upon it as no Diminution of his Honour, the Accommodation had been perfect and laſting. But the Commons not thinking their Rights and Liberties ſufficiently aſſerted, without complaining of the ſeveral Inſtances wherein they were manifeſtly broke and violated, proceeded immediately to the Conſideration of the moſt material Grievances; and firſt they fell upon the Commiſſion of Exciſe, which was a Commiſſion granted the laſt Day of *February*, betwixt the Summons and the Meeting of this Parliament, to 23 Lords (Spiritual and Temporal) of whom *Laud* was one *, and to ſuch other Gentlemen as were thought well-affected to the Miniſtry, to conſider of the beſt and ſpeedieſt Means for raiſing Money upon the People, by way of Impoſition, or otherwiſe; an arbitrary Commiſſion, not of the nature of the preſent Commiſſion of Exciſe, nor ſtated and eſtabliſhed as that Duty is now. The Commons ſending to the Lord-Keeper for this Commiſſion, he returned anſwer, that he received a Warrant at the Council-Table for the ſealing of it, and that when he had ſealed it, he carried it back to the Council-Table. However

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Commiſſion of Exciſe inquired into.

* *Ruſhworth* has given the following Liſt of the Commiſſioners, *viz.* Sir *Thomas Coventry*, Knt. Lord-Keeper; *James* Earl of *Malburg*, Lord High-Treaſurer; *Henry* Earl of *Mancheſter*, Lord-Preſident of the Council; *Edward* Earl of *Worceſter*, Lord Privy-Seal; *George* Duke of *Buckingham*, Lord High-Admiral; *William* Earl of *Pembroke*, Lord-Steward of the Houſhold; *Philip* Earl of *Montgomery*, Lord-Chamberlain of the Houſhold; *Theophilus* Earl of *Suffolk*, *Edward* Earl of *Dorſet*, *William* Earl of *Salisbury*, *Thomas* Earl of *Exeter*, *John* Earl of *Bridgwater*, *James* Earl of *Carliſle*, *Henry* Earl of *Holland*, *William* Earl of *Denbigh*, *George* Earl of *Totneſs*, Sir *George Hay* Lord-Chancellor of *Scotland*, *William* Earl of *Morton*, *Thomas* Earl of *Kelley*, *Thomas* Earl of *Mellers*, *Edward* Viſcount *Conway* Secretary of State, *Edward* Viſcount *Wimbleton*, *Oliver* Viſcount *Grandiſon*, *Henry Falkland* Lord-Deputy of *Ireland*, the Biſhops of *Wincheſter* and *Bath* and *Wells*, *Fulk* Lord *Brook*, *Dudley Aſh* Lord *Carleton*, Vice-Chamberlain of the Houſhold, Sir *Thomas Edmonds* Treaſurer of the Houſhold, Sir *John Savile* Comptroller of the Houſhold, Sir *Robert Nanton* Maſter of the Court of Wards, Sir *John Cook* Secretary of State, Sir *Richard Weſton* Chancellor and Under-Treaſurer of the Exchequer; *Julius Cæſar* Maſter of the Rolls, and Sir *Humphry May*, Knt. Chancellor of the Dutchy of *Lancaſter*.

ever it was ſent to the Houſe of Commons, and read, in which Sir *Edward Coke* obſerved theſe remarkable Circumſtances:

Sir Edward Coke's Obſervation upon it.

1. IT was after the Summons to the Parliament; ſure, ſaid he, ſome thought there was to be no Parliament. 2. There is a *Pudor* in it, 'twas kept ſecret; ſome great Lords never knew it. 3. The End of it was Exciſes, for they are Impoſitions; wherefore his Advice was to go up to the Lords, and deſire a Conference, to complain of the Commiſſion, and deſire both that and the Inrolment, if there be any, to be cancell'd, and that the Projector may be found out and puniſhed.

His Management of a Conference upon it with the Houſe of Lords.

A Conference was held accordingly, which was alſo managed by Sir *Edward Coke*.

AFTER the Commiſſion was read, and he had made his Remark on the Perſons to whom it was directed, and the Authority committed to them, he proceeded thus: 'We don't find any thing raiſed (that is 'left to your Lordſhips) but a Commiſſion 'to levy Money by Impoſition or otherwiſe; give us leave to fear that Exciſe, 'and whatever is comprehended in it, was 'intended. Sure I am, it is againſt the 'Law, it is a very high Breach of your 'Lordſhips, and our the poor Commons 'Liberties; and yet this being ill in itſelf, 'may produce a happy Effect: The King 'and both Houſes have given a Judgment, 'the greateſt that ever was againſt this in 'the Petition of Right; and when this 'Judgment is given, ſee how God's Goodneſs hath brought it to paſs, that this Patent ſhall be part of the Execution of that 'Judgment to damn it for the Puniſhment.

'I utterly diſlike and wonder, that the 'Clauſe, *as you tender the King's Honour*, ſhould come into a thing of this 'nature. Then as for the time, it came 'out ſeven Days after the Summons of Parliament, and all knew that the Parliament 'would deſcry it; but I hope it will now 'turn to Good.

'THAT which I am to demand of your 'Lordſhips is, 1. That as we upon Conſideration of this Commiſſion found it *ex diametro* againſt the late Judgment in the 'Petition of Right, and condemned it, ſo 'your Lordſhips would concur with us, as 'hitherto ye have done. 2. That this 'Commiſſion, as a thing againſt Law, may 'be cancelled. 3. That if it be inrolled, 'a Vote may be made of it; and if not, 'that Order be taken that it be not inrolled. 4. That the Warrant may be 'damned and deſtroyed. 5. That it would 'pleaſe your Lordſhips, in your Wiſdoms, 'to take into conſideration who is the Projector of this Device, and if he could be 'found out, that ſome exemplary Puniſhment may be according to Juſtice inflicted 'on him.'

THE Lords accepted the Motion, and promiſed to preſent the ſame to his Majeſty. This done, the Commons voted that the Commiſſion, the not guarding the narrow Seas, the Decay of Trade, and other particulars, be inſerted in the Remonſtrance; and upon their reſuming the former Motion to declare who was the Cauſe of all thoſe Evils, the Debate was as hot as ever, and the Crimes ſo frequently objected againſt the Duke of *Buckingham* were brought in afreſh. One Member made a Diſtinction that the Duke was *the* Cauſe of ſome, and *a* Cauſe of other Grievances: for the *firſt* he inſtanced in the Diſaſter of the Armies, the Decay of Ports, Trade, Ships, and Mariners. For the *ſecond*, he inſtanced in Religion; 1. His Mother was a Recuſant, and a Foſterer of Recuſants; 2. Papiſts have honour in his Employments, and Popiſh Captains are placed by him. And as for *Arminians*, *York-Houſe* is a Place of Conſultation for Dr. *Mountague* and others, from whence is like to follow Innovation in Government.

Freſh Debates againſt the Duke of Buckingham.

ANOTHER, in ſupport of the Argument that Papiſts were employed by the Duke, named *Dalbier* as the Man who betrayed our Forces at the Iſle of *Rhee*, where all was carried by the Advice of private Men, and ſome ill-affected in Religion, contrary to the Advice of the reſt of the Commanders.

SIR *Robert Philips* was for having the Declaration to run thus, *We conceive the Greatneſs and Power of the Duke of* Buckingham *is the chief Cauſe of all theſe Evils*. We are not in a way of Charge, but of a Remonſtrance.

SIR *John Elliot*, Sir *Edward Coke*, and Mr. *Selden* were poſitively for naming the Duke as the Cauſe of all our Evils; for ſo, ſaid they, he had been already declared in the laſt Parliament, ſince when the Cauſes are multiplied, and he hath deſerved nothing better of the Commonwealth.

IN this Debate there wanted not Mediators, who deſired the Houſe for their own Ends and Happineſs, to be ſparing in that kind. Sir *Humphrey May* put them again in mind of the King's Deſire that all perſonal Aſperſions might be forborn, which his Majeſty will take as an Argument of their Moderation and Judgment.

SIR *Henry Martin* adviſed that the Remonſtrance be ſo framed, as to make it paſſable to his Majeſty's Judgment and Affection, that he may be perſuaded it comes from a publick Senſe, and not from private Ends; and he vindicated the Duke in point of

of Religion. 'Tis true, said he, his Mother is a Recusant, but never any thing more grieved him, and never did a Son use more Means than he to convert her, but he hath no Power over her; and for his own Lady, whom he found not firm in his Religion, he hath used Means to confirm her. As for *Arminians*, I have often heard him vow and protest against these Opinions. It is true, many that have Skill therein, may have some Credit with him, and make use of his noble Nature for their own Ends. One particular I know well, that some Gentlemen and Preachers of great Esteem, were questioned for a Matter, wherein there was some Error in the manner for which they were presented; I told him of them, and that they were questioned, and he answered me he would do the best he could to countenance them.'

SIR *Benjamin Rudyard* gave his Opinion, 'That if the Matter be urged home, it will proclaim the Man louder than we can in Words. If we name Excess of Power and Abuse of Power, it will reach to the Duke and all others in future Times: And to a Gentleman of Honour nothing is so dear as Sense of Honour. I am witness, and do know, that he did many great and good Offices to this House. If the Forfeiture of my Life could breed an Opinion that ye should have no occasion to complain at your next Meeting, I would pawn it to you: Nor let any Man say, it is Fear makes us desist; we have shewed already what we dare do.'

BECAUSE the Employment of *Dalbier* had given much Offence, Sir *Thomas Jermin* stood up in his Defence, and said he had given great Evidence of his Trust and Fidelity. When the Count Palatine retired himself, and the Council agreed to send a Party under Count *Mansfield* to make a head, and the King sent word to the *Palatine* to be present in Person; *Dalbier* and one more went along with him, and being in a Village in *Germany*, a Troop of 50 Horse met them, to whose Captain *Dalbeer* went and said, *We are in a Service, I'll give you so many Crowns to conduct us*; which was done, and *Dalbier* went along with him.

IN conclusion, upon the 13th of *June*, it was resolved upon the Question, *That the excessive Power of the Duke of* Buckingham *is the Cause of the Evils and Dangers to the King and Kingdom*; and that this be added to the Remonstrance.

Dr. Lamb *mobbed and murdered.*

AT this very time, one *Lamb* a Quack-Doctor, and a Creature of the Duke of *Buckingham*, having been at a Playhouse, and passing thro' the Streets of *London*, was set upon by the Rabble, pelted from one Street to another, and forced to take sanctuary in the *Windmill* Tavern at the lower End of the *Old Jewry*, where the Mob pressed so hard to get in, that the Vintner, for fear his House would be pulled down, and his Wines destroyed, thought fit to thrust him out; whereupon the inraged Multitude, that was now gathered together, shouted and hooted at him, calling him Witch, Devil, the Duke's Conjurer, *&c.* and some were heard to say in their Fury, *that were his Master the Duke there, they would give him as much.* And upon the Approach of a Guard sent by the Lord-Mayor to rescue him, they beat and bruised him so roughly, without a Man to assist or pity him, that they left him for dead. With much ado the Officers that rescued him got him alive to the Compter, where he lived a few Hours; but being above fourscore Years of Age, by much too old to survive such barbarous Treatment, he died before the Morning. This Affair made the Duke more apprehensive of the popular Rage against himself; for so incensed were the People, that these bold Rhimes were then almost in every body's mouth;

Let Charles *and* George *do what they can,*
The Duke *shall die like Dr.* Lamb.

NEVERTHELESS 'tis observed, that if *Lamb* had stood in no relation at all to the Duke, he was of himself odious enough to the Populace; for he had got the common Character of a Conjurer, and had been publickly arraigned for practising Sorcery and other hellish Arts upon the Body of the Lord *Windsor*. He was moreover infamous for Lewdness, having been tried for a Rape at the *King's-Bench* Bar, where he insisted upon his Innocence in such an impudent manner, that his very Language implied the Fact, tho' he was found *Not Guilty*; and it appeared, says *Whitelocke*, upon the Trial, that he was neither a Doctor nor a Man of Letters. 'Tis affirmed, that he got his Living by selling *Nostrums*, and sometimes Poison, and he was talked of as being concerned in poisoning King *James*. *Larrey* the *French* Historian says, *Buckingkam* employed him to execute *his private Intrigues and most odious Designs*. This riotous Murder however was the Cause of a wider Breach betwixt the Court and City; for as soon as the Court had News of it, a Council was called, and Sir *Richard Dean* the Lord-Mayor, and the Aldermen were sent for, and examined at the Council-Table, and threatned with the loss of their Charter, if they did not discover and deliver up the chief Rioters; but they could not find any that were able or willing to be a witness against any Person in the Business:

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Business, for which the City was fined some Years after, as we shall observe in its due place; and shall here only insert the Letter, which the Privy-Council wrote two Days after the Fact, to the Lord-Mayor, Aldermen, and Sheriffs of *London*.

A Letter from the Court to the City about Dr. Lamb's Death.

'WHereas we are given to understand, that by the Fury and Outrage of divers dissolute and disorderly Persons assembled together in great numbers, without any Resistance made, or Course taken to suppress them (by the Magistrates to whom it appertained) one *Lamb* was in a barbarous manner slain and murdered, wherewith his Majesty having been likewise made acquainted, as he is very sensible of the Scandal that may hereby be cast upon the Peace and Government of the Realm in general, when the chief City thereof, and where his own Person is resident, should by the Remissness and Neglect of Magistrates, in the Execution of his Laws, suffer a Fact and Misdemeanour of so high a nature to be committed, and to pass unpunished: So he is very highly displeased thereat, and hath therefore commanded us in his Name hereby strictly to charge and require your Lordship, *&c.* that with all Care and Diligence you do forthwith inquire out the principal Actors and Abettors therein, and to cause them to be apprehended and committed to Prison, and to be proceeded with, and punished in the severest manner, that by the Laws of the Realm is provided against Offenders in so high a nature.' And so, *&c.*'

Dr. Neal and Dr. Laud censur'd.

WE return to the Parliament. The Commons at this time voted, That Dr. *Neal* Bishop of *Winchester*, and Dr. *Laud* Bishop of *Bath* and *Wells*, be named in the Remonstrance to be those near about the King, who are suspected to be *Arminians*. And upon a Motion of Mr. *Selden* in the Committee, it was likewise ordered, that to the *Excessive Power* of the Duke should be added the *Abuse of that Power*; and since that Abuse is the Cause of these Evils, that it be presented to his Majesty to consider, whether it be safe for the King and Commonwealth, that a Man of his Power should be so near his Majesty. All the parts of the Remonstrance which had been preparing ten Days, being agreed unto and perfected, it was presented to his Majesty on the 17th of *June* by the Speaker, attended by the whole House.

As this Remonstrance shews in a clear and exact manner the Occasions of Complaint which the Commons had against the Government, it has been thought necessary to give it here at length.

Commons Remonstrance against the Duke of Buckingham.

Most Dread Sovereign,

'AS with humble Thankfulness we your dutiful Commons, now assembled in Parliament, do acknowledge the great Comfort which we have in your Majesty's pious and gracious Disposition; so we think it a meet and most necessary Duty, being called by your Majesty to consult and advise of the great and urgent Affairs of this Church and Commonwealth, finding them at this time in apparent Danger of Ruin and Destruction, faithfully and dutifully to inform your Majesty thereof, and with bleeding Hearts and bended Knees to crave your speedy Redress therein, as to your own Wisdom (unto which we most humbly submit ourselves and our Desires) shall seem most meet and convenient. What the Multitude and Potency of your Majesty's Enemies are abroad; what be their malicious and ambitious Ends; and how vigilant and constantly industrious they are in pursuing the same, is well known to your Majesty, together with the Dangers threatned thereby to your sacred Person, and your Kingdoms, and the Calamities which have already fallen, and do daily increase upon your Friends and Allies, of which we are well assured your Majesty is most sensible, and will accordingly in your great Wisdom, and with the gravest and most mature Counsel, according to the Exigency of the Times and Occasions, provide to prevent and help the same.

'To which End we most humbly intreat your Majesty, *first*, and especially, to cast your Eyes upon the miserable Condition of this your own Kingdom, of late so strangely weakened and dejected, that unless, through your Majesty's most gracious Wisdom, Goodness and Justice, it be speedily raised to a better Condition, it is in no little Danger to become a sudden Prey to the Enemies thereof; and of the most happy and flourishing, to be the most miserable and contemptible Nation in the World. In the Discoveries of which Dangers, Mischiefs, and Inconveniencies lying upon us, we do freely protest, that it is far from our Thoughts to lay the least Aspersion upon your sacred Person, or the least Scandal upon your Government; for we do in all Sincerity of our Hearts, not only for ourselves, but in the Name of all the Commons of the Realm, (whom we represent) ascribe as much Duty, as a most loyal and affectionate People can do unto the best King, (for so you are, and so have been pleased abundantly to express yourself this present Parliament by your Majesty's clear and satisfactory Answer to our Petition of Right, for which both ourselves and our Posterity, shall bless God for you, and ever preserve a thankful Memory of your great Goodness and Justice therein.) And we do verily believe, that all, or most of these things, which we shall now present unto your Majesty, are either unknown to you, or

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'else by some of your Majesty's Ministers 'offered under such specious Pretences, as 'may hide their own ill Intentions, and 'ill Consequences of them from your 'Majesty. But we assure ourselves, ac-'cording to the good Example of your 'Majesty's Predecessors, nothing can make 'your Majesty (being a wise and judicious 'Prince, and above all things desirous 'of the Welfare of your People) more 'in love with Parliaments than this, which 'is one of the principal Ends of calling 'them, that therein your Majesty may be 'truly informed of the State of all the 'several Parts of your Kingdom, and how 'your Officers and Ministers do behave 'themselves in the Trust reposed in them 'by your Majesty, which is scarce able to 'be made known unto you, but in Parlia-'ment, as was declared by your blessed 'Father, when he was pleased to put the 'Commons, in Parliament assembled, in 'mind, *That it would be the greatest Un-'faithfulness, and Breach of Duty to his 'Majesty, and of the Trust committed to 'them by the Country, that could be, if in 'setting forth the Grievances of the Peo-'ple, and the Condition of all the Parts 'of this Kingdom from whence they come, 'they did not deal clearly with him, with-'out sparing any, how near and dear soever 'they were unto him, if they were hurtful 'or dangerous to the Common-wealth.*

'IN confidence therefore of your Ma-'jesty's gracious Acceptation, in a matter 'of so high Importance, and in faithful Dis-'charge of our Duties, we do first of all 'most humbly beseech your Majesty to 'take notice, that howsoever we know 'your Majesty doth with your Soul abhor 'that any such thing should be imagined 'or attempted, yet there is a general Fear 'conceived in your People of secret Work-'ing and Combination to introduce into this 'Kingdom Innovation and Change of our 'holy Religion, more precious unto us 'than our Lives, and whatever this World 'can afford. And our Fears and Jealousies 'herein are not meerly conjectural, but ari-'sing out of such certain and visible Effects, 'as may demonstrate a true and real Cause. 'For notwithstanding the many good and 'wholesome Laws, and Provisions made 'to prevent the Increase of Popery with-'in this Kingdom; and notwithstanding 'your Majesty's most gracious and satis-'factory Answer to the Petition of both 'Houses in that Behalf, presented to your 'Majesty at *Oxford*, we find there hath 'followed no good Execution nor Effect, 'but on the contrary (at which your Ma-'jesty, out of the quick Sense of your own 'religious Heart, cannot but be in the 'highest measure displeased) those of that 'Religion do find extraordinary Favours 'and Respect at Court, from Persons of 'great Quality and Power, whom they 'continually resort unto; and in particular 'to the *Countess of* Buckingham, who her-'self openly professing that Religion, is a 'known Favourer and Supporter of them 'that do the same; which we well hoped, 'upon your Majesty's Answer to the afore-'said Petition at *Oxford*, should not have 'been permitted, nor that any of your 'Majesty's Subjects of that Religion justly 'to be suspected, should be entertained in 'the Service of your Majesty, or your 'Royal Consort the Queen. Some like-'wise of that Religion have had Honours, 'Offices, and Places of Command and Au-'thority lately conferred upon them. But 'that which striketh the greatest Terror 'into the Hearts of your loyal Subjects 'concerning this, is, that Letters of Stay 'of legal Proceedings against them have 'been procured by your Majesty (by what 'indirect Means we know not) and Com-'missions under the Great Seal granted and 'executed for Composition to be made with 'Popish Recusants, with Inhibitions and 'Restraints both to the Ecclesiastical and 'Temporal Courts and Officers to inter-'meddle with them; which is conceived 'to amount to no less than a Toleration, 'odious to God, full of Dishonour and ex-'treme Disprofit to your Majesty, of great 'Scandal and Grief to your good People, 'and of apparent Danger to the present 'State of your Majesty, and of this King-'dom; their Numbers, Power and Inso-'lence daily increasing in all Parts of your 'Kingdom, and especially about *London*, 'and the Suburbs thereof; where exceed-'ing many Families do make their Abode 'publickly, frequent Mass at *Denmark-'House* and other places, and by their of-'ten Meetings and Conferences, have Op-'portunities of combining their Counsels, 'and Strength together, to the Hazard of 'your Majesty's Safety, and the State, and 'most especially in these doubtful and ca-'lamitous Times. And as our Fear con-'cerning Change or Subversion of Religion 'is grounded upon the daily Increase of 'Papists, the open and professed Enemies 'thereof, for the Reasons formerly men-'tioned; so are the Hearts of your good Sub-'jects no less perplexed, when with Sorrow 'they behold a daily Growth and Spread-'ing of the Faction of the *Arminians*, that 'being, as your Majesty well knows, but 'a cunning way to bring in Popery; and 'the Professors of those Opinions, the com-'mon Disturbers of the Protestant Churches, 'and Incendiaries in those States wherein 'they have gotten any Head, being Pro-'testants in Shew, but Jesuits in Opinion; 'which caused your Royal Father with so 'much pious Wisdom, and ardent Zeal, to 'endeavour the suppressing of them, as well 'at home, as in the neighbour Countries. 'And your gracious Majesty imitating his 'most worthy Example, hath openly, and

'by your Proclamation declared your Mislike of those Persons, and of their Opinions, who notwithstanding are much favoured and advanced, not wanting Friends even of the Clergy, near to your Majesty; namely, Dr. *Neale* Bishop of *Winchester*, and Dr. *Laud* Bishop of *Bath* and *Wells*, who are justly suspected to be unsound in their Opinions that way. And it being now generally held the way to Preferment, and Promotion in the Church, many Scholars do bend the Course of their Studies to maintain those Errors; their Books and Opinions are suffered to be printed and published, and on the other side, the imprinting of such as are written against them, and in Defence of the Orthodox Church, is hindered and prohibited, and, (which is a Boldness almost incredible) this Restraint of Orthodox Books, is made under colour of your Majesty's formerly mention'd Proclamation, the Intent and Meaning whereof we know was quite contrary. And further to increase our Fears concerning Innovation of Religion, we find there hath been no small labouring to remove that which is the most powerful Means to strengthen and increase our own Religion, and to oppose both those, which is the diligent Teaching and Instruction of the People in the true Knowledge and Worship of Almighty God. And therefore Means have been sought out to depress and discountenance pious, and painful, and orthodox Preachers; and how conformable soever, and peaceable in their Disposition and Carriage they be, yet the Preferment of such is opposed, and instead of being incourag'd, they are molested with vexatious Courses and Pursuits, and hardly permitted to Lecture. And in those Places, where are no constant Preaching Ministers, whereby many of your good People (whose Souls in this Case we beseech your Majesty to commiserate) are kept in Ignorance, and are apt to be easily seduced to Error and Superstition; it doth not a little also increase our Dangers and Fears this way, to understand the miserable Condition of your Kingdom of *Ireland*; where without Controul, the Popish Religion is openly professed, and practised in every Part thereof, Popish Jurisdiction being there generally exercised and avowed, Monasteries, Nunneries, and other superstitious Houses newly erected, re-edified and replenished with Men and Women of several Orders, and in a plentiful manner maintained at *Dublin*, and most of the great Towns, and divers other Places of the Kingdom; which, of what ill Consequence it may prove, if not seasonably repressed, we leave to your Majesty's Wisdom to judge; but most humbly beseech you (as we assure ourselves you will) to lay the serious Consideration thereof to your Royal and Pious Heart, and that some speedy Course may be taken for Redress therein.

'AND if now to all these your Majesty will be pleased to add the Consideration of the Circumstances of Time, wherein these Courses tending to the Destruction of true Religion, within these your Kingdoms, have been taken here, even then when the same is with open Force and Violence prosecuted in other Countries, and all the reformed Churches in Christendom, either depressed or miserably distressed; we do humbly appeal unto your Majesty's Princely Judgment, whether there be not just ground to fear that there is some secret and strong cooperating here, with the Enemies of our Religion abroad, for the utter Extirpation thereof; and whether if those Courses be not speedily redressed, and the Profession of true Religion more encouraged, we can expect any other but Misery and Ruin speedily to fall upon us; especially if besides the visible and apparent Dangers wherewith we are compassed about, you would be pleased to remember the Displeasure of Almighty God, always bent against the Neglect of his holy Religion, the Strokes of whose Divine Justice we have already felt, and do still feel with Smart and Sorrow in great measure.

'AND besides this Fear of Innovation in Religion, we do in like faithful Discharge of our Duties, most humbly declare to your Majesty, that the Hearts of your People are full of Fear of Innovation and Change of Government, and accordingly possessed with extreme Grief and Sorrow; yet in this Point by your Majesty's late Answer to our *Petition of Right*, touching our Liberties, much comforted and raised again out of that Sadness and Discontent, which they generally had conceived throughout the whole Kingdom, for the undue Courses which were the last Year taken for raising of Moneys by Loans, than which (whatever your Majesty hath been informed to the contrary) there were never any Moneys demanded, nor paid with greater Grief and general Dislike of all your faithful Subjects; though many, partly out of Fear, and partly out of other Respects, (yet most unwillingly) were drawn to yield to what was required.

'THE Billeting of Soldiers did much augment both their Fears and Grief, wherein likewise they find much Comfort upon your gracious Answer to our Petition of Right, and to that we presented to your Majesty concerning this Particular. Yet we most humbly beseech your Majesty, that we may inform you, that the still continuance, and late reinforcing of those Soldiers, the Conditions of their Persons, (many of them not being Natives of this Kingdom, nor of the same, but of an opposite Religion) the placing of them upon the Sea-Coast, where making head

'amongst

'amongſt themſelves, they may unite with 'the Popiſh Party at home, if occaſion ſerve, 'and join with an invading Enemy to do 'extreme Miſchief, and their being not yet 'diſmiſſed, doth ſtill miniſter Cauſe of Jea-'louſy in your loving Subjects; for that 'the Soldiers cannot be continued without 'exceeding great Danger of the Peace and 'Safety of your Kingdom.

'THE Report of the ſtrange and dange-'rous Purpoſe of bringing in *German* Horſe 'and Riders, would have turned our Doubts 'into Deſpair, and our Fears into a Certainty 'of Confuſion, had not your Majeſty's gra-'cious Meſſage (for which we humbly give 'you Thanks) comforted us, by the Aſſu-'rance of your Royal Word, that they nei-'ther are, nor were intended by your Ma-'jeſty, for any Service in *England*; but that 'they were deſigned for ſome other foreign 'Employment. Yet the Sight of the Privy-'Seal, by which it ſeemeth they were to be 'levy'd, the great Sum of Money, which 'upon Examinations we found to be paid for 'that Purpoſe, gave us juſt Cauſe of Fear, 'that much about the ſame time there was a 'Commiſſion under the Great-Seal, granted 'unto the Lords, and others of the Privy-'Council, to conſider of other Ways for 'raiſing of Moneys, ſo particularly by Im-'poſitions, gave us juſt Cauſe to ſuſpect, 'that whatſoever was your Majeſty's gra-'cious Intention, yet there wanted not 'thoſe, that under ſome colourable Pre-'tence, might ſecretly by this, as by other 'Ways, contrive to change the Frame both 'of Religion and Government, and thereby 'undermine the Safety of your Majeſty, and 'your Kingdoms.

'THESE Men could not be ignorant that 'the bringing in of Strangers for Aid, hath 'been pernicious to moſt States where they 'have been admitted, but to *England* fatal. 'We do bleſs God that hath given your Ma-'jeſty a wiſe underſtanding Heart to diſcern 'of thoſe Courſes, and that ſuch a Power 'produceth nothing but Weakneſs and Cala-'mity. And we beſeech your Majeſty to 'pardon the Vehemence of our Expreſſion, 'if in the Loyal and Zealous Affections we 'bear to your Majeſty and your Service, we 'are bold to declare to your Majeſty, and to 'the whole World, that we hold it far be-'neath the Heart of any free *Engliſhman* to 'think that this victorious Nation ſhould 'now ſtand in need of *German* Soldiers to 'defend their own King and Kingdom.

'BUT when we conſider the Courſe for-'merly mentioned, and theſe Things tending 'to an apparent Change of Government, the 'often Breaches of Parliament, whereby your 'Majeſty hath been deprived of the faithful 'Counſel, and free Aids of your People, by 'taking off Tonnage and Poundage, without 'Grant thereof by Act of Parliament, ever 'ſince the beginning of your Majeſty's 'Reign, to this preſent; the ſtanding Com-'miſſion granted to the Duke of *Bucking-*'*ham*, to be General of an Army in the 'Land, in time of Peace; the diſcharging 'of faithful and ſufficient Officers and Mi-'niſters, ſome from judicial Places, and 'others from the Offices and Authorities 'which they formerly held in the Common-'wealth: we cannot but at the ſight of 'ſuch an apparent Deſolation, as muſt ne-'ceſſarily follow theſe Courſes, out of the 'Depth of Sorrow lift up our Cries to Hea-'ven for Help, and next under God, ap-'ply ourſelves unto your ſacred Majeſty, 'who if you could hear ſo many thouſands 'ſpeaking together, do jointly implore 'ſpeedy Help and Reformation.

'AND if your Majeſty would be pleaſed 'to take a further View of the preſent State 'of your Realm, we do humbly pray you 'to conſider, whether the miſerable Diſaſ-'ters and ill Succeſs that have accompanied 'all your late Deſigns and Actions, particu-'larly thoſe of *Cales* and the Iſle of *Rhee*, 'and the laſt Expedition to *Rochel*, have 'not extremely waſted that Stock of Ho-'nour that was left unto this Kingdom, 'ſometimes terrible to all other Nations, 'and now declining to Contempt beneath 'the meaneſt.

'TOGETHER with our Honour, we 'there loſt thoſe (and that not a few) who 'had they lived, we might have ſome bet-'ter hope of recovering it again, our vali-'ant and expert Colonels, Captains, and 'Commanders, and many thouſand common 'Soldiers and Mariners, though we have 'ſome cauſe to think that your Majeſty is 'not as yet rightly informed thereof; and 'that of Six or Seven Thouſand of your 'Subjects loſt at the Iſle of *Rhee*, your Ma-'jeſty received Information but of a few 'Hundreds. And this Diſhonour and Loſs 'hath been purchaſed with a Conſumption 'of a Million of Treaſure.

'MANY of the Forts are exceeding weak, 'and decayed, and want both Men and Mu-'nition. And here we cannot but with 'Grief conſider and complain of a ſtrange 'Improvidence (we think your Majeſty will 'rather call it Treachery) that your Store 'of Powder, which by Order of your Privy-'Council, dated the 10th of *December*, '1626, ſhould be conſtantly 300 Laſts, be-'ſides a continual Supply of 20 Laſts a 'Month for ordinary Expences, and were 'now fit (as we conceive) to be double the 'Proportion, is at this time in the Tower '(the preſent Warrants being ſerved) but 'nine Laſts, and Forty-eight Pounds in all, 'which we tremble to think of. And that 'notwithſtanding this extreme Scarcity of 'Powder, great Quantities have been per-'mitted to be ſold out of your Majeſty's 'Store to particular Perſons for private Gain: 'Whereof we have ſeen a Certificate of ſix 'Laſts ſold ſince the 14th of *January* 'laſt; and your Majeſty's Store being un-

furniſhed

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'furniſhed of Powder, which by a Contract 'made with Mr. *Evelyn*, by Advice of your 'Lords in Parliament, ought to be ſupplied 'Monthly with twenty Laſts, at the rate of '3 *l.* 10 *s.* 10 *d.* a Barrel, your Majeſty 'hath been forced to pay above 7 *l.* a Barrel for Powder to be brought in from be'yond Seas, for which purpoſe 12,400 *l.* 'was impreſſed to Mr. *Burlemack* the laſt 'Year, and that Powder not ſo good as that 'by Contract your Majeſty ſhould have, by 'one third part; all which are moſt fearful 'and dangerous Abuſes. But what the Po'verty, Weakneſs, and Miſery your King'dom is now grown unto by Decay of 'Trade, and Deſtruction and Loſs of Ships 'and Mariners, within theſe three Years, 'we are almoſt afraid to declare: And could 'we by any other means have been ſure, 'that your Majeſty ſhould any other way 'have had a true Information thereof, we 'ſhould have been doubtful to have made 'our Weakneſs and Extremity of Misfortune 'in this kind, to appear; but the importu'nate and moſt pitiful Complaints from all 'the Parts of the Kingdom near adjoining 'to the Sea in this kind, would rend, as we 'think, the ſtonieſt Heart in the World with 'Sorrow; and the Senſe we have of the mi'ſerable Condition your Kingdom is in by 'reaſon thereof, eſpecially, for that we ſee 'no poſſible means (being now ſhortly to 'end this Seſſion) how to help the ſame, 'adds ſuch a Weight of Grief unto our ſad 'Thoughts, as we have not words to ex'preſs it; but for your Majeſty's more exact 'Information therein, we beſeech you to 'peruſe the Calendar of Particulars, which 'with the Remonſtrance, we moſt humbly 'preſent unto your Majeſty.

'One Reaſon, amongſt many, of 'this Decay of Trade, and Loſs of Ships 'and Mariners, is the not guarding of the 'narrow Seas, the Regality whereof your 'Majeſty hath now in a manner wholly 'loſt, being that wherein a principal part 'of the Honour and Safety of this Kingdom 'heretofore conſiſted. And now having 'abſolutely neglected it, the Town of *Dun'kirk* doth ſo continually rob and ſpoil your 'Subjects, that we can aſſure your Majeſty '(if ſome preſent and effectual Remedy be 'not forthwith provided) the whole Trade 'of this Kingdom, the Shipping, Mariners, 'and all belonging thereunto, will be ut'terly loſt and conſumed. The principal 'Cauſe of which Evils and Dangers, we 'conceive to be the exceſſive Power of the 'Duke of *Buckingham*, and the Abuſe of 'that Power. And we humbly ſubmit unto 'your Majeſty's excellent Wiſdom, whether 'it be ſafe for yourſelf, or your Kingdoms, 'that ſo great Power as reſts in him by Sea 'and Land, ſhould be in the hands of any 'one Subject whatſoever.

'And as it is not ſafe, ſo ſure we are 'it cannot be for your Service, it being im'poſſible for one Man to manage ſo many 'and weighty Affairs of the Kingdom as 'he hath undertaken, beſides the ordinary 'Duties of thoſe Offices which he holds; 'ſome of which well performed, would re'quire the Time and Induſtry of the ableſt 'Men both for Counſel and Action, that 'your whole Kingdom will afford, eſpeci'ally in theſe times of common Danger.

'And our humble Deſire is further, that 'your moſt excellent Majeſty will be pleaſed 'to take into your Princely Conſideration, 'whether in reſpect the ſaid Duke hath ſo 'abuſed his Power, it be ſafe for your Ma'jeſty and your Kingdom, to continue him 'either in his great Offices, or in his Place 'of Nearneſs and Counſels about your ſa'cred Perſon.

'And thus in all Humility, aiming at 'nothing but the Honour of Almighty God, 'and the Maintenance of his true Religion, 'the Safety and Happineſs of your moſt ex'cellent Majeſty, and the Preſervation and 'Proſperity of this Church and Common'wealth, we have endeavoured with faith'ful Hearts and Intentions, and in Diſcharge 'of the Duty we owe to your Majeſty and 'our Country, to give your Majeſty a true 'Repreſentation of our preſent Danger and 'preſſing Calamities, which we humbly be'ſeech your Majeſty graciouſly to accept, 'and take the ſame to heart, accounting the 'Safety and Proſperity of your People your 'greateſt Happineſs, and their Love your 'richeſt Treaſure. A rueful and lamentable 'Spectacle we confeſs it muſt needs be, to 'behold thoſe Ruins in ſo fair a Houſe; ſo 'many Diſeaſes, and almoſt every one of 'them deadly, in ſo ſtrong and well-tem'pered a Body as this Kingdom lately was. 'But yet we will not doubt, but that God 'hath reſerved this Honour for your Ma'jeſty, to reſtore the Safety and Happineſs 'thereof, as a Work worthy ſo excellent a 'Prince, for whoſe long Life and true Fe'licity, we daily pray, and that your Fame 'and never-dying Glory may be continued 'to all Generations.'

Charles I. An°. 1628.

The King having heard out the Remonſtrance with ſome Indignation, told the Commons, *That he little expected ſuch a Remonſtrance * after he had paſſed the Petition of Right; however, as for their Grievances he would conſider of them as they ſhould deſerve.* And 'tis ſaid, that ſoon after he ordered a formal Anſwer to be drawn up in writing to the ſaid Remonſtrance, denying or excuſing the ſeveral Charges in it. *King's Anſwer.*

It appeared in the Sequel that this Remonſtrance, which *Finch* the Speaker would fain have been excuſed from delivering, he

* *William Sanderſon*, Eſq; whoſe Zeal for the King and the Hierarchy glares in almoſt every Page of his Hiſtory of this Reign, ſays his Majeſty call'd it not a Remonſtrance, but a *Romance*.

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being characteriſed in Hiſtory as an Incendiary betwixt the King and Parliament, by conſtantly diſcloſing to the King whatever paſſed in the Houſe, and giving the worſt turn to every thing there ſaid; this Remonſtrance, I ſay, made no advantagious Impreſſion upon the King; but however it wrought very much upon the Minds of the People. All the Facts therein alledged were known Truths, and no body attempted to ſay any thing againſt them. The People could not be made to believe that the Parliament had formed a Scheme on purpoſe to rob the King of his Prerogative; but they readily believed that the King and his Miniſters had a mind to eſtabliſh a deſpotic Power, becauſe all their Proceedings plainly ſhewed it. They were the more confirmed in that Opinion, becauſe after the Diſſolution of this very Parliament, the King, in the Reaſons he gave for that Diſſolution, ſaid not a Word againſt the Remonſtrance.

Effects of the Remonſtrance.

THE ſame day that the Remonſtrance was preſented, the Commons ſent up the Subſidy-Bill to the Lords for their Concurrence. Soon after this the King ſent a Meſſage by Sir *Humphry May*, to acquaint them that he intended to put an end to the Seſſion on the 26th of *June*; whereupon the Commons fell upon the Bill of Tonnage and Poundage.

King's Meſſage to the Commons.

'TIS obſervable how much the King at this time was bent to croſs the Commons; for in the laſt Parliament, when the Commons impeached the Duke, and the Earl of *Briſtol* exhibited Articles againſt him, the King ordered the Attorney-General to file an Information againſt the Duke in the *Star-Chamber* for the great Offences and Miſdemeanors complained of againſt him by the Commons and the Earl, thereby to have ſtopped their Proceedings againſt the Duke in Parliament, as he would have taken the Earl's Cauſe out of Parliament, and proceeded againſt him by Indictment. But the King hearing of the Commons Remonſtrance the very Day before it was preſented, *viz.* the 16th of *June*, ordered the Attorney-General to take the ſaid Information, and all the Proceedings off of the File, for that his Majeſty was fully ſatisfied of the Duke's Innocency in all the Articles of the Information, as well by his own certain Knowledge, as by the Proofs taken in the Cauſe. This Mr. *Coke* obſerves was the firſt Fruit, which the Parliament and Nation reaped from the *Petition of Right*.

Clamors againſt the Commiſſion of Exciſe.

HIS Majeſty was ſo tired with Complaints againſt the Commiſſion of Exciſe, that about this time the Lord-Keeper reported to the Houſe of Lords what his Majeſty ſaid touching that Commiſſion, *viz.* 'That their Lordſhips had reaſon to be ſatisfied with what 'was truly and rightly told them by the 'Lords of the Council, that this Commiſſion 'was no more than a Warrant of Advice, 'which his Majeſty knew to be agreeable to 'the time, and the manifold Occaſions then 'in hand; but now having a Supply from 'the Loves of his People, he eſteems the 'Commiſſion uſeleſs; and therefore though 'he knows no Cauſe why any Jealouſy 'ſhould have riſen thereby, yet, at their 'Deſires, he is content it be cancelled; and 'he hath commanded me to bring both 'the Commiſſion and Warrant to him, and 'it ſhall be cancelled in his own Preſence.'

CHARLES I. A°. 1628.

THE next Day the Lord-Keeper reported that his Majeſty had cancelled the Commiſſion and the Warrant for the putting the Seal to it, and did there openly ſhew it; and a Meſſage was ſent to the Commons to ſhew them the ſaid cancelled Commiſſion and Warrant.

The Commiſſion cancelled.

THE Commons having now reſumed the Debate upon Tonnage and Poundage, Mr. *Selden* ſaid, 'Whereas the King's Council 'objected, that 1 *Eliz.* ſaith, It was granted 'time out of mind to the King, I fear his 'Majeſty is told ſo, and ſome body doth 'aſcertain him ſo: But we may clear that, 'for not only 1 *Eliz.* but alſo in the Sta-'tute of 1 *James*, the Word *Time out of 'mind* is, That whereas *Hen.* VII. and other 'his Majeſty's Progenitors have had ſome 'Subſidy for guarding of the Seas, and there 'never was a King but had ſome Subſidy; 'in that Senſe indeed it is *Time out of mind*, 'yet it is a matter of Free Gift: For pub-'lick Bills the King ſaith *Le Roy veult*; 'for Petitions of Right *Soit droit fait come 'eſt deſire*. For the Bill of Subſidies it is 'thus, *The King heartily thanking the Sub-'jects for their Good-will*: In all the Bills 'of Tonnage and Poundage is the very ſame 'Anſwer ſave one, which was 1 *Eliz.* and 'but for that only Miſtake of the Clerk, it 'hath ever the ſame Aſſent as the Bill of 'Subſidy.' But the intended Bill would require ſo much time, and ſo many Conferences with the Merchants, that they contented themſelves with appointing a Committee to draw up a Remonſtrance to his Majeſty of the People's Rights, and of the undue taking of Tonnage and Poundage, and of Impoſitions without Act of Parliament; and to ſhew the Reaſons why the Houſe cannot in ſo ſhort a time prepare that Bill. This Affair making a great noiſe, 'tis neceſſary to inſert the whole Remonſtrance, after giving a brief Account of the Subject.

Debates on Tonnage and Poundage.

TONNAGE and Poundage was an ancient Impoſt upon Merchants Goods exported and imported, which the Parliament uſually granted to the Kings of *England*, to enable them to guard the Seas, and protect the Trade. This Impoſt had for a long while been granted to every King, and ſometimes it happened that after the Death of the King, his Succeſſor had continued to levy it, 'till ſuch time as the Parliament had granted it by

The Hiſtory of it.

by an Act. As in the Reign of *Charles* I. the Court was much ſwayed by Precedents favourable to the Royal Prerogative, and as they took advantage of ſuch Precedents, as if they had been ſo many Laws, it happened that ſince King *James*'s Death, *Charles* had levied Tonnage and Poundage without vouchſafing to deſire an Act of Parliament for it, under colour that ſome of his Predeceſſors had done the like for ſome time 'till an Act was paſſed. This the Commons found fault with, maintaining that it was a pure Grant of the People, and conſequently that the King had not power to levy it without the Conſent of Parliament, and the rather that the Seas had never been well guarded, nor the Trade leſs protected, than in the firſt Years of this Reign. To maintain the People's Rights therefore, and to hinder the Crown from uſurping by degrees the Impoſt of Tonnage and Poundage, independent of the Parliament, the Houſe of Commons now drew up the following Remonſtrance againſt it to the King.

Commons Remonſtrance againſt it.

Moſt Gracious Sovereign,

'YOUR Majeſty's moſt Loyal and Dutiful Subjects, the Commons in this preſent Parliament aſſembled, being in nothing more careful, than of the Honour and Proſperity of your Majeſty, and the Kingdom, which they know do much depend on that happy Union and Relation betwixt your Majeſty and your People; do, with much Sorrow, apprehend, that by reaſon of the Uncertainty of their Continuance together, the unexpected Interruptions which have been caſt upon them, and the Shortneſs of Time in which your Majeſty hath determined to end this Seſſion, they cannot bring to Maturity and Perfection, divers Buſineſſes of Weight, which they have taken into their Conſideration and Reſolution, as moſt important for the common Good: Amongſt other Things, they have taken into eſpecial Care the preparing of a Bill, for the granting of your Majeſty ſuch a Subſidy of Tonnage and Poundage, as might uphold your Profit and Revenue in as ample a manner, as their juſt Care, and Reſpect of Trade, (wherein not only the Proſperity, but even the Life of the Kingdom doth conſiſt) would permit: but being a Work which will require much Time, and Preparation by Conference with your Majeſty's Officers, and with the Merchants, not only of *London*, but of other remote Parts, they find it not poſſible to be accompliſhed at this Time: wherefore conſidering it will be much more prejudicial to the Right of the Subject, if your Majeſty ſhould continue to receive the ſame, without Authority of Law after the Determination of a Seſſion, than if there had been a Receſs by Adjournment only, in which caſe, that intended Grant would have related to the firſt Day of the Parliament; and aſſuring themſelves, that your Majeſty is reſolved to obſerve that your Royal Anſwer, which you have lately made to the Petition of Right of both Houſes of Parliament; yet doubting leſt your Majeſty may be miſinformed concerning this particular Caſe, as if you might continue to take thoſe Subſidies of Tonnage and Poundage, and other Impoſitions upon Merchants, without breaking that Anſwer, they are forced by that Duty which they owe to your Majeſty, and to thoſe whom they repreſent, to declare, *That there ought not any Impoſition to be laid on the Goods of Merchants, exported or imported, without common Conſent by Act of Parliament, which is the Right and Inheritance of your Subjects, founded not only upon the moſt ancient and original Conſtitution of this Kingdom, but often confirmed and declared in divers Statute Laws.*

'AND for the better Manifeſtation thereof, may it pleaſe your Majeſty to underſtand, that altho' your Royal Predeceſſors, the Kings of this Realm, have often had ſuch Subſidies and Impoſitions granted unto them, upon divers Occaſions, eſpecially for the guarding of the Seas, and Safeguard of Merchants,: yet the Subjects have been ever careful to uſe ſuch Cautions and Limitations in thoſe Grants, as might prevent any Claim to be made, that ſuch Subſidies do proceed from Duty, and not from the free Gift of the Subjects. And that they have heretofore uſed, to limit a Time in ſuch Grants, and for the moſt part but ſhort, as for a Year or two; and if it were continued longer, they have ſometimes directed a certain Space of Ceſſation, or Intermiſſion, that ſo the Right of the Subject might be more evident. At other times it hath been granted upon occaſion of War, for a certain Number of Years, with *Proviſo*, That if the War were ended in the mean time, then the Grant ſhould ceaſe: and of courſe it hath been ſequeſter'd into the hands of ſome Subjects, to be employed for the guarding of the Seas. And it is acknowledged by the ordinary Anſwers of your Majeſty's Predeceſſors, in their Aſſent to the Bills of Subſidies of Tonnage and Poundage, that it is of the nature of other Subſidies, proceeding from the Good-Will of the Subject: Very few of your Predeceſſors had it for Life, until the Reign of *Henry* VII. who was ſo far from conceiving he had any Right thereto, that altho' he granted Commiſſions for collecting certain Duties and Cuſtoms due by Law, yet he made no Commiſſions for receiving the Subſidy of Tonnage and Poundage, until the ſame

'was

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'was granted unto him in Parliament. Since 'his Time, all the Kings and Queens of this 'Realm have had the like Grants for Life, 'by the free Love and Good-Will of the 'Subjects. And whenſoever the People 'have been grieved, by laying any Impo'ſitions or other Charges upon their Goods 'and Merchandiſes, without Authority of 'Law (which hath been very ſeldom) yet 'upon Complaint in Parliament, they have 'been forthwith relieved; ſaving in the time 'of your Royal Father, who having through 'ill Counſel, raiſed the Rates and Charges 'upon Merchandiſes, to that Height at 'which they now are; yet he was pleas'd ſo 'far forth to yield to the Complaint of the 'People, as to offer, that if the Value of 'thoſe Impoſitions which he had ſet might 'be made good unto him, he would bind 'himſelf and his Heirs, by Act of Parlia'ment, never to lay any other. Which 'Offer, the Commons at that time, in re'gard of the great Burden, did not think 'fit to yield unto. Nevertheleſs, your Loyal 'Commons in this Parliament, out of their 'eſpecial Zeal unto your Service, and e'ſpecial Regard of your preſſing Occaſions, 'have taken into their Conſideration, ſo to 'frame a Grant of Subſidy of Tonnage and 'Poundage to your Majeſty, that both you 'might have been the better enabled for the 'Defence of your Realm, and your Sub'jects, by being ſecure from all undue 'Charges, be the more encouraged cheer'fully to proceed in their Courſe of Trade; 'by the Increaſe whereof, your Majeſty's 'Profit, and likewiſe the Strength of the 'Kingdom would be very much augmen'ted.

'BUT not being now able to accompliſh 'this their Deſire, there is no Courſe left unto 'them, without manifeſt Breach of their 'Duty, both to your Majeſty and their 'Country, ſave only to make this humble 'Declaration, *That the receiving of Ton'nage and Poundage, and other Impoſi'tions, not granted by Parliament, is a 'Breach of the Fundamental Liberties of 'this Kingdom, and contrary to your Ma'jeſty's Royal Anſwer to the ſaid Petition 'of Right.* And therefore they do moſt 'humbly beſeech your Majeſty, to forbear 'any further receiving of the ſame; and 'not to take it in ill part from thoſe of your 'Majeſty's loving Subjects, who ſhall re'fuſe to make Payment of any ſuch Charges, 'without Warrant of Law demanded.

'AND as by this Forbearance, your moſt 'excellent Majeſty ſhall manifeſt to the 'World your Royal Juſtice, in the Obſer'vation of your Laws; ſo they doubt not, 'but hereafter, at the Time appointed for 'their coming again, they ſhall have oc'caſion to expreſs their great Deſire to 'advance your Majeſty's Honour and Pro'fit.'

WHEN the King heard of this ſecond Remonſtrance, and had ſent for the Speaker, who told him it was engroſs'd, he reſolv'd to prevent the Delivery of it, and therefore on the 26th of *June*, when it was actually reading in the Commons Houſe, his Majeſty on a ſudden went to the Houſe of Lords, and having ſent for the Speaker, (who had been with him but juſt before) and the whole Houſe of Commons, ſhew'd his Reſentment in the following Speech.

CHARLES I. A°. 1628.

My Lords and Gentlemen,

King's Speech on Tonnage and Poundage.

'IT may ſeem ſtrange that I came ſo ſud'denly to end this Seſſion, before I give 'my Aſſent to the Bills: I will tell you the 'Cauſe, though I muſt avow that I owe the 'Account of my Actions to God alone. It 'is known to every one, that a while ago, 'the Houſe of Commons gave me a Remon'ſtrance, how acceptable every Man may 'judge; and for the Merit of it, I will not 'call that in queſtion, for I am ſure no wiſe 'Man can juſtify it.

'NOW ſince I am truly informed, that a 'ſecond Remonſtrance is preparing for me 'to take away the Profit of my Tonnage 'and Poundage, one of the chief Mainte'nances of my Crown, by alledging, I have 'given away my Right thereto, by my An'ſwer to your Petition:

'THIS is ſo prejudicial unto me, that 'I am forced to end this Seſſion, ſome few 'Hours before I meant, being not willing 'to receive any more Remonſtrances, to 'which I muſt give a harſh Anſwer. And 'ſince I ſee, that even the Houſe of Com'mons begins already to make falſe Con'ſtructions of what I granted in your Peti'tion, leſt it be worſe interpreted in the 'Country, I will now make a Declaration 'concerning the true Intent thereof.

'THE Profeſſion of both Houſes in the 'time of hammering this Petition, was no 'way to trench upon my Prerogative, ſaying, 'they had neither Intention nor Power to 'hurt it. Therefore it muſt needs be con'ceived, that I have granted no new, but 'only confirmed the ancient Liberties of 'my Subjects. Yet to ſhew the Clearneſs of 'my Intentions, that I neither repent, nor 'mean to recede from any thing I have pro'mis'd you, I do here declare myſelf, that 'thoſe Things which have been done, 'whereby many have had ſome Cauſe to 'ſuſpect the Liberties of the Subjects to be 'trenched upon, which indeed was the firſt 'and true Ground of the Petition, ſhall not 'hereafter be drawn into Example for your 'Prejudice, and from time to time, in the 'Word of a King, ye ſhall not have the 'like Cauſe to complain. But as for Ton'nage and Poundage, it is a Thing I can'not want, and was never intended by you 'to ask, nor meant by me, I am ſure, to 'grant.

'TO

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'To conclude, I command you all that are here to take notice of what I 'have ſpoken at this Time, to be the true 'Intent and Meaning of what I granted 'you in your Petition; but eſpecially you, 'my Lords, the Judges, for to you only, 'under me, belongs the Interpretation of 'Laws, for none of the Houſes of Parlia-'ment, either joint or ſeparate, (what new 'Doctrine ſoever may be raiſed) have any 'Power either to make or declare a Law 'without my Conſent.'

THE King's coming to the Parliament was ſo unexpected that the Lords were not in their Robes, and the Commons had given no order for the Speaker to deliver the Bill of Subſidies, which tho' paſſed by the Upper-Houſe had not yet been brought back as uſual. However the Bill was delivered to the Speaker ſtanding at the Lords Bar, who in a ſhort Speech declared it to be the greateſt Gift that ever was given to any Prince in ſo ſhort a Time. And then the Bill with the others that were ready for it, had the Royal Aſſent; after which the Lord-Keeper declared the King's Pleaſure to Prorogue the Parliament, and the ſame was accordingly prorogued to the 20th of *October* next.

Parliament prorogued.

Mr. Rapin's Remarks on his Majeſty's Speech.

HIS Majeſty's Speech was ſo dark, that 'tis hard to conceive what Grounds he had to complain of the Commons Remonſtrance. He ſeems at firſt to have conſidered Tonnage and Poundage as a Right annexed to his Prerogative Royal. Otherwiſe there was no need to obſerve, that both Houſes when they were preparing the *Petition of Right*, declared they meant not to encroach upon his Prerogative. This Argument would have been invincible, ſuppoſing ſuch a Principle, and the reſt would have been very ſuperfluous. But as the King was ſenſible he could never make appear, that the Right belong'd to him independently of the Parliament, he proceeded to other Arguments, the Weakneſs whereof is evident. He ſaid, the two Houſes did not intend to take from him *Tonnage* and *Poundage*; from whence he inferred that ſince they had no ſuch Deſign in particular, they could not with Juſtice ask him to give it up. But, *Firſt*, though the *Petition of Right* contained ſome particular Articles, theſe Articles did not exclude whatever was contained in the general Article built upon the old Statutes, *That no Tax, Tallage, Loan, Benevolence, or other Charge ought to be levied by the King, without the Conſent of Parliament*. Now Tonnage and Poundage being of this Nature, it neceſſarily followed that it was included in the general Article, or elſe, it muſt have been proved to belong to the Crown, independently of the common Conſent of the People. *Secondly*, the two Houſes had no Deſign to debar him of *Tonnage* and *Poundage* in particular, becauſe they intended to grant it by an Act; therefore he could not conclude from thence that he had a Right to levy it without their Conſent. He alledged, as another Argument, that he never meant to grant them this Article, making his Anſwer to depend upon his Intention. But his Anſwer *Soit droit fait comme il eſt deſiré*, manifeſtly referred to the Contents of the *Petition*, and not to the King's Intention in granting it. His *Third* Argument was taken from *Tonnage* and *Poundage* being one of the beſt Revenues of the Crown and his chief Support. This Argument was very good to demonſtrate to the Parliament the Neceſſity of granting him this Right, and to induce him to continue the Seſſion 'till the Act was paſſed: But he could not infer from thence that he had Power to go on to levy it in ſpite of the Parliament, eſpecially when he might, if he pleaſed, have it in a legal Way. Moreover he continually repeated that his Anſwer depended upon his Intention, directly contrary to the clear and plain Terms of the Act itſelf, which could have reference only to the *Petition*. In fine, in taking from the Houſes, either joint or ſeparate, the Power of declaring what was, or, what was not Law, he aſcribed it wholly to the Judges under him; that is to ſay, by being able to make or unmake the Judges as he pleaſed, he was properly in Poſſeſſion of this ſame Power, independently of the two Houſes. This Meaning of his appear'd but too plainly afterwards.

MR. *Rapin* farther obſerves, that this Seſſion was worth to the King, five Subſidies; by means whereof the Parliament purchaſed the King's Anſwer to the *Petition of Right*, i. e. the Confirmation of the Laws which 'till then had paſſed inconteſtable. On the other hand, the King thought he had bought the Five Subſidies at no leſs dear a Rate, by his Condeſcention to tie up his Hands, in giving his Conſent to the *Petition of Right*, contrary to his own Principles, and to the Projects he had formed with reſpect to Government. But he ſhewed afterwards, that in granting the *Petition of Right* he had done nothing but amuſed the Parliament, ſince he never regulated his Conduct by what was contained in the Petition.

Dr. Kennet's.

To theſe we ſhall ſubjoin the following Reflection by Dr. *Kennet*: 'Thus, *ſays he*, 'broke up that Parliament, wherein were 'ſome of the greateſt mutual Obligations 'between King and People, and yet unhappily no Satisfaction on either ſide. The 'King had yielded to the largeſt Petition 'of Rights and Liberties, and yet left the

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'People jealous. The People had granted 'a Supply beyond Example, and yet left 'the King uneasy. In short, the Generality went home in Discontent; some at 'the being interrupted in the Bill of *Tonnage* and *Poundage*; some at the King's 'Omission of Thanks for the Bill of Subsidy; others at the Severity of the 'Speech, and many at the Prorogation itself, at a Time when they rather desired 'a Recess by joint Adjournment, that the 'Matters depending might be kept in the 'same Condition to another Meeting.'

HAVING thus finished the History of this Session of Parliament without Interruption, we are next to revisit *Rochel*, which we left besieged by the *French* King in Person, attended by Cardinal *Richlieu*. His Majesty, however, being weary of staying 7 Months in the Camp, went for *Paris*; having appointed the Cardinal Lieutenant-General of his Armies; but upon News that Succours were coming from *England*, the King returned to the Siege on the 24th of *April*.

Continuation of the Siege of Rochel.

THE Duke of *Buckingham* upon his Retreat from the Isle of *Rhee*, having, as was before observ'd, promised to send the *Rochellers* speedy Relief, for which, however, they were forced to make very earnest Application to the King and Council, by sending Deputies after Deputies, for nine Months together; a Fleet was accordingly fitted out of 50 *English* Men of War, and 40 Victuallers, under the Command of the Duke's Brother-in-Law the Earl of *Denbigh*, who for want of Mariners for the Service of a Descent, took in 2200 able Land-Men. He sailed from *Plymouth* the 17th of *April*, and upon the 1st of *May* arrived with the Fleet at *Charleboy* in *Rochel* Road, where he found 20 Sail of the *French* King's Ships riding before the Harbour, which upon his Arrival went in nearer to the Fortifications, and Anchored within two Cannon shot of his Fleet. There was but one Piece of Ordnance shot off from the *English* Fleet, for which the *French*, as they retired, shot off several. The Earl being much superior both in Number and Strength, sent Advice into the Town, that he would sink the *French* Ships as soon as the Wind came West, and made a higher Flood; it being then Neap-Tides; and in about two Days the Wind and Tide served accordingly, when the *Rochellers* expected and solicited for that Season of Deliverance. But the Earl without attempting the Opportunity, weighed Anchor on the 8th of *May*, upon which 4 of the *French* great Ships weighed Anchor also, pursued them at a Distance, and shot several times at the *English* Fleet, and the Fleet shot at them again, but without doing any thing more, pursued their Voyage and arrived at *Plymouth* the 26th of *May*.

* THIS second inglorious Expedition was even a greater Discouragement than the former to the poor *Rochellers*, who were extremely enraged against the Earl of *Denbigh*, tho' he promised they should suddenly have a more powerful Assistance. At the same time it increased the Fears and Jealousies of a *Popish* Interest at home. Many concluded the whole Design was but a Feint, and meant by the Court Party rather to reduce *Rochel* than to relieve it. Some clamour'd against the Earl of *Denbigh*, and said nothing better could be expected from his Conduct, who was so nearly related to the Duke of *Buckingham*. Others charged it as a Plot on one *Clark* a Bed-Chamber Man, who had been a chief Commissioner in both the Expeditions; and being a reputed *Papist*, was supposed to be imployed for an Instrument of Miscarriage.

BE this as it will, one *Le Brun* a *French* Man, Captain of the *Mary* of *Rochel*, which set out with the *English* Fleet, and returned with it as far as *Bell Isle*, where he parted from it on the 10th of *May*, gave in Depositions before the Mayor of *Plymouth* on the 16th, which argued either Treachery or Cowardice in the Management of this Expedition. The Account he gave being certify'd by the Mayor to the Burgesses of that Town, in Parliament, it was by them communicated to the Council-Table, from whence a Letter was directed to the Duke of *Buckingham*, as Lord High-Admiral, dated *May* 30, 1628. *To signify his Majesty's Pleasure, that the Earl of* Denbigh *should return back to relieve the Town of* Rochel, *with the Fleet under his Charge; which was to be joined by other Ships making ready at* Plymouth *and* Portsmouth. And the *Rochellers* having upon the Retreat of the said Fleet, sent 4 several Messengers to *England*, with Instructions all to the same Effect, as appears by the Memoirs of the Duke of *Rohan*, the King dispatch'd the following Letters to them. The first he wrote on the 19th of *May*, the second was sent by a Soldier, sealed with the Arms of *England*.

To the Mayor, Sheriffs, Peers, Burghers, and Inhabitants of the City of *Rochel*.

GENTLEMEN,

King's Letters to the Rochellers.

'*Be not discomforted tho' my Fleet* '*be returned; hold out to the last, for* '*I am resolved that all my Fleet shall* '*perish rather than you shall not be relieved;*

* I have been the more particular, with respect to this Expedition, because Mr. *Rapin* says nothing of it.

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'lieved; and to this end I have counter-manded it, and have ſent Ships to make them change their Deſign that they had taken to come back. I ſhall ſhortly ſend you ſome Number of Ships to reinforce it, and with the help of God, the Succeſs will be happy for your Deliverance.

Your Good Friend,

CHARLES R.

GENTLEMEN,

'I have been troubled to hear that my Fleet was upon the point of returning without anſwering my Commands, which were to force the Entry of the Proviſions, what ever came of it, and have given it new Orders to return into your Road, and not ſtir 'till it hath relieved you with Victuals, or that I have ſent them an additional Strength; for which I have cauſed Men to work with all Diligence. Be aſſured that I will never abandon you, and that I will employ all the Force of my Kingdom for your Deliverance, until it pleaſe God to bleſs me with giving you an aſſured Peace.'

Your Good Friend,

CHARLES R.

Given at our Palace at *Weſtminſter*, May 27, 1628.

THE Thoughts of good People upon this Caſe of *Rochel*, are beſt diſcovered in a Letter of Dr. *John King* to Biſhop *Uſher*, dated at *Layfield*, *June* 30, 1628, and printed in Biſhop *Uſher*'s Letters. '*Rochel* (ſays the Dr.) it is much doubted 'cannot hold out long; and then there is 'little hope of any Mercy from the King 'of *France*; which would be a woful 'Caſe to have ſo many poor Souls put to 'the Sword. It is thought his Majeſty 'would relieve them, if theſe Subſidies 'could come in Time: And it is to be 'wiſhed now that his Majeſty had never 'meddled with them; for in the Beginning 'they were well provided to have made 'their own Peace.'

A third Fleet preparing for the Relief of Rochel, *to be commanded by the Duke of* Buckingham, *who is aſſaſſinated.*

A third Fleet was now preparing for the Relief of *Rochel*, which by a cloſe Siege was reduced to the greateſt Extremity. The Duke of *Buckingham* choſe to command in Perſon as he had done before at *Rhee*, as Admiral and General of the Land-Forces; and for that end he went to *Portſmouth*, where, on the 23d of *Auguſt*, he was aſſaſſinated in the following Manner.

THE Duke of *Sobize* going to viſit him in the Forenoon, to preſs the Departure of the Fleet for *Rochel*, the Duke of *Buckingham* acquainted him that he had juſt received Advice of the Revictualling of *Rochel*, and that he was going with the News to the King. The Duke *de Soubize*, with other *French* Gentlemen then preſent, inſiſting ſtrenuouſly upon the Impoſſibility that the Intelligence could be true, and ſaying, that it was contrived by their Enemies, to abate that Zeal us'd for their Relief, diſcovered ſo much Paſſion in their Diſcourſe, that the Standers by, who underſtood not *French*, thought they were angry, and that they uſed the Duke rudely; who being informed that his Breakfaſt was ready, drew near the Door; but as he was liſting up the Hangings to go forth of the Room along with Sir *Thomas Frier*, one of his Colonels, to whom he inclined his Ear in the Poſture of Attention, *John Felton*, a diſbanded Officer (late Lieutenant in a Regiment of Foot under Sir *John Ramſay*) having placed himſelf in the Paſſage, ſtabbed him with a Back-Blow over the Shoulder, in the great Artery of his Heart, with a long Knife that he left in his Body; which the Duke immediately plucked out with his own Hands, and then fell down without ſpeaking a Word, tho' ſome ſay he cry'd *the Villain hath kill'd me. Felton* ſlip'd away with the loſs of his Hat, and might have gone off undiſcovered, but that either his Conſcience or Inſolence betray'd him: For while the general Rumor was, that the Murderer muſt certainly be a *French* Man, and ſome began to ſuſpect the Duke of *Soubize* as a Party in it, *Felton*, to excuſe the *French*, who were like to be maſſacred, ſtep'd out and ſaid, 'I *am the Man that did the Deed: Let* 'no Man ſuffer that is innocent. Upon this he was apprehended, hurry'd into a private Room, and being with much ado preſerved a live from the Fury of the People, was preſently ſent a Priſoner to *London*, where being examined before the Privy-Council, to know who had ſet him on, he was ſo obſtinately ſilent, that he was by *Laud* threatened with the Rack; upon which, according to *Whitlock* and *Ruſhworth*, *Felton* reply'd, *I know not whom I may accuſe; perhaps Biſhop* Laud, *or any other, in that Torture.* But the Queſtion being put by the King to the Judges, they declared it to be illegal. By a written Paper which was found ſtitch'd in the Lining of his Hat, containing ſome Lines of the Commons Remonſtrance, and ſome ſhort Ejaculations towards a Prayer, and which he ſaid he put there becauſe he expected to periſh in the Attempt: He declared 'That his only Motive was 'the ſaid Remonſtrance of the Commons 'againſt the Duke, which rendered him 'ſo odious, that he thought he could not 'ſacrifice his Life in a nobler Cauſe, than 'by delivering his Country from ſo great 'an Enemy.' Yet others believed it was rather from private Pique, and perſonal Revenge,

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Revenge, becauſe he had been twice repulſed upon his Application for a Captain's Commiſſion, and had long waited for his Arrears of Pay: And ſome ſay, he confeſſed, 'That if he had miſſed the 'Opportunity on Shore, he reſolved to 'go a Voluntier, and to do it in his Voyage; 'that he came to *Portſmouth* but that very Morning; and that no Soul living was 'acceſſory to the bloody Fact but himſelf.

THE King, who being diſſatisfied (as we read in the Duke of *Rohan*'s Memoirs) with the ſlow Progreſs of the Naval Preparations, went himſelf in *July* towards *Portſmouth* to haſten them, was at this time at Sir *Daniel Norton*'s* Seat at *Southwick*, within four Miles of the Town, where he received the News while he was at Divine Service in the Preſence-Chamber; and after Prayers were over he commanded that the Murderer ſhould be ſecured; and to ſhew his Affection to the Duke's Memory, he gave Orders for a magnificent Funeral, 'till Sir *Richard Weſton*, lately made Lord-Treaſurer in the room of the Earl of *Marlborough*, who was removed as a Man too cautious in advancing the King's Revenue, diverted the Project, by telling his Majeſty, *Such Pomp would prove but an Hour's Shew; and it would be more for his Glory to erect him a ſtately Monument, that might be done for half the Coſt.* Upon which his Body was privately interred, on the 25th of *September*, by his Siſter the Counteſs of *Denbigh*. And when the King afterwards talked of a coſtly Monument, the Treaſurer is ſaid to have uſed this other Evaſion. *Sir, I am loth to tell your Majeſty what the World will ſay both here and abroad, if you ſhould raiſe a Monument for the Duke, before you erect one for your Father.*

HOWEVER, though his Bowels were interred at *Portſmouth*, his Body being afterwards brought to *York-Houſe*, was from thence carried to *Weſtminſter*, and interred in King *Edward*'s Chapel; where a ſtately Monument was erected over his Grace by his Executors.

Duke's Character.

DR. *Kennet*, from whom we have the chief Part of this Account, concludes it with this ſhort Character of him.

'THUS fell the Duke in the Age of 'Perfection, thirty-ſix; a Gentleman born, 'and built for a Courtier; of an Air and 'Port great and ſweet, with all the Nature, and all the Art of Addreſs: Of 'Parts ſufficient to cover the want of 'Learning, and of a Seriouſneſs that ſerved 'much to diſguiſe his Neglect of Religion.

THE Duke, according to Lord *Clarendon*, was a Man of a noble, generous Nature, well verſed in all the Arts of a Court; of a Courage not to be daunted, as all his Actions and Conteſts with particular Perſons of the higheſt Reputation ſufficiently manifeſt. As he was vehement in his Kindneſs and Affection to his Friends, ſo was he in his Rigour and Animoſity towards his Enemies: And when he was in his higheſt Paſſion, he was ſo far from attaining his Revenge by Diſſimulation (the low Method of Courts) that he never attempted to do any Man an ill Office before he firſt aſſured him what he was to expect from him. His ſingle Misfortune was, he never made choice of a noble generous Friend ſo much his Equal that he could frankly adviſe him, to his Honour and true Intereſt, againſt the Torrent of his impetuous Paſſions. Then his Aſcent was ſo quick, that it appeared rather a Flight than a Growth: So that he ſtood in need of Dependants before he thought he could want Conductors: Nor was he very lucky in the Choice of thoſe Dependants, who were only intent upon growing rich themſelves, not upon adviſing their Maſter to grow Good as well as Great: So that, ſays my Lord, through the whole Courſe of his Fortune he was a much wiſer Man than any Friend or Servant he had.

THERE were two Particulars, continues his Lordſhip, that lay heavieſt upon his Memory. The firſt, his forcing his old Maſter againſt his Will upon a War with *Spain* at a Time when the Crown was poor, and when the Nation was more inclined to a ſecure Enquiry how it came to be ſo, than to make any Proviſion for its Supply: And this only upon ſome perſonal Animoſities (flowing from no other Fountain than that frolick Humour to which the Prince's Court was addicted, and which ſuited ill with the Nature and Education of *Spain*) between him and the *Spaniſh* Favourite, the Duke of *Olivarez*; and not from thoſe pretended Amours which were afterwards fathered upon him: For though the Duke was naturally devoted to thoſe Paſſions when he met with any beautiful Object to entertain them, yet the Dutcheſs of *Olivarez*, of whom was the Diſcourſe, was then a Woman ſo old, of ſo mean a Preſence, in a Word, ſo crooked and deformed, that ſhe was neither fit to raiſe his Appetite, nor magnify his Revenge. The other Particular which drew upon him ſo many fatal Embaraſſments which he was never able to ſhake off, was his running violently into the War with *France*, and that upon a private unwarrantable Paſſion. During his Embaſſy in *France*, ſays the noble Hiſtorian, he had the Ambition to fix his Thoughts upon a Lady of very ſublime

* THIS Gentleman was Anceſtor of the late *Richard Norton*, Eſq; who left the Bulk of his great Eſtate, by his laſt Will and Teſtament, to the Diſpoſition of the Parliament of *Great-Britain*.

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ſublime Quality, and purſued his Addreſſes ſo far, that after the *French* King, who had attended his Siſter on her Way to *England*, had left her in the Hands of the Duke, to be by him conducted home, he preſumed once more to viſit that Great Lady, which he thought he might do with the Privacy he deſired; but this Attempt was ſo eaſily diſcovered, that had he purſued his Deſign, he would have periſhed in it; of which he had only Notice enough to ſecure himſelf from the Danger; ſwearing in the Inſtant that he was reſolved both to ſee and ſpeak with that Lady in ſpight of all the Power of *France*. And from the Time the Queen arrived in *England* his whole Buſineſs was to undervalue and exaſperate that Nation, which extended even to an Endeavour of leſſening the King's Affections towards the young Queen, who, during the Duke's Life, never had that Credit with his Majeſty in reference to publick Affairs, that might have diverted him from a War with *France*. My Lord *Clarendon* concludes upon the whole, that it cannot be denied but from thoſe two Wars ſo imprudently undertaken (and he might have added, ingloriouſly carried on) the Duke's Ruin took its Date.

A MODERN Hiſtorian, who has been remarkable for his Criticiſms on the noble Author laſt mentioned, extols this Duke's Generoſity, Eaſineſs of Acceſs, Politeneſs of Manners, Pleaſantneſs of Converſation, and Sublimity of Genius; but taxes him with being a Slave to his Paſſions, particularly the Luſt of Power and Women, and ſays, that Revenge and Cruelty were alſo laid to his Charge; and ſuch a Haughtineſs to thoſe who had diſpleaſed him, that it is reported he once told the Queen her ſelf, *I would have you know there have been Queens beheaded in* England.

THOSE who would know more of his Character, may conſult the *Life of this Duke*, and his *Parallel* with *Robert Devereux* Earl of *Eſſex*, both writ by Sir *Henry Wotton*, who ſays he was born the 20th of *Auguſt*, 1592, at *Brookesby* in *Leiceſterſhire*, which had been the Seat of his Anceſtors four hundred Years.

THE 27th of *November* following *Felton* was removed from the *Tower* to the *Gate-houſe*, and being that Day tried and condemned at the *King's Bench* Bar, was firſt hanged at *Tyburn* on the 19th of *December*, and his Body being afterwards ſent down to *Portſmouth*, was hanged in Chains without the Town.

Felton's Execution.

BEFORE his Execution, being made ſenſible of his horrid Crime, he manifeſted great Sorrow and Contrition for it, and upon his Trial behaved with all Humility and Repentance, offering to have the Hand that did the Fact cut off before the Execution; which the King alſo deſired; but the Judges ſaid it could not be done by Law.

Ruſhworth's Character of him.

RUSHWORTH takes notice that *Felton* was a little Man, but ſtout and revengeful; and that being once affronted by a Gentleman, he cut off a Piece of his little Finger, and ſent it with a Challenge to the Gentleman to fight him; thereby to let him know that he valued not the hazard of Member, Limb, or Life, ſo he might but have an Opportunity to be revenged.

Sir Henry Wotton's Account of him, and of his deſperate Enterpriſe.

SIR *Henry Wotton* ſays, that this *Felton* was a younger Brother of mean Fortune, born in the County of *Suffolk*, of a deep melancholy, ſilent, and gloomy Conſtitution: That he alledged, not three Hours before his Execution, that one of the Incentives which prompted him to the Murder, was a certain Libel written by one *Eggleſtone*, a *Scots* Phyſician, which made the Duke one of the fouleſt Monſters upon Earth, and unworthy of any room within the Bounds of Humanity.

IN a little by-Cutler's Shop near the Poſtern-Gate upon *Tower-hill*, he bought a Ten-penny Knife (*ſo cheap*, ſays Sir *Henry*, *was the Inſtrument of this great Attempt*) and ſewed the Sheath of it to the Lining of his right Pocket, that he might in a Moment draw out the Blade with only one Hand, becauſe he had maimed the other. This done, he made ſhift, partly, as it is ſaid, on Horſeback, and partly on Foot, to go to *Portſmouth*; for he was indigent, which perhaps put an Edge to his Deſpair. At *Portſmouth*, on the 23d of *Auguſt*, being *Saturday*, he preſſed without any Suſpicion, in a Time of ſo many Candidates for Employments, to the Paſſage where he gave the Duke his Death's-Wound the very Moment that Sir *Thomas Fryer* withdrew from him.

IT is certain, ſays Sir *Henry Wotton*, that a pretty while before, Sir *Clement Throgmorton*, a grave, judicious Gentleman then living, adviſed the Duke privately to wear a Shirt of Mail; which Counſel the Duke received very kindly, but made Anſwer, it would be but a weak Defence againſt *popular Fury*; and that as for any ſingle Man's Aſſault he took himſelf to be in no Danger. Sir *Henry* takes notice of one thing very ſurpriſing, which he was told by a Gentleman of very good Senſe, for whom the Duke had a Kindneſs; *viz.* That in a few Minutes after the Fall of the Body, and its Removal into the firſt Room, there was not a living Creature in either of the Chambers, any more than if it had lain in the Sands of *Æthiopia*; whereas in ſuch Caſes Crowds of People commonly reſort on a ſudden to the Place to hearken and

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to see: But it looked as if the very Horror of the Fact had stupified all Curiosity, and so dispersed the Multitude, that it is thought even the Murderer himself might have escaped (for who gave the Blow none could affirm) if he had not lingred about the House below; not from any confused Arrest of Conscience, as hath been seen in the like Instances, but from very Pride in what he had done, as if in Effect there were little Difference between being remembered by a virtuous Fame or an illustrious Infamy.

THUS died this great Peer in a Time of great Recourse to him, and Dependance upon him; the House and Town full of Servants and Suitors, his Dutchess in an upper Room scarce yet out of her Bed, and the Court, which had been the Stage of his Greatness, not above six Miles from him.

His Account of the Duke's Legacies, &c.

To his Wife, who was the Lady *Catherine Manners*, Heir general to the noble Family of *Rutland*, and by whom he had three Sons and a Daughter, he bequeathed all his Mansion-Houses during her Life, and a Power to dispose of all his personal Estate, together with a fourth Part of his Lands in Jointure. He left his Mother, a Countess by Patent in her own Person, which had been somewhat rare since the Days of Queen *Mary*. He left his elder Brother by the same *Venter*, a Viscount, and his younger an Earl. Sir *Edward Villiers*, his half Brother by the Father's side, was made a Baronet, and at his Recommendation the Queen had taken his Sister, the Countess of *Denbigh*, into three several Places of Honour and Trust. In short, not to insist upon every particular Branch of those private Preferments, he left all his Female Kindred, of the entire or half Blood, descending of the Name of *Villiers*, or *Beaumont*, in any near Degree, either matched with Peers of the Realm actually, or hopefully with Earls Sons and Heirs, or at least with Knights, or Doctors of Divinity, and plentiful Fortunes; though Sir *Henry* adds, he did not by such Alliances much strengthen his Interest at Court, but stood there on his own Feet, because most of his Kindred rather leaned upon him than supported him. In a Word, he left all his Servants, whether employed in the Affairs of his Houshold, or of the State, in good Fortune; and which is more, in *good Fame:* Things which seldom meet together in the Instruments of great Personages.

IT is hoped the Reader will not think we have dwelt too long on this Subject; especially when he considers the great Share of Royal Favour and Confidence which the Duke enjoyed both in this and the former Reigns; and how much he had the Direction of their most important Affairs.

CARDINAL *Richlieu* no sooner had the News of the Duke's Death, but he caused some Proposals to be made to the *Rochellers*, which they would not yet hearken to, though they were reduced to such an Extremity that a great many of them lived upon nothing but Cockles and Roots, which it was very difficult to find. Many of the Magistrates were for capitulating, but the Mayor, supported by most of the People, opposed it; while the contrary Party took a Resolution to put all the unprofitable Mouths out of the Town, thinking that the People, affected with so sad a Separation, would resolve to surrender; but the Besiegers drove them back with Musket-shot, and they were forced to lie in some Meadows below the Lines, and the City, where they lived upon Herbs; and the *French* King and the Cardinal were so far from pitying them, that by firing upon them, they caused the Besieged to take them in again.

CHARLES I. *Anno* 1628. *The deplorable State of the* Rochellers.

THE King by this time threatened to give them no Quarter if they did not surrender, and the *Rochellers* themselves offered to beg Pardon, with Ropes about their Necks, provided they might have their Privileges in relation to their Religion and Magistracy; that the Dukes of *Rohan* and *Soubize*, and the Citizens of *Languedoc*, might be pardoned, and that a Peace be made with *England*. To this the Cardinal answered, That the King would absolutely punish the two Dukes; that the Cities of *Languedoc* should be treated with such Mildness as they desired; and that as to *England*, it was not for them to prescribe to the King what he had to do, it being enough for themselves that they were not punished according to their Deserts, for having drawn *France* into a War on that side.

MEAN time King *Charles*, by whose Care and Presence near *Portsmouth* more Business was dispatched in fitting out the Fleet for the Relief of *Rochel* in ten or twelve Days, than in many Weeks before, according to the Memoirs of the Duke of *Rohan*, did the next Day after the Duke's Assassination, make the Earl of *Lindsey* Admiral, *Morton* Vice-Admiral, and *Montjoy* Rear-Admiral; and on the 8th of *September* the Fleet, consisting of seventy Vessels, sailed from *Portsmouth*, and on the 18th appeared in sight of the Isle of *Rhee*, being followed next Day by thirty more. The whole *French* Army, which was 20,000 Foot and 3000 Horse, were many Days in Arms to repulse the *English*, in case they should attempt to master the monstrous Boom or Dyke, which was then wholly finished, and only fifty Geometrical Paces left open for the Tide. The *English* for the first five Days did nothing but coast along

along the Shores to look on the *French* Army, and fire a few Cannon. But on the 3d of *October* the Fleet ſtood right into the Channel; and the Van-guard, wherein was *Soubize* and a great Number of *Rochellers*, after they had made ſeveral Broadſides to gain the Wind, advanced within Cannot-ſhot of the *French* Fleet: The main Battle and Rear-guard did the ſame, and all the Fleet returned three times to the Charge in the ſame Order, while the Tide laſted. They endeavoured alſo ſeveral times to make uſe of their Fire-ſhips, but to no Purpoſe, as were indeed the reſt of the Attempts they made; ſo that the *French* ſay with a great deal of Reaſon, there was but little Sincerity in the *Engliſh* at this Time; eſpecially conſidering that the Lord *Montagu* would have a private Conference with the Cardinal about an Accommodation, contrary to the Inclinations of the Deputies of *Rochel*; and that King *Charles* only ſent theſe Succours to pacify his People, who earneſtly deſired it might be relieved. In the mean time the Cardinal cunningly cauſed the *French* on Board the *Engliſh* Fleet (who were now diſtruſtful of them) to be told that it would be a Shame and Diſadvantage to them, to ſuffer an Agreement to be made for them by a foreign Prince who conſidered not their Intereſt ſo much as his own; and that they would make their Conditions better if they implored the King's Clemency: Upon which ſome of them having obtained a ſafe Conduct, waited upon the Cardinal, who by their Means ſo wrought upon the *Rochellers*, that they ſent out their Deputies to treat about giving up the Place which was now reduced to very great Miſery; and having, after many Difficulties, ſigned the Articles in the utmoſt Diſtreſs and Deſpair, it was ſurrendered the 18th of *October* in Sight of the *Engliſh* Fleet, and with it, ſays *Ludlow*, *the Security of the Proteſtants of* France; *who by this means were expoſed in all Parts of the Kingdom to the Rage of their bloody and cruel Enemies the* Papiſts.

THE Author of the *Compleat Hiſtory of* Europe, from whom moſt of the foregoing Particulars are related, obſerves, that by a great Storm which happened ſoon after the Surrender of *Rochel*, forty Fathom of the Fences of the Dyke was thrown down, and a Ship that was by a Guſt of Wind drove againſt it, broke four or five Machines without receiving any Hurt; from whence that Author would have his Readers infer what the *Engliſh* might have done againſt the Dyke, if they had attempted in good Earneſt to have broke it; but great Defects were afterwards complained of to the King and Council, not only in the Ships, their Tackling, Proviſion, *&c.* but in Diſcipline and the Performance of Commands and Reſolutions.

THE Narrative of the dreadful Extremities to which the *Rochellers* were reduced before they would capitulate, would hardly gain Credit, was there not a general Concurrence of all Hiſtorians to confirm it. There died above 15,000, ſome ſay 18,000 Perſons, not by the Sword, but by Famine or Diſeaſes proceeding from little, or bad Food, and thoſe who remained alive to the Number of 3000 or 4000, were ſo pale and thin that they reſembled Skeletons, and many of them died every Day. According to a Letter wrote at that time, and ſince printed in the *Cabala*, Corn was riſen to 800 Franks * a Buſhel; an Ox or Cow ſold after the rate of 2000 Franks. 'The Hoſt of the Inn where I 'lay, ſays the Writer, ſold a Jade of a 'Horſe, worth it may be four or five 'Pounds, for 800 Franks, and for twenty-'five Weeks taſted no Bread. Of twelve 'Perſons in his Family only he and his 'Wife are living, who alſo had died with-'in two Days if the Town had not been 'rendered. He and his Wife made a Col-'lation the Day before the Town was 'rendered, which coſt him about ſix or 'ſeven Pounds Sterling: Their Cheer was 'a Pound of Bread made of Straw, Su-'gar, and Spices, half a Pound of 'Horſe-fleſh, three or four Ounces of 'Comfits, and a Pint of Wine, which 'they imagined was the laſt good Cheer 'they ſhould make together; and in the 'like Caſe were all the reſt of the Town, 'only two or three Families of the bet-'ter Sort excepted; by which you may 'conjecture what Rates ſuch kind of Pro-'viſion was at. There were eaten between '3000 and 4000 Cow-Hides, all the 'Dogs, Cats, Mice, and Rats they could 'get; not a Horſe left alive, which was 'Food for the better ſort; only Madam '*Rohan*, after having eaten her Coach-'Horſe, and her Servants the Leather of 'her Coach, removed, though full ſore 'againſt her Will, her Lodgings from '*Rochel* to the Caſtle of *Nioeul*, where 'ſhe is under Guard, and ſince, it is ſaid, 'to the Baſtile in *Paris*. God ſend her 'and hers to Heaven. They daily diſ-'cover new Miſeries in the Town, which 'when I was there were not ſpoke of: 'The Mother and the Child at the Breaſt 'both dead, the Child having eaten moſt 'part of the Mother's Breaſt. A Soldier 'was found dead with a Piece of his Fel-'low's Fleſh in his Mouth. A Burgher 'having a Servant killed, powdered her,

* Franks, according to a Computation of *William Saunderſon*, Eſq; who wrote this King's Reign, were valued at two Shillings *Engliſh* Money.

'which

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CHARLES I. Anno 1628.

'which fed him and his Wife along time, and dainty Meat too. Many languiſhing and finding themſelves draw near their Ends, cauſed their Coffins to be carryed into Churches, laid them down in them, and ſo died; theſe were of the better Sort. The common Sort laid themſelves down in Coffins, in the Church Yards, and there died; others in the Streets; others not able to go out of their Houſes, died, and remained there, their Friends being not able to remove them thence. So that when the firſt Forces of the King entered, there were in the Town of Corpſes unburied, ſome in the Church-yards, others in the Streets, ſome in their Houſes, ſome on the Floor, others in their Beds, beſides them that died without the Gates under the Hedges, and in Ditches, round about the Town, which I ſaw my ſelf, when I was there, half devoured with Beaſts, and with Vermin, or with Ravens and Fowls of the Air. In fine, the like Miſery hath not been ſeen nor heard of.

'THE Mayor, with ſome of the chiefeſt of the Town are baniſhed for ever, others, for a certain time limited. There are at leaſt 8000 Houſes in *Rochel*, which are fain to fall to the King to diſpoſe of, for want of Heirs. The King on *All-Saints* Day, which was the Day of his Entry, with a Wax-Candle in his Hand, together with the Cardinal, and all the Nobility, in like manner went all over the Town in Proceſſion with the Bleſſed Sacrament.'

THE *French* King, mixing Mercy, *ſays Ruſhworth*, with his Conqueſt, was careful by Articles, had they been performed, that thoſe Outrages ſhould not be committed upon entering the Town, which the few remaining Inhabitants were much afraid of, and afterwards felt; but preſently after, high Outrages were committed, and great was the Perſecution of the Reformed Churches, which conſtrained them again to ſend to the King of *England*, to implore Aid, with this Expreſſion, *that what they writ, was with their Tears and their Blood.*

As I have not met with the Letter any where in Print, but in the *Cabala*, 'tis preſumed that the Generality of Readers will not be diſpleaſed to find an exact Copy of it in this Place.

The Proteſtants *of* France *to Charles* King *of* Great-Britain.

SIR,

French *Proteſtants Letter to King* Charles.

'THE Knowledge and Reſentment 'which it hath pleaſed your Majeſty to 'take of the Miſery of the afflicted Churches of *France*, hath given us the boldneſs 'to awaken your Compaſſion, in ſuch 'meaſure, as our Calamities are aggravated by the unmerciful Rigor of Perſecutors, and as the preſent Storm doth 'threaten near at Hand the total Ruin, and 'lamentable Deſtruction of that which the 'Mercy of God hath yet kept entire unto us, ſince the Deſolation of *Rochel*; and 'as we have adored with Humility the 'Judgment of God, in this bad Succeſs '(which we impute only to his Wrath 'juſtly kindled againſt us for our Sins) 'ſo our ſilence could be thought no leſs 'than Ingratitude, if we had not at the beginning of our Aſſembly, reſolved on the 'moſt humble and moſt affectionate Acknowledgment, which we now render 'to your Majeſty, for the great Succour 'which you have ſent us, intereſſing your 'ſelf ſo far in the Grief of our Oppreſſion, and in the Means of our Deliverance. 'The moſt humble Supplication, which 'we do offer to your Majeſty, next after 'this our Thankſgiving, is, that your 'Majeſty (according to the ſweet Inclination of your Goodneſs) would permit 'us ſtill to preſent our Complaints, and diſcover our Wounds, before the Eyes of 'your Royal Charity; proteſting unto your 'Majeſty, that we ſee none other Hand 'under Heaven, by which we may be 'healed, but your Majeſty's, in caſe your 'Majeſty will ſtill vouchſafe to lift it up 'on behalf of oppreſſed Innocents, and 'the Church of our Land, outragiouſly 'perſecuted by the moſt invenom'd Paſſion that our Age, or any Age precedent 'hath ſeen. We moſt humbly beſeech 'your Majeſty to read this Letter, which 'is *written with our Tears and our Blood*; and, according to your exquiſite 'Judgment, your incomparable Wiſdom, 'and the Devotion of your Zeal to the 'Glory of God, to conſider our Eſtate, 'which is ſuch, that our Perſecutors, upon the loſs of *Rochel*, ſuppoſing we had 'been put to utter Diſcomfiture, and into 'a Weakneſs, without Recovery, or Reſiſtance, and boaſting themſelves, that 'now there remained no more any Eyes 'unto us, but to bewail ourſelves, nor any 'Senſe, but to feel the Smart thereof, without farther employing our Hands, or our 'Arms, for our Defence, have made uſe 'of this Advantage, with ſo much Fierceneſs, Inſultation, and Cruelty, that they 'have not only ſacked the Houſes, and 'with an unheard of Rudeneſs and Barbariſm, rifled the Goods of our poor 'Brethren, of this Province of *Languedoc*, relying themſelves upon publick 'Faith, and the Benefits of the Edicts of 'Pacification (eſpecially of the laſt, which 'your Majeſty had favourably procured 'and confirmed unto us) diſſipating whole 'Families, and exiling them with perfiduous Inhumanity, but alſo, they have

'laid

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'laid waſte and deſtroyed almoſt all the 'Churches of the ſame, which are at 'their Command and Diſcretion, under 'the Liberty of Edicts; employing Monks '(the Pope's Emiſſaries) aſſiſted with 'Force of Soldiers, and of the tyranni-'cal Authority of Governors, to raviſh 'Mens Souls, and to draw the moſt con-'ſtant with Violence to Maſs, and to the 'Feet of the Idol, interdicting Aſſem-'blies, and all Exerciſe of true Religion 'in the ſame Places, beating, impriſon-'ing, ranſoming, aſſaſſinating the Faith-'ful, and their Paſtors, with an enraged 'Fury, which hath exceeded all the In-'humanity of the Inquiſition, prophaning 'and demoliſhing of Temples; their Vio-'lence having proceeded ſo far, as pub-'lickly to burn in Pomp and Triumph 'the ſacred Books of God's Covenant, in 'Preſence of the Governor of the Pro-'vince, with damnable Sacrilege, which 'crieth for Vengeance before God, and 'doth elevate its Voice to the Ears, Sir, 'of a moſt puiſſant Monarch, profeſſing 'the Purity of the Goſpel, zealous of 'his Glory, and capable to revenge ſo 'outragious an Injury. But your Majeſty 'ſhall underſtand, that all this hath pro-'duced an Effect much contrary to the 'Intention of our Perſecutors; for ſo far 'it is from us, that their Objects of Pity 'and Relief, whereof the very Thought 'doth make us repine, ſhould render us 'faint-hearted, and cauſe us to yield our 'ſelves in Prey to their Rage, that, on 'the contrary, ſeeing the Mask taken off, 'and the Pretext which they had alledged 'of the Army of Rebellion, whereof 'they accuſed us, quite removed; and 'that without any more Diſſimulation, 'their Deſign goes on to the ruinating of 'our Religion, and the Extirpation of 'our Church, and that there remained no 'more Hope of Safety and Liberty, but 'a general Reſolution to die in the Arms 'of our juſt and vigorous Defence, and 'that our Perſecutors poſſeſſing the Spi-'rit of our King, and hindering the Ef-'fects of his Bounty, have obtained a 'Declaration of the 15th of *December* 'laſt, which alluring us to implore his 'Grace and Mercy, yet leaveth us not 'any Hope of enjoying the Benefits of 'any Edict, nor by Conſequence of any 'tolerable Peace, and ſolliciting us to 'diſarm ourſelves, and to put ourſelves 'into the Condition of Sacrifices deſtined 'by one, and by one, to the Slaughter, 'to be all at one Stroak offered up to the 'Fury of Antichriſt, by one general Maſ-'ſacre throughout the whole Kingdom, 'whereof we do not only hear the Vaunts, 'but do almoſt ſee great Armies upon 'our Backs for Execution. This makes 'us, Sir, have Recourſe to your Royal 'and undoubtable Puiſſance, as to a Place 'of Refuge, which God hath yet left 'open unto us, in your ardent Charity, 'to find within your Aſſiſtance aſſured 'and effectual Means to avoid Ruin, which 'is ready inevitably to fall upon our 'Heads; and to attain thereunto, Sir, we 'have religiouſly renewed, in this Aſ-'ſembly, the Oath of Union, which binds 'us with a ſacred Bond unto the Arms of 'your Majeſty; of the violating whereof 'your Majeſty may be aſſured that we 'will never make our ſelves guilty, be-'ing encouraged to this Reſolution by the 'reiterate Confirmations which my Lord 'the Duke of *Rohan* hath lately given us, 'that your Majeſty continues to take to 'Heart the Aſſiſtance and Deliverance of 'our Churches according to your Royal 'Promiſes, being Debtors to his ſage and 'valorous Conduct, and to his pious Mag-'nanimity, for all that Strength and Li-'berty we yet enjoy: And we will leave 'unto Poſterity memorable Examples of 'our Conſtancy, which prefers Death be-'fore reproachful Cowardice and ſhame-'ful Servitude, hoping that of our Aſhes 'God will draw Matter for his Glory, and 'the Propagation of his Church; being 'perſwaded, Sir, that you are the inſtru-'ment of his Election, to give us Com-'fort and Deliverance from our Evils in 'Time convenient. Be you aſſured alſo 'that he will uphold us in that extraor-'dinary Valour wherewith he has inſpired 'us to endure all Extremities with a Pa-'tience invincible, expecting the Succour 'of his Hands through yours. Of all, 'Sir, which a great Monarch could ever 'do in the World, nothing can be more 'juſt than this Enterpriſe, nor more glo-'rious than this Deliverance: The Lord 'having exalted you to the moſt eminent 'Degree of Dignity and Power, to be the 'nurſing Father of his Church, ſhe hath 'Right, being thus mangled and bloody, 'to ſtretch forth her Arms unto you; 'even ſhe, that Spouſe of Jeſus Chriſt, 'the common Mother of Chriſtians, and 'your Mother alſo, by the Reſpect of her 'bruiſed Members, and of the ſearing of 'her innocent Breaſt, cover'd with Wounds, 'ſhe will move your Pity; ſhe aſſures 'herſelf, Sir, that the glorious Title which 'you bear of the Defender of the Faith, 'ſhall intercede for your accepting of her 'humble Requeſt: If you do extend un-'to us your Cares, your Affections, and 'your formidable Arms, you ſhall nou-'riſh in our Hearts Affections of Honour 'and Obedience which ſhall never die; 'you ſhall daunt all Powers that would 'raiſe themſelves againſt your Crown; 'you ſhall raiſe your Glory to ſuch a 'Height that all the Earth ſhall admire 'it, all Chriſtendom ſhall celebrate it, 'and

'and your Name ſhall be of ſweet Odour unto Angels and Men, and in perpetual Benediction unto all Poſterity of Saints, and your Reward ſhall be great and eternal in Heaven. May it pleaſe your Majeſty to pardon us, if, our Neceſſities preſſing us, we do all preſs your Majeſty by our inſtant Supplications, accompanied with a moſt humble Reſpect, to ſtrengthen ourſelves as ſoon as may be with the Honour of your Commandments, and the Declaration of your Favour, the wholſome Effects of your Aſſiſtance, according to the Sweetneſs of your Compaſſion and Charity, and we will redouble our Prayers to the Divine Clemency for the Length and Safety of your Life, and the Proſperity of your Eſtate, being ready, with a moſt holy and ardent Affection, to expoſe our Goods and Lives, to render us worthy of the Quality which we dare take of

Your moſt humble, moſt obedient, and moſt faithful Servants,

The Deputies of the Reformed Churches of *France*, in their General Aſſembly held at *Niſmes*, &c.

THE following Letter from the Duke of *Rohan*, which is alſo inſerted in the *Cabala*, requires a Place here before we paſs to another Subject.

The Duke of Rohan *to his Majeſty of* GREAT-BRITAIN.

SIR,

Duke of Rohan's *Letter to King* Charles.

'THE deplorable Accident of the Loſs of *Rochel*, which God hath ſuffered, to humble us under his Hand, hath redoubled in the Hearts of our Enemies their paſſionate Fierceneſs to our utter Ruin, with an aſſured Hope to attain thereunto. But it hath not taken away from the Churches of thoſe Provinces either the Heart, or the Affection, to oppoſe their unjuſt Plots by a juſt and lively Defence. This is it hath made them take Reſolution to aſſemble themſelves to conjoin, in the midſt of theſe Commotions, to aſſiſt me with their good Counſels, and, with me, to provide the Means of their Deliverance. And foraſmuch as the greateſt Support which God hath raiſed unto them upon Earth is the Succour our Churches have, and do look to receive from your Majeſty, the General Aſſembly hath deſired that my Letters, which alone hitherto have repreſented unto your Majeſty the Intereſt of the publick Cauſe, might be joined to their moſt humble Supplications put up to your Majeſty. I do it, Sir, with ſo much the more Affection, becauſe I am a Witneſs that theſe poor People, who with Sighs and Groans implore your Aſſiſtance, having once laid down their Weapons, which the Oppreſſion of their Enemies made ſo neceſſary, becauſe they knew ſuch was your Deſire to take them up again, ſo ſoon as they heard that your Majeſty did oblige them thereunto by your Counſel and Promiſes; they have, upon this only Aſſurance, continued all Dangers, ſurmounted all Oppoſitions, accounted their Eſtates as nothing, and are ſtill ready to ſpend their Blood 'till the very laſt Drop: They eſteem your Love and Favour more precious than their own Lives; and whatſoever Promiſes or Threatenings have been uſed to ſhake their conſtant Reſolution, they could never be brought to make any Breach in that they had tied themſelves to, nor ever to hear of any Treaty without your Conſent. This great Zeal for the Preſervation of all the Churches of this Kingdom which is naturally knit to the Preſervation of theſe few we have left, and that Fidelity, without Example, are worthy and glorious Subjects to exerciſe your Charity and Power. You are, Sir, Defender of that Faith whereof they make Profeſſion; ſuffer it not therefore to be ſo unjuſtly oppreſſed: You have ſtirred up their Affection in this Defence by your Royal Promiſes; and thoſe ſacred Words, *That you Majeſty would employ all the Power in your Dominions, to warrant and protect all our Churches from the Ruin that threatened them*, have been (after God's Favour) the only Foundation of all their Hope; ſo the Churches ſhould think no greater a Crime could be committed by them, than to doubt of your Royal Performance thereof, if their Miſeries and Calamities have at the Beginning moved your Compaſſion. This woful Subject hath encreaſed with ſuch Violence that nothing but your Succour can prevent their utter Undoing; for, at this Day, the greateſt Offence our Enemies lay to our Charge, (and proclaim, nothing can expiate but our Blood) is, to have implored your Aid, and to hope for it: For this Cauſe, our Lands and Poſſeſſions are taken away and deſtroyed, our Houſes made deſolate, and reduced to Aſhes; our Heads expoſed to Sale to Murderers; our Families baniſhed; and whereſoever the Cruelty of them that hate us can extend, Men and Women are dragged and beaten to Maſs with Baſtinados. To be ſhort, the Horror of the Perſecution we ſuffer is ſo great, that our Words are too weak to expreſs it. Moreover, we ſee great and

'mighty

'mighty Armies at our Gates, that wait 'their only fit Time to fall with Impetu-'ofity upon the Places of Retreat that re-'main; and after that, to expel and ba-'niſh the Exerciſe of Religion, and maſ-'ſacre all the faithful ones throughout 'the Kingdom. Theſe Things conſider-'ed, Sir, I beſeech your Majeſty not to 'forſake us. I ſhould fear by ſuch Words 'to offend ſo Great, ſo Potent, and ſo 'Faithful a King: But becauſe of the 'urgent Neceſſity that preſſeth us, I have 'preſumed importunately to entreat the 'haſtening of your Aſſiſtance, to keep 'us from falling under the heavy Burden 'of our Enemies Endeavours. Your 'Majeſty need not to draw, but out of the 'Source of your own profound Wiſdom, 'for the fit Means how to make your Suc-'cour dreadful and powerful to thoſe that 'contemn it, and ſalutiferous to ſo many 'People that wait and long for it. Your 'Majeſty ſhall by this Means acquire the 'greateſt Glory that can be deſired, pluck 'out from the Fire and Sword three hun-'dred thouſand Families that continually 'pray to God for your Proſperity; pre-'ſerve a People whom God hath pur-'chaſed with his moſt precious Blood, 'and which hath (even in the midſt of 'moſt imminent Dangers, and cruelleſt Tor-'ments) kept entire a ſound and upright 'Faith both towards God and Man: You 'ſhall ſettle the Fidelity of your Word, 'the Reputation of your Kingdoms and 'Arms, to a Pitch worthy of your Gran-'deur; and in repreſſing of the Audaci-'ouſneſs of thoſe that go about every 'Day to blemiſh the ſame through their 'vile and unworthy Reproaches, you ſhall 'add to your Titles that of the Reſtorer 'of a People, the moſt innocent, and moſt 'barbarouſly perſecuted that ever was. 'In that which concerns me, Sir, I will 'not make mention to your Majeſty of my 'own Intereſt, though I might do it, hav-'ing, as it ſeems, the Honour to be unto 'you what I am: But I have ſo long 'ſince conſecrated all things with myſelf 'to the publick Good, that I ſhall eſteem 'myſelf happy enough, ſo that the Church 'were not miſerably diſtreſſed; and that 'I may have this Advantage, that through 'my Actions (which your Majeſty will not 'diſavow) I may make it known, that 'I am

Your Majeſty's moſt humble,

and moſt obedient Servant,

March 12, 162⅛. HENRY *de* ROHAN.

Tonnage and Poundage.

THOUGH the Remonſtrance concerning Tonnage and Poundage was not preſented to the King, it was however made publick, and was ſufficient to let the People ſee what was the Senſe of the Houſe of Commons upon that Point: Nevertheleſs, not only ſeveral Wine-Merchants had been committed to the *Fleet* ſince the laſt Seſſion of Parliament for Non-Payment of an Impoſition of 20*s.* *per* Ton, and obliged for their Liberty to enter into Bond for the Payment of it, but the King in full Council declared it his abſolute Will and Pleaſure that the 2*s.* 2*d.* Duty upon every Hundred Weight of Currants ſhould be advanced to 5*s.* 6*d.* alledging that it was a Duty laid by Queen *Elizabeth*, who firſt gave Being to the *Levant* Company; that it had been paid both in his Father's Time and his own, and that their Majeſties were equally poſſeſſed of the whole Sum of 5*s.* 6*d.* the Hundred by a ſolemn and legal Judgment in the *Exchequer*; and he ſtrictly charged his Council to examine the great Abuſe in this Point, and to make a full Reparation to his Honour, by inflicting Puniſhment both upon Officers and Merchants, that for the future they may beware of committing ſuch Contempts.

Merchants ſummoned before the Council.

ALSO diverſe Merchants of *London* having forcibly landed, and endeavoured to carry away their Goods and Merchandiſe from the *Cuſtom-houſe Key* without Payment of Duties, were ſummoned to the Council-Table, where Information was given againſt them, that they had cauſed great and unlawful Aſſemblies of People to be gathered together, to the Breach of the King's Peace; and Mr. *Richard Chambers*, Merchant and Alderman of *London*, was committed to the *Marſhalſea* Priſon by the Lords of the Council, on the 28th of *September*, by a Warrant, declaring that he was committed for inſolent Behaviour and Words ſpoke at the Council-Table; which Warrant was ſubſcribed by the Lord-Keeper and twelve others of the Council. [The Words were, as Information was given, though not expreſſed in the Return, *That ſuch great Cuſtoms and Impoſitions were required from the Merchants in* England, *as were in no other Place, and that they were more ſcrewed up than under the* Turk.] The 23d of *October* he was brought by *Habeas Corpus* to the Court of *King's-Bench*, and admitted to Bail, himſelf being bound in a Recognizance of 400 *l.* and four good Merchants, his Sureties, in 100 *l.* a-piece for his Appearance there *in Craſtino Animarum*. The Lords of the Council were much diſſatisfied with his being bailed, and the Judges were ſent for to the Lord-Keeper at *Durham*-Houſe, where were preſent, beſides the Lord-Keeper, the Lord-Treaſurer, the Lord-Privy-Seal, and the Chancellor of the Dutchy; and then the Lord-Keeper declared

Proceedings againſt Mr. Chambers.

Lords of the Council diſſatisfied at his Bail.

declared to them, that the ſaid Enlargement of *Chambers* was without due Regard had to the Privy-Council, in not firſt acquainting them therewith. To this the Judges anſwered, That to keep a fair Correſpondency with their Lordſhips, they had, by the Lord Chief-Juſtice, acquainted the Lord-Keeper in private therewith, before they bailed the Party: And that what they had done, in that reſpect, was according to Law, and Juſtice, and the Conſcience of the Judges. To this it was reply'd, that it was neceſſary for the Preſervation of the State, that the Power and Dignity of the Council-Table ſhould be preſerved, and that this could not be done without Correſpondency from the Courts of Juſtice. So they parted in very fair Terms.

Proceedings againſt Mr. Vaſſal.

THE next Merchant that ſuffered under the King's abſolute Will and Pleaſure was, Mr. *Samuel Vaſſal* of *London*, of which he was afterwards a Repreſentative in Parliament, who had a great Quantity of Currants ſeized by the Farmers and Officers of the Cuſtoms, for refuſing to pay the above-mentioned Duty of *5 s. 6 d. per* hundred. Whereupon the King's Attorney-General, Mr. *Robert Heath*, exhibited an Information againſt him in the *Exchequer*, ſetting forth, that before the firſt Day of *October* he brought into the Port of *London* 4638 *C.* Weight of Currants, for which, he refuſed to pay Cuſtom. Mr. *Vaſſal* appear'd, and pleaded the Statutes of *Magna Charta*, and *de Tallagio non concedendo*, that he was a Subject, born under the King's Allegiance, and a Merchant, and that the ſaid Impoſition of *5 s. 6 d.* a Hundred Weight on Currants, was not *antiqua, ſeu recta conſuetudo*, and that it was impoſed without Aſſent of Parliament. To which Plea the Attorney demurred, and Mr. *Vaſſal* joined in the Demur. But the Barons of the *Exchequer* refuſed afterwards to hear Mr. *Vaſſal*'s Council, and ſaid, the King was in Poſſeſſion, and that they would keep him in Poſſeſſion; and ſhortly after the ſaid Court impriſoned *Vaſſal* for not paying the Duty impoſed, nor could he obtain Reſtitution of his Goods, becauſe the Court gave their Opinion upon the ſaid Information for the King.

Chambers's Goods ſeized on for not paying Cuſtoms.

ABOUT the ſame Time the Goods of Mr. *Chambers*, already mentioned, were ſeized by the Officers of the Cuſtoms, becauſe he refuſed to pay the Subſidy of *Tonnage and Poundage* demanded by the Farmers. The ſaid *Chambers*, conceiving no ſuch Subſidy or Duty was due or payable, the ſame having not been granted by Parliament to his Majeſty, he ſued forth a Writ of Replevin, the proper Remedy in Law to recover Poſſeſſion of Goods; but the Barons of the *Exchequer* granted an Injunction againſt it; upon which Mr. *Chambers* then offered to give Security for Payment of ſuch Duties as the Court ſhould direct; but the Court would not agree to it, and inſiſted on his depoſiting all the Sums demanded by the Farmers, or Officers; which *Chambers* refuſing, the Court ordered the Officers of the Cuſtoms to detain double the Value of the Sums by them demanded for Duties to his Majeſty, out of his Merchandize, and to reſtore the Reſidue.

A Replevin ſued out and ſuperſeded.

Proceedings againſt Mr. Rolls, another Merchant.

THE Barons of the *Exchequer* proceeded in the ſame Manner, in the Caſe of Mr. *John Rolls*, of *London* Merchant, and Member of Parliament for *Kellington* in *Cornwal*. This Gentleman having his Goods ſeized by the Cuſtom-Houſe Officers for not paying the Duties demanded, applied to the Commiſſioners for Redreſs, but one of them told him, *Privilege of Parliament extended only to Perſons, and not to Goods*; and another ſaid, *If all the Parliaments were in you, we would take your Goods.*

THESE Proceedings ſo diſcouraging to Trade, were ſo inconſiſtent with the *Petition of Right*, that 1500 Copies of it, which were printed off by *Norton*, the King's Printer, together with his Majeſty's Anſwer to it, were ſuppreſſed by Warrant, and the Attorney-General commanded that no more ſhould be printed, and that thoſe that were printed, ſhould not be publiſhed.

Being now come to the End of this Year, with which the XVIIIth Tome *of the* Fœdera *alſo concludes, I ſhall inſert the promiſed Extract of ſuch Pieces in this* Tome *as not only relate to the foregoing Hiſtory, but to variety of other Subjects, in which Perſons of all Ranks, and Stations of Life, are one way or other intereſted; and I have taken Pains to range them into the Order of* Alphabet, *in hopes that the Reader will be better pleaſed, to find every Subject treated of ſeparately under its proper Head, eſpecially when the Dates of every Piece are preſerved, than to ſee a multiplicity of Articles, which have no manner of Relation to one another, promiſcuouſly huddled together, for the ſake of preſerving the Order of* Chronology. *And the Reader will alſo perceive, that there was a Neceſſity of deviating from the Method obſerved in the Extracts of the former* Tomes, *becauſe of the very few Pieces that are in this, which could properly be incorporated in the Series of the Hiſtory.*

Amboyna.

FOEDERA Tom. XVIII. CHARLES I.

Amboyna.

P. 1. *A Draught of Inſtructions about* Amboyna *and the* Palatinate.

77. It has no Date, but may be ſuppoſed to have been drawn up by the Duke of *Bucks*, then Lord High-Admiral, for ſome Miniſter who had a Commiſſion to treat with the Prince of *Orange* about thoſe Affairs.

THE Penman of theſe Inſtructions complains with how much Patience he has born the Envy of the *Eaſt-India* Company, and many more of the *Engliſh* Nation, by ſuſpending the Execution of Repriſal upon the *Dutch Eaſt-India* Company's Ships ſo long as he durſt; the Horror of that Fact in *Amboyna* having been too often mentioned to remain ſtill without a good Satisfaction to his Majeſty and his Subjects, and all Parties on this ſide remaining wholly unſatisfied with the Referments and Delays of the Anſwers and Propoſitions made by the Republick. The Miniſter in *Holland* was therefore inſtructed to preſs the Prince of *Orange* to move the States to give his Majeſty real and ſpeedy Satisfaction in all the Circumſtances of the Fact of *Amboyna*, to prevent the evil Conſequences of Attempts upon the *Dutch Eaſt-India* Company's Ships, which can be no longer forborn, and may be the Beginning of ſuch Evils as none can ſee the worſt of 'till they are acted, nor any Man better foreſee than the Prince of *Orange*.

Army.

1. *A Proclamation for calling home all ſuch of his Majeſty's Subjects as are employed either by Sea or Land in the Service of the Emperor, the King of* Spain, *or the Archdutcheſs of the* Low-Countries, *and requiring them, on their Return, to regiſter their Names with one of the Secretaries of State.*

20. IT is dated in *April*, 1625.

RUSHWORTH obſerves, that very many of the natural Subjects of theſe Dominions having, by publick Permiſſion, in the late Reign, betaken themſelves to the Service of the Emperor, the King of *Spain*, and the Archdutcheſs of the *Low-Countries*, and that conſequently they fought againſt others of their Countrymen who were employed by the States of the United Provinces, and on the Behalf of the exiled *Palatine*, King *Charles* foreſeeing how improper and unnatural it was, that his own natural Subjects ſhould, upon any Occaſion or Accident, draw their Swords one againſt another, or any of them againſt their own Sovereign, did, by Advice of his Privy Council, ſtrictly command all his Subjects who were under Pay of the Emperor, the King of *Spain*, or the Archdutcheſs, ſpeedily to return to their native Countries, where they ſhould be received and employed as Occaſion ſerved, according to their ſeveral Qualities.

2. A PROCLAMATION for the Reſtraint of Diſorders in Soldiers preſſed for his Majeſty's Service. Dated *May* 15, at *Whitehall*. 76.

THE Remembrance of the late Outrages committed by the Army ſent by King *James* to *Calais*, under Count *Mansfield*, in their Paſſage to *Dover*, occaſioned this Proclamation, to prevent the like Attempts of the Soldiers in their Paſſage through any of the Countries to *Plymouth*, or other Places of Rendezvous. The Offenders, in which Number were alſo included ſuch as ſtraggled from their Colours, were by the Conſtable to be committed to the County Goal, and to be proſecuted with the utmoſt Severity. The Officers who were to have the Charge of conducting them were enjoined to ſee their Companies duly paid, and provided of all Neceſſaries, and to be always preſent with them, and carefully to conduct them from Place to Place. And to prevent Outrages, when the Army was come to *Plymouth*, or Parts adjacent, it appears from *Ruſhworth*, that a Commiſſion was iſſued, impowering Perſons of Truſt, upon any Robbery, Felony, Mutiny, or other Miſdemeanors (puniſhable with Death by Martial Law) committed by the Soldiers, or other diſſolute Perſons joined with them, to proceed to the Trial and Condemnation of all ſuch Delinquents, in ſuch a ſummary Courſe as is uſed in Armies in time of War, according to the Martial Law; and to cauſe Execution to be done in the View of the Publick, for a Terror to others.

3. ANOTHER commanding the Officers and Soldiers belonging to the Forces in *Ireland*, and the *Low-Countries*, to return to their Poſts. It is dated at *Litchfield* the 4th of *September*. 183.

4. A COMMISSION of Array granted to the Earls of *Suſſex* and *Warwick* for raiſing and arming the Militia, &c. of the County of *Eſſex* againſt a threatened Invaſion. It is dated *September* the 8th, at *Southampton*. 185.

IT was rumoured as if the *Spaniard* intended an Invaſion at the Time that the *Engliſh* Fleet was preparing for the Voyage to *Cadiz*. Therefore the Earl of *Warwick* was commanded with three thouſand of the Trained Bands of *Eſſex*

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to ſecure the Port of *Harwich* and *Langer-Point*; which Service he performed with much Readineſs. But upon the Blocking up of *Dunkirk* with Ships belonging to the *Engliſh* and to the States of the United Provinces, his Lordſhip was ordered to diſmiſs his Men.

254. 5. A COMMISSION to *Edward* Viſcount *Wimbleton*, Lord Marſhal of the Army, and ſeveral other Gentlemen of the Counties of *Devon* and *Cornwal*, for reſtraining and puniſhing, according to the Juſtice of Martial Law, any Diſorders committed by the Soldiers that were billeted in thoſe Counties, after the Return of the Fleet from *Spain* to *Plymouth*. It is dated *December* the 28th, at *Hampton-Court*.

262. 6. ANOTHER of the like Nature to the Deputy Lieutenant, and to the Mayor of the Town and County of *Southampton*, in regard to ſuch of the Forces that were returned with the Fleet, and billeted in thoſe Parts. It is dated at *Weſtminſter*, *January* the 3d, 1626.

751. 7. ANOTHER of the ſame Nature to the Lieutenancy of *Suſſex*, to puniſh by Martial Law any Diſorders that may be committed in that County by the Soldiers and Mariners going on Board the Fleet that was then fitting out at *Portſmouth* to put to Sea under the Command of Lord *Willoughby*. It is dated at *Canbury*, *September* the 5th.

763. 8. ANOTHER of the ſame Purpoſe to the Lieutenancy of *Kent*. Dated *October* the 4th.

765. 9. A PROCLAMATION, dated *October* the 7th at *Whitehall*, againſt the diſorderly Repair of Mariners and Soldiers from the ſeveral Parts of the Realm where they were billeted and quartered, to the King's Court, or to the City of *London*.

776. 10. A COMMISSION to Sir *John Burlacye* and Sir *James Levingſton*, to command two Regiments going to *Germany* for the King of *Denmark*'s Service, againſt the King of *Spain*. It is dated at *Weſtminſter*, *October* the 23d, 1626.

THESE Forces were to ſecure the Paſſage of the River *Elbe*, for preventing the Tranſportation of Proviſions for the Service of the *Spaniards*.

779. 11. ANOTHER Commiſſion, dated *November* the 3d, and directed to the Perſons above-mentioned, and to Sir *Charles Morgan* and Sir *Edward Horwood*, Kts. to go with 6000 Men to the Aſſiſtance of the ſaid King of *Denmark* againſt the ſaid King of *Spain*.

THESE Forces had been employed in the Service of the *Dutch* againſt *Spinola*, but upon the preſent Occaſion they were called off for the Aſſiſtance of the King of *Denmark* againſt the *Spaniards*.

12. ANOTHER directed to *Robert* Lord *Willoughby* of *Eresby*, *Robert* Earl of *Eſſex*, Sir *John Burlacye*, and Sir *James Levingſton*, Kts. to conduct ſeveral Regiments to the Place or Places where the King of *Denmark* is, or ſhall be. Dated *November* the 7th. CHARLES I. 789.

13. ANOTHER Commiſſion to the ſame Purpoſe, directed to the Perſons above-mentioned. Dated at *Weſtminſter*, *November* the 25th. 799.

14. A COMMISSION to the Lieutenancy of *Southampton*, to proceed by Martial Law againſt the Mariners and Soldiers that ſhall commit Felonies, Robberies, Mutinies, or other Outrages, or that ſhall be abſent from their Poſts. It is dated at *Weſtminſter*, *December* the 3d. 804.

THIS was looked upon as an Innovation which took from the uſual Judges the Cognizance of Crimes committed by the Soldiery; and though, as Mr. *Rapin* ſays, it was not much minded in general, yet according to *Whitlock* this Affair and the Point of Coat and Conduct-Money occaſioned great and frequent Debates among the Judges and other learned Men. [You will find other Commiſſions granted for Martial Law under the Article of *Rochel*.]

15. A PROCLAMATION, dated at *Whitehall* the 29th of *January*, 1627, requiring all Captains and other Officers to repair to their Companies, and all Soldiers to their Colours. 830.

16. A COMMISSION to proceed by Martial Law againſt the Mariners and Soldiers belonging to the Fleet, for any Outrages by them committed in the County of *Kent*. Dated *April* the 30th, at *Weſtminſter*. 888.

17. A PROCLAMATION by the King at *Whitehall*, *November* the 20th, forbidding the Uſe of Snaffles in Riding, and enjoining that of Bits, as the fitteſt for managing Horſes employed in the Service. 948.

18. ANOTHER enjoining all Officers to repair to their Poſts, and Soldiers to their Colours. Dated *November* the 30th. 951.

This was iſſued upon the Return of the Army and Fleet from the Iſle of *Rhee*, to the Intent that the Soldiers might be exerciſed and kept in good Order for future Service.

19. ANOTHER to the ſame Purpoſe, iſſued *January* the 25th, 1628. 960.

20. A PROCLAMATION againſt the buying and ſelling of the King's Arms and Ammunition, by preventing the purloining and exchanging of Arms delivered out of the King's Stores for Land or Sea Service, and for remedying the Abuſes committed at the publick Muſters and Exerciſes in the ſeveral Counties. Dated at *Whitehall*, *March* the 9th. 978.

21. ANO-

FOEDERA Tom. XVIII. 1023.

21. ANOTHER for preventing the Deſertion either of Soldiers or Seamen. Dated the 17th of *June*.

CHARLES I.

Books.

8. 1. A PROCLAMATION to prohibit the Sale of Latin Books reprinted beyond Sea, after having been firſt printed in *Oxford* or *Cambridge*. Dated at St. *James's*, *April* the 1ſt, 1625.

THE Printers of both Univerſities were hereby enjoined to deliver a Monthly Certificate of what Books they printed from Time to Time, to the Maſter and Wardens of the Stationers Company in *London*: Which Certificate was to be ſigned by the reſpective Vice-Chancellors.

676. 2. A GRANT to *George Sandys*, Eſq; for the ſole printing and ſelling of fifteen Books of *Ovid's Metamorphoſis*, by him tranſlated into *Engliſh* Verſe. Dated at *Weſtminſter*, *April* the 24th, 1626.

1024. 3. A PROCLAMATION for calling in and *ſuppreſſing* of two Sermons preached and printed by *Roger Manwaring*, D. D. entituled, *Religion and Allegiance*. Dated at *Whitehall*, *June* 24, 1628.

THE Reader will find a particular Account of theſe Sermons, and the Motive on which they were preached, under the Article of *Loans*. All that I ſhall take notice of here is a ſmall Miſtake of Mr. *Rapin* in his general Hiſtory, who ſays, this *Suppreſſion* conſiſted only in an Order to ſuch as had any Copies of thoſe Sermons to carry them to the Secretary of State, or ſome other Magiſtrate; whereas it expreſly commanded them to be delivered to the Biſhop or other Ordinary of the Dioceſe, or to the Vice-Chancellor of the Univerſity in whatſoever Dioceſe or Univerſity thoſe Books ſhould be found; thoſe Biſhops or other Ordinaries, and ſuch Vice-Chancellor were thereby eſpecially commanded to cauſe them all to be ſuppreſſed; and moreover, all Perſons were forbid to preſume to print the ſaid Sermons, or either of them, on Pain of the King's high Diſpleaſure.

IN the Preamble to this Proclamation the King declared, That although the Grounds of thoſe Sermons were rightly laid to perſwade Obedience from the Subjects to their Sovereign, and that for Conſcience ſake, yet in diverſe Paſſages, Inferences and Applications thereof intrenching upon the Laws of this Land, and Proceedings of Parliaments, whereof he was ignorant, he ſo far erred, that he had drawn upon himſelf the juſt Cenſure and Sentence of the High Court of Parliament, by whoſe Judgment alſo that Book ſtands condemned. Wherefore being deſirous to take away all Occaſions of Scandal or Offence, he hath thought fit that thoſe Sermons (in reſpect of thoſe Inferences and Applications which he hath made thereon) be fully ſuppreſſed, *&c.*

Church.

1. A PROCLAMATION for eſtabliſhing the Peace and Quiet of the Church of *England*. Dated *June* the 16th, 1626, at *Whitehall*. 719.

IT complains of certain new Opinions broached and propagated againſt the orthodox Doctrine and Diſcipline of the Church, and declares his Majeſty's Reſolution to puniſh the Inſolence of ſuch diſaffected Perſons as ſhall preſume to diſturb the Tranquillity of the State, or the Peace of the Church.

DR. *Kennet* obſerves, that this Proclamation was ſuppoſed by ſome Perſons to be iſſued with a View to reſtrain or ſuppreſs the Book we mentioned in p. 558, publiſhed by Mr. *Montagu* in favour of *Arminianiſm*; but *Laud* was ſo great a Friend both to the Doctor and his Doctrine, that it may well be preſumed that the true Intent of it was to diſcourage and ſuppreſs the Anſwers that were made to it by Dr. *Featly*, Dr. *Goad*, &c. and therefore did but ſerve to improve the Jealouſies of *Arminianiſm*, and of the Growth of Popery.

FOR the better explaining of this Matter, it is neceſſary to enter a little further into the Hiſtory of it than has been done by the Writers of any Lives or Reigns hitherto; eſpecially ſince the Spirit of the preſent Times makes the Doctrine of Libels a uſeful and neceſſary Acquirement.

THIS Mr. *Montagu*, in the 21ſt of King *James*, publiſhed a Book called, *A new Gag for an old Gooſe*, in Anſwer to a Popiſh Tract entituled, *A Gag for the new Goſpel*. It being ſuggeſted that he had therein receded from ſome Doctrines of the Reformed Churches, and had too much ſoftened ſome of the *Roman* Tenets, he was then queſtioned in Parliament, and the Cauſe was referred to the Archbiſhop of *Canterbury*, who expreſſed his Diſlike of the Book, and gave the Author a ſolemn Reprimand, which made that Prelate ſuſpected by the Court to be a Friend to the Puritans. Some other Biſhops of the *Arminian* Party encouraged Mr. *Montagu*, in the Beginning of this Reign, to re-aſſert thoſe Opinions in another Treatiſe, which by their Perſwaſion he publiſhed and dedicated to his Majeſty (who had but juſt made him his Chaplain) with the Title of *An Appeal to* Cæſar. The Archbiſhop diſallowed this Book alſo, and endeavoured to ſuppreſs it. And

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by Order of the Commons, on the 7th of *July*, 1625, Mr. *Montagu* was brought to the Bar of the Houſe, in Cuſtody of the Serjeant at Arms, and charged with having contrived and publiſhed the ſaid Book, with a Deſign to create a Jealouſy between the King and his well-affected Subjects. The Houſe likewiſe appointed a Committee to examine the Errors of it, and gave the Archbiſhop thanks for the Admonition he had given the Author, whoſe Books they voted to be contrary to the Articles eſtabliſhed by Parliament, tending to the Diſhonour of the King, and Diſturbance of both Church and State, and took Bond for his Appearance next Seſſion, under the Penalty of 2000 *l.*

BUT on the 9th of *July*, the King himſelf interpoſed, and ſignify'd to the Commons, that what had been ſpoken in their Houſe, and determined againſt Mr. *Montagu* was diſpleaſing to him; that he would take the Cauſe into his own Hands, and that he hoped *one of his Chaplains might have as much Protection as the Servant of an ordinary Burgeſs.* This was looked upon as an arbitrary Obſtruction of Juſtice, and would but have incenſed the Houſe to have proceeded more ſeverely, if the Parliament had not been prorogued, the very next Day they ſate, to *Oxford*, on account of the Plague, and ſoon after abruptly diſſolved.

THERE is a Letter in the *Cabala*, dated the 29th of the ſame Month, at *Petworth*, from Dr. *Montagu* to the Duke, wherein *he ſays*, 'That tho' he heard his Majeſty had 'taken him off from that Trouble and 'Vexation which by ſome Men's Pro'curement he was put to in the Houſe of 'Commons, yet he is threatened with 'farther Proſecution; and he *therefore* '*prays* him, to intercede with his Majeſ'ty, that his Bond might be delivered up 'to him, and that he might be protected 'from thoſe who had no Power over his 'Perſon, as being his Majeſty's Servant 'in Ordinary, nor over his Book, as being 'wrote by the Command of his Royal 'Father, and authorized by his preſent 'Majeſty himſelf; and *he concluded* '*with this Declaration*, that if he could 'not really and throughly anſwer what'ſoever was, or could be imputed to 'him, in any of his Books, he would 'no farther deſire any Favour or Protecti'on, but be willingly left to his Ene'mies.'

MEAN time the Biſhops of *Rocheſter*, *Oxford*, and *St. David's*, contrived a Letter, in his behalf, to the Duke of *Buckingham*, which is dated in the *Cabala*, on the 2d of *Auguſt*, 1625. They therein recommend his Cauſe, as the *Cauſe of the Church of England*; they ſhew that ſome of the Opinions which gave Offence, were the reſolved Doctrine of that Church, and others, curious Points to be diſputed in the Schools, it being the great Fault of the Council of *Trent*, to require a Subſcription to School Opinions, and the approved Moderation of the Church of *England*, to refuſe the apparent Dangers and Errors of the Church of *Rome*, but not to be over buſie with Scholaſtical Niceties. Moreover, in the preſent Caſe, they alledge, that in the Time of *Henry* VIII, when the Clergy ſubmitted to the King's Supremacy, the Caſe was ſo, that if any Difference aroſe in the Church, the King and the Biſhops were to be Judges of it, in a National Synod, and that if any other Judge, in Matters of Doctrine, were now to be allowed, we depart from the Ordinance of Chriſt, and the continual Practice of the Church. They intimated withal, that if the Church be once brought down below herſelf, even Majeſty, itſelf, will ſoon be impeached. They ſay farther, that King *James*, in his rare Wiſdom and Judgment, approved of all the Opinions in this Book, and that they cannot conceive what uſe there can be of Civil Government in the Common-wealth, or of external Miniſtry in the Church, if ſome fatal Opinions, which are oppoſite to thoſe delivered by Mr. *Montagu*, be publickly taught and maintained.

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SUCH was the Opinion of thoſe three Biſhops; but others of eminent Learning were of a different Judgment. And ſo great was the Prejudice, and ſo popular the Cry againſt the *Arminians*, that many Divines being engaged in confuting the Principles of Mr. *Montagu*'s Book, their Writings ſerved to heighten the Jealouſies of the wiſer, and to confirm the Prejudices of the weaker Part of Mankind. This was ſoon improved into ſuch an univerſal Diſlike of the dreadful Name of *Arminianiſm*, that even the King and the Duke began to think it not ſafe to ſupport a Cauſe that was generally run down by the People. For this Reaſon, immediately before the meeting of the next Parliament, Biſhop *Laud*, who was afraid that the Court would deſert *Montagu*, got the Duke to ſift the King upon that Head; and underſtanding by what the Duke had collected, that the King had determined to leave him to a Trial in Parliament, he entered theſe Words thereupon in his Diary: *Methinks I ſee a Cloud ariſing and threatening the Church of* England; *God in his Mercy diſſipate it.*

As

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As ſoon as the Parliament began, *viz.* *Feb.* 6, 162⅞, the Commons had an Eye upon *Montagu*, for whom the Duke ſeemed inclinable to drop his Concern, the better to reconcile himſelf to ſome of the leading Members; and when the Houſe fell upon the Subject of Grievances, thinking their Liberty and Property to depend much on the eſtabliſhed Faith and Worſhip, they appointed a Committee to conſider of the State of Religion and the Growth of Popery. To which Committee they referred the Examination of Mr. *Montagu*'s *Appeal to* Cæſar; who on the 18th of *April* made their Report of the ſeveral erroneous Opinions it contained, by Mr. *Pym*; upon which the Houſe voted that Mr. *Montagu* had endeavoured to reconcile *England* to *Rome*, and to alienate the King's Affections from his well affected Subjects. Articles were alſo exhibited by the Commons againſt him, declaring, 'that there are diverſe 'Paſſages in the *Appeal*, &c. full of 'Bitterneſs, Railing, and injurious Speeches, diſgraceful and contemptible to many 'worthy Divines of this Kingdom, and 'other reformed Churches beyond the 'Seas; impious and prophane in ſcoffing 'at Preaching, Meditating, and Conferring, Pulpits, Bibles, and all Shew of Religion, all in Aggravation of his former 'Offences, having proceeded from malicious and enormous Heat againſt the 'Peace of the Church, and the Sincerity 'of the reformed Religion publickly profeſſed, and by Law eſtabliſhed in 'this Kingdom. All which Offences being to the Diſhonour of God, and of 'moſt miſchievous Effect and Conſequence 'againſt the Church and Commonwealth 'of *England*, and other of his Majeſty's 'Realms and Dominions, the Commons aſſembled in Parliament do hereby pray 'that the ſaid *Richard Montagu* may be puniſhed according to his Demerits in 'ſuch exemplary manner as may deter 'others from attempting ſo preſumptuouſly the Peace of the Church and State, 'and that the Books aforeſaid may be 'ſuppreſſed and burnt.'

Mr. Montagu's Impeachment.

THIS may ſuffice to give an Idea of the Commons Sentiments of *Montagu*'s Writings, without troubling the Reader with all the Articles; which ſeemed the more unneceſſary, becauſe it does not appear whether they were preſented to the King, or preferred in any judicial manner, or that Mr. *Montagu* gave in any Anſwer, or made any publick Vindication; nor that the King took any Notice of this Complaint, or ſuffered it to be debated in Convocation, but thought it a Diſpute fitter to be ſilenced than determined, and therefore iſſued out the Proclamation above mentioned.

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THIS however raiſed the Curioſity of many Peers to know what *Montagu*'s Tenets were, and in what they differed from the *Calviniſtical* Opinions, which were commonly called the *Doctrine of the Church*, and were then the generally received Senſe of its Articles. To this Purpoſe two Conferences were by Procurement of the Earl of *Warwick* held at the Duke of *Buckingham*'s Houſe, in Preſence of his Grace and many of the Nobility, on the 11th and 17th of *February*, 162⅞, between Dr. *Buckeridge*, Biſhop of *Rocheſter*, Dr. *White*, Dean of *Carliſle*, and Mr. *Montagu* on the *Arminian* Side, and Dr. *Moreton*, Biſhop of *Litchfield*, and Dr. *Preſton*, Preacher of *Lincoln's-Inn* on the other Side; the Succeſs of which Conferences was differently reported according to the different Affection of the Hearers.

To the ſcreening of the Duke of *Buckingham* and this *Montagu* was charged the firſt Breach between the King and the Houſe of Commons, who were as backward in giving Subſidies as the King was in redreſſing Grievances; and it is very obvious that the Prieſt was guilty of a twofold Crime: 1. Of Contempt and Diſobedience both to the Church of *England* and the Houſe of Commons, by preſuming to re-print the Book after he had been admoniſhed againſt it by the Archbiſhop of *Canterbury*, in Defiance to the Metropolitan of *England*, contrary to his Canonical Obedience, and to the Commons: And, 2. Of Audacioufneſs in dedicating it to the King, thereby to engage his Majeſty in Defence of his Arrogance and Diſobedience. Mr. *Montagu* however lived not only to obtain his Pardon, but two Mitres; being firſt made Biſhop of *Chicheſter*, and then of *Norwich*; his firſt Conſecration being performed at *Croydon*, by Biſhop *Laud*, and other Biſhops, on the 24th of *Auguſt*, 1628, at the Time that News came thither of the Duke of *Buckingham*'s being ſtabb'd by *Felton*.

Remarks on his Conduct.

IT is obſervable, that the Doctor had a Proclamation to cenſure him immediately after the Letters Patent to promote him; for the King thought fit to call in his *Appeal to* Cæſar, and to declare, 'that as he had lately cauſed the Articles 'of Religion to be re-printed, as a Rule 'for avoiding Diverſities of Opinions, 'and conſidering that a Book written by 'Richard *Montagu*, now Biſhop of *Chicheſter*, entituled, *Appello Cæſarem*, 'was the firſt Cauſe of thoſe Diſputes and 'Differences which ſince have much troubled the Quiet of the Church, he would 'take away this Occaſion, by commanding all Perſons that had any of thoſe 'Books in their Hands, to deliver them 'to the Biſhop of the Dioceſe, or if it be

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'in either of the Universities, to the Chancellor and Vice-Chancellor thereof, who were commanded to suppress them.

Remarks on it.

IT is left to the Reader how to reconcile this kind of Policy, the preferring of a Writer, and then suppressing the very Book for which the World thought he was preferred. But *Rushworth* says, that before the Proclamation came out, the Books were for the most part sold, and out of Danger of Seizure, and that the Thing supposed to be intended by it, was to suppress all Writing and Preaching in Answer to them, because the several Answers made by Dr. *Featly* and Dr. *Goad*, in their Parallels, and by other Writers, were all in like manner suppressed, and some of the Printers questioned in the High Commission Court.

Colonies.

1. A PROCLAMATION for settling the Plantation of *Virginia*. Dated the 13th of *May*, 1625, at *Whitehall*.

72. IT declares *Virginia*, the Summer Islands, and *New England* to be a Part of the Royal Empire, and that *Virginia* shall be immediately dependent on the King, without being subject to any Company or Corporation, and that the Affairs of that Colony shall be vested in a Council consisting of a few Persons of Understanding and Quality to be subordinate and attendant to the Privy-Council in *England*. That the King was resolved to establish another Council to be resident in *Virginia*, to be subordinate to the Council here for that Colony; and that he would maintain the necessary Officers, Ministers, Forces, Ammunition, and Fortifications thereof, at his own Charge.

THE Author of the *British* Empire in *America*, Vol. I, p. 238, observes, 'that 'the *English* on the Borders having been 'twice massacred by the *Indians* since 'the Beginning of the Year 1622, this, 'together with other Calamities and Di'stractions, was owing to the Differences 'raised by one Captain *Martin*, who had 'been nominated to be of the Council, 'and to the Mismanagement of the Pro'prietors, who thereby sustained great 'Losses; which so discouraged most of their 'best Members, that they sold their Shares: 'Whereupon King *Charles* dissolved the 'Company, as by the above Proclamati'on, took the Colony into his own im'mediate Direction, appointed the Gover'nour and Council himself, ordered all 'Patents and Processes to issue in his own 'Name, restored a Quit-Rent of 2*s.* for 'every Hundred Acres, directed the fu'ture Form of its Constitution to be by a 'Governour, a Council of twelve Gentle'men, and an Assembly of RepresenCHARLES I.

'tives deputed by the several Towns and 'Counties in the Colony, granted large 'Tracts of Land to Gentlemen and others 'in *England*, and to some of them ad'ded Authority independent of the Go'vernment, giving each Gentleman the 'same Power in his Province as the Pro'prietors of *Virginia* had formerly.

2. A PATENT appointing the Governour 311. and Council of *Virginia*. Dated at *Westminster*, *March* the 4th, 1626.

3. ANOTHER of the same kind. Dated 980. *March* the 26th, 1628.

Commerce.

1. A PROCLAMATION to forbid the Sub- 251. jects of *England* to have any Trade or Commerce in any of the Dominions of the King of *Spain*, or the Archdutchess. It is dated *December* the 24th, 1625, at *Hampton-Court*. The Penalty was Confiscation of Ship and Goods.

MOREOVER, in regard of the Subjects apparent Danger, and the Encouragement of the Enemies of this State, by putting Ships to Sea weakly mann'd, and ill furnish'd, the King ordered that no Ship or Pinnace of 60 Tons or upward, should be set forth, unless the same were furnished with serviceable Muskets and Bandaliers sufficient for arming half the Sailors, together with a Quantity of Ammunition answerable to the Length of their intended Voyage.

2. ANOTHER, declaring that all Ships 259. carrying Corn, or other Provisions or Ammunition to or for the King of *Spain* or his Subjects, shall be deemed lawful Prize. It is dated at *Hampton-Court*, *December* the 31st.

3. A COMMISSION to search for, dis- 801. cover, and arrest all the Ships and Effects belonging to the Subjects of *France*, and to put them into safe Custody. It is dated the 27th of *November*, 1626, at *Westminster*.

IT takes notice that the Ships and Effects of the *English* had been seized in several Ports of *France*, on Pretence that three Ships belonging to certain Merchants of *Roan*, were lately taken and brought to *England*, and on Pretence of some Goods taken many Years ago, amounting to the Value of 25,000 *l.*

4. ANOTHER for disposing of the Ships 825. and Goods so taken. Dated at *Westminster*, *January* the 27th, 1627.

5. A SPECIAL Licence to the *East-India* 843. Company to export, Custom free, 30,000 *l.* worth of foreign Gold Coin or Bullion, in their next Voyage to the *East-Indies*, in lieu of so much foreign Silver allowed them for Transportation by former Letters Patent. It is dated *February* the 13th

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THE Company was allowed by thoſe Letters Patent to export any Sum of ſuch Silver yearly, not exceeding 100,000 *l.* but it appears from this Commiſſion, that by reaſon of the Prohibition of Trade with *Spain*, the Company could not ſupply themſelves with the uſual Quantity of foreign Silver or Bullion.

853. 6. A COMMISSION confirming the Company's Choice of Perſons to be Captains and Commanders in chief of certain Ships and their Crews that were then fitting out for the *Eaſt-Indies*. Dated *February* 27.

856. 7. ANOTHER Proclamation to prevent the furniſhing of the *Spaniard* with Naval Stores, or any Military Ammunitions and Proviſions. It is dated *March* the 4th, at *Newmarket*.

862. 8. A COMMISSION to Sir *Peter Wyche*, Ambaſſador to *Turky*, to confirm the Friendſhip, and to ſettle all Matters relating to Commerce in the *Turkiſh* Dominions. Dated at *Weſtminſter*, *March* the 20th, and ſigned by the King's own Hand.

891. 9. A PROCLAMATION explaining another of *April* the 28th, entituled, *A Proclamation prohibiting the Importation of any Goods and Merchandize whatſoever in* French *Bottoms*. This is dated the 12th of *May*, 1627, at *Whitehall*.

965. 10. ANOTHER in favour of the *Eaſt-India* Company, for Encouragement and Advancement of their Trade, and for preventing a ſecret, under-hand Traffick by their Officers and Servants. Dated *February* the 15th, 1628.

972. 11. A SPECIAL Commiſſion to certain Aldermen and Merchants of *London*, &c. after the Peace concluded with the *Algerines*, to enquire into the Diſtribution of the Monies levied by vertue of a former Agreement of the Merchants, both *Engliſh* and Foreigners, towards defraying the Expences of an Armament, and Expedition againſt the Pirates. It is dated the 25th of the ſame Month, at *Weſtminſter*.

THE Allowance which the Merchants conſented to for that Service was, One *per Cent.* upon all Goods traded to the *Levant*, *Spain*, *Barbary*, and the Iſlands, and one Half *per Cent.* of all Goods traded for *Germany*, the *Netherlands*, *Norway*, and the Eaſt-land Countries, as well by Importation as Exportation; and likewiſe upon Tonnage of Shipping of the ſaid Merchants trading to or from any of the Parts aforeſaid.

1013. 12. Another to the ſame Effect. Dated *March* the 31ſt.

Councils.

25. 1. A COMMISSION conſtituting the Duke of *Bucks*, &c. a Council of War for the Security of *Ireland* and the reſt of the King's Dominions, the equipping of the Royal Navy, the aſſiſting the Confederates, &c. It is dated at *Weſtminſter*, *April* the 14th, 1625.

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2. ANOTHER directed to the Lord-Keeper, &c. conſtituting them Commiſſioners for calling Perſons to Account who divulged Secrets of State. It is dated *December* the 16th, at *Windſor*.

976. 3. A COMMISSION appointing *James* Earl of *Marlborough* Lord High Treaſurer, and others therein named, to be a Council of War for examining all things, upon all Occaſions, tending to the Advancement of the King's Service in Martial Affairs. Dated *March* the 6th, 1628, at *Weſtminſter*.

Coynage.

6. 1. A SPECIAL Commiſſion, dated the 1ſt of *April*, 1625, at *Weſtminſter*, and directed to Sir *Edward Villiers*, who was joint Warden of the *Mint* with Sir *William Parkhurſt*, concerning the Coinage of Gold and Silver.

THIS Commiſſion was iſſued during the Suſpenſion of Sir *Randil Cranfield*, who upon ſundry Complaints made againſt him to the Privy-Council in the Reign of King *James*, was ſequeſtered from the Profits of the Place of Maſter of the *Mint*, on the 13th of *January* preceding.

THERE was one Sir *Edward Villiers*, who was the Duke of *Buckingham*'s half Brother, and it is not improbable that this was the Gentleman, if we may conclude that the Duke took care to prefer his Relations as well as his Creatures to the chief Places.

108. 2. A PROCLAMATION for the continuing of Farthing Tokens of Copper, and prohibiting them to be counterfeited, or any others to be uſed. Dated at *Whitehall*, *June* the 4th.

THE Patent for this Coinage was granted to *Frances*, Dutcheſs Dowager of *Lenox*, and to Sir *Francis Crane*.

143. THE Patentees, by a Grant of the 11th of *July* following, were to have the ſole Power and Profit of this Coinage ſeventeen Years, on paying 100 Marks *per Annum* to the King.

THEY contracted to deliver the Rate of 21 *s.* in Farthings for every 20 *s.* Sterling, and to deliver 20 *s.* Sterling for every 21 *s.* worth of Farthings, to ſuch as were overcharged with them.

THESE Farthings were to weigh 6 Grains a-piece, or more, and to have on one Side two Scepters croſſing under a Diadem, and on the Reverſe a Harp crowned with the Title, *Carolus Dei Gratiâ Magnæ Britanniæ, Franciæ, & Hiberniæ Rex.*

184. 3. A PROCLAMATION for the Currency of the *French* Silver Coin, called *Cardecue*, at the Value it went for in *France*, which was 19 *d.* ſt. It is dated at *Litchfield*, *Sept.* 4.

IT ſets forth that the King had received great Sums of this Coin, as part of his Queen's

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Queen's Portion, and his Majesty intended to new coin them; but the Workmen being at this Time infected with the Plague it could not be done. However, the future Importation of that Coin was prohibited.

736. 4. ANOTHER Proclamation touching *French* Coin: It revokes the former, and suppresses the Currency of the *Cardecue's*, because it gave Occasion for the Importation of a like Coin, which was lighter. 740. It is dated *July* 26, 1626, at *Whitehall*.

5. A COMMISSION for making and working of Money. It is directed to Sir *Edward Villiers*, and Sir *William Parkhurst*, Wardens, *Richard Rogers*, Esq; Comptroller, and *Andrew Palmer*, Esq; Assay-Master of the *Mint*, and dated at *Westminster*, *Aug.* 14.

732. 6. A COMMISSION to the same Persons, to stamp all Bullion of Gold and Silver that shall be brought into the Kingdom. Dated at *Canbury*, *Sept.* 7.

896. 7. A PROCLAMATION for better Execution of the Office of his Majesty's Exchange, and reforming Abuses and Frauds, committed in the Silver Coin, dated *May* 25, 1627, at *Whitehall*.

It takes notice, that the Exchange of all manner of Gold and Silver fit for the *Mint*, which is one of the King's Prerogatives, having been indulged to the Goldsmiths, they had abused it by presuming to sort and weigh all Sorts of Moneys, and daily pick out the heaviest for melting, or for Sale to Strangers, who transported it abroad, to the great Diminution of the current Coin, and to the great Depravation of what remained not exported, or melted, because whoever brought Silver to the *Mint*, was sure to be a Loser. For the Reformation of these Abuses, *Henry* Earl of *Holland* was appointed to have the Office of the Changes, Exchanges, and Out-changes, in *England*, *Ireland*, and *Wales*. The Exportation of any Gold or Silver, either coined or uncoined, was also severely prohibited by this Proclamation, as was likewise the melting of the Coin. There are several Articles for reforming the Abuses of Goldsmiths, and regulating the Value of the Coin. Every Goldsmith, upon the Sale of his Wares, was to demand for Value or Rate apart, the Gold or Silver, and the Fashion or Workman-ship apart, and was to deliver a Note to the Buyer, expressing the Day of Sale, its Weight, the Value or Rate of the Gold or Silver apart, and the Value and Rate of the Fashion and Workmanship apart; by which Means the Buyer, selling the same again, might know what to demand for it at the King's *Exchange* or *Mint*.

970. 8. A COMMISSION to the Lord High-Treasurer, &c. for putting the Proclamation in Execution, for reforming Abuses in the Coinage. Dated at *Westminster*, *Feb.* 25, 1628.

Dispensations.

291. 1. A DISPENSATION granted to *John Smith*, Rector of the Parish-Church of *Badgeworth* near *Axbridge* in the Diocese of *Bath* and *Wells*, from residing at the said Rectory, by reason of his being often subject to Fevers and other Infirmities, and because of the Unwholesomeness of the Place. It is dated *Feb.* 8, 1626, at *Westminster*.

309. 2. A DISPENSATION to Sir *John Walter*, Kt. Lord Chief Baron of the *Exchequer*, to eat Flesh on the Days prohibited during his Life, on a Remonstrance that Fish was prejudicial to his Health. It was extended to his Wife, and any other four Persons at his Table, on condition of his paying a Mark yearly to the Poor of his Parish, according to the Act of Parliament of the 5th of *Q. Eliz.* The Dispensation bears Date the 3d of *March*, as above.

659. 3. A GENERAL List of Dispensations and Faculties granted in the first Year of King *Charles*.

873. 4. A GENERAL List of those granted in his second Year.

1002. 5. ANOTHER of those passed in his third Year.

Ecclesiastical Commissions.

114. 1. THE King's Letters Patent erecting a High Commission Court, which was founded upon the Statute 1 *Eliz.* cap. 1, and consisted of a certain Number of Commissioners who exercised the King's Ecclesiastical Supremacy. It was dated *July* 1, 1625, at *Westminster*.

297. THERE is another of the same Nature dated *Feb.* 15, 1626; and another dated at *Canbury*, *Aug.* 15, 1627.

912. IT is notorious that this Court was perfectly of a Piece with the Star-Chamber, and that under Colour of putting a Stop to Schism, it oppressed, as *Puritans*, those that refused Submission to a despotick Power, which alienated Peoples Minds first from the *Hierarchy*, and afterwards from *Episcopacy* itself.

SIR *George Paul* was appointed Register to the Commissioners, and *Robert Christian* and *Thomas Mottershed*, Esqs; Receivers of all the Fines and Forfeitures incurred by the Offenders.

941. 2. A COMMISSION for sequestering Archbishop *Abbot*, and authorizing the Bishops of *London*, *Durham*, *Rochester*, *Oxford*, and *Bath* and *Wells*, to attend the Services, and act in all Causes appertaining to the Jurisdiction of the See of *Canterbury*. Dated Oct. 9, 1627, at *Westminster*.

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THIS was during the Diſgrace of Archbiſhop *Abbot*, who for refuſing to licenſe *Sibthorp*'s Sermon (hereafter mentioned in the Article of Loans) was ſuſpended from all his Archiepiſcopal Functions, and confined to his Seat at *Ford*, a mooriſh unhealthy Place, five Miles beyond *Canterbury*.

HE wrote a Narrative of his Caſe, which is printed in *Ruſhworth*, and well worth the reading, but we have not room to tranſcribe it. It muſt ſuffice for us to obſerve, that he pleaded his Indiſpoſition with the Gout, Stone, and Gravel, as the Reaſon of his not having been for ſome time at Court, though it was miſinterpreted by his Enemies as a wilful Withdrawing from public Services, and a Diſapprobation of ſome Courſes then taken; that Mr. *William Murray*, one of the King's Bedchamber, having brought Dr. *Sibthorp*'s Sermon to him by his Majeſty's Order to be licenced, after the Biſhop of *London* had declined it, on purpoſe to throw the Temptation upon the Archbiſhop, his Grace made Exceptions to ſeveral Paſſages in the Sermon, and deſired the Meſſenger to acquaint his Majeſty with the Reaſons, why he muſt decline to give his *Imprimatur*. After ſome days Mr. *Murray* returned, and told the Archbiſhop that *the King would inſiſt upon it*; but the Archbiſhop ſtill waved the matter, 'till another Meſſage was brought him by the ſame hand, that *if he did not diſpatch it, the King would take ſome other Courſe with him*. Upon this, the Archbiſhop put his Objections into writing, and ſent them to the King, by whom they were communicated to the Duke, and by him to *Laud* Biſhop of *Bath* and *Wells*, who calling for the Biſhops of *Durham*, *Rocheſter* and *Oxford*, in order to have their countenance, an Anſwer was drawn up in their Names to the Archbiſhop's Exceptions, and ſent by Mr. *Murrey* to *Lambeth*, where the Archbiſhop was then ſo ill of the Stone, that he kept his Bed. The Anſwer was read to him by Mr. *Murray*, but he was not permitted to leave it with his Grace, who not being to be prevailed upon by any Argument or Authority to licenſe the Sermon, it was ſoon after licenſed by the Biſhop of *London*, (whoſe Chaplain had refuſed to do it) and not only licenſed, but approved and recommended as a learned and diſcreet Sermon, agreeable to the ancient Doctrine of the Primitive Church, both for Faith and good Manners, and to the eſtabliſhed Doctrine of the Church of *England*. The Narrative proceeds to ſhew, how the Duke of *Buckingham* reſented the Archbiſhop's Denial, and that his Diſgrace aroſe principally from the Duke's Malice, though he had been the Inſtrument of his Advancement. It ſeems that the Duke preſſed his Majeſty to ſend him from *Lambeth*, for fear that in the Duke's abſence, who was then going to Sea, he ſhould come at every turn to *Whitehall* and the Council-Table, and croſs all the Duke's Meaſures. The Archbiſhop to obviate that Objection went to *Croydon* a Month ſooner than he uſed to do, and on the 5th of *July* (1627) the Lord *Conway* was ſent thither to inform him, that *it was his Majeſty's Pleaſure he ſhould withdraw to* Canterbury, *and meddle no more with the High-Commiſſion*. The Archbiſhop offered Reaſons why *Canterbury* would be an inconvenient Place at that time for his Reſidence, and deſired that he might be permitted to retire rather to *Ford*; to which the King agreed, and allowed him convenient time to prepare for his Removal. There it was that he penn'd his Narrative, which it muſt be owned makes both his Judgment and Actions in this Particular very juſtifiable and laudable. But the Court being more and more offended with him, becauſe he made no Submiſſion to the King, and for other Reaſons, ſequeſtred him from his Juriſdiction by the Commiſſion abovementioned. This Quotation from the Narrative may ſerve to give the Reader an Idea of the Archbiſhop's Arguments againſt *Sibthorp*: His Grace repreſented, 'That the 'Paſſage quoted by *Sibthorp* out of St. *Mat-* 'thew to recommend the Tax, plainly 'ſhewed the hard Condition of the *Jews* 'under the Yoke of the *Roman* Emperors, 'their Maſters and Conquerors, but it was 'no ways proper to eſtabliſh the Right of 'ſuch a Tax in the *Engliſh* Nation; that 'the Tax laid upon the *Jews* was a Poll-'Tax; and that *Richard* II. by levying 'ſuch a Tax, cauſed an Inſurrection, which 'was attended with horrible Maſſacres; and 'that a good King, ſuch as his Majeſty was, 'ought to exact nothing from his Subjects 'but according to the Laws.'

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THE Biſhops to whom the abovementioned Commiſſion was granted, were Dr. *George Mountain* * Biſhop of *London*, Dr. *Richard Neale* Biſhop of *Durham*, Dr. *Walter Curl* Biſhop of *Rocheſter*, Dr. *John Howſon* Biſhop of *Oxford*, and Dr. *William Laud* Biſhop of *Bath* and *Wells*.

3. *The King's Writ for recalling the ſaid Commiſſion; dated* June 25, 1628. P. 1025.

THIS was after the Summons of the Archbiſhop to Parliament by the King's Writ; for we find a Speech of his on the 25th of *April* laſt, at a Conference between the Lords and Commons upon the *Petition of Right*, earneſtly recommending the Maintenance and Support of the Fundamental Laws of the Kingdom, and the Fun-

* This was he that licenſed *Sibthorp*'s Sermon, and not *Laud*, as is inconſiderately miſreported by Dr. *Welwood* and other Writers; the latter not being tranſlated from *Bath* and *Wells* to *London*, 'till the Summer following.

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Fundamental Liberties of the Subject. 'Tis remarkable, that when the Archbiſhop was ſent for to *Whitehall*, he was received from his Barge by the Archbiſhop of *York* and the Earl of *Dorſet*, and by them ſolemnly introduced to the King, who gave him his Hand to kiſs with a particular Countenance of Favour, and bid him not fail being at the Council-Table twice a Week. The Archbiſhop being a popular Man was reſtored at this Juncture, in order to moderate the Heats of certain Eccleſiaſticks, who made great diſturbance in the Church by ſome ſcholaſtical Controverſies on the Points of Predeſtination, Grace, and Perſeverance; while both Parties were abetted by ſeveral Biſhops, and each of them pretended the Opinions they held, to be the Doctrine of the Church; when in truth they were but the Opinions of private Men diſtinguiſhed by the Names of *Calviniſts* and *Arminians*, of whom the former were countenanced by the Commons in Parliament, and ſome few of the Biſhops; and the latter juſtified by moſt of the Biſhops, and not diſcountenanced by the King, of whoſe Prerogative-Royal they were great Aſſertors.

Foreſt Laws.

717. 1. *A Proclamation about* Fee-Deer; *dated at* Whitehall, May 26, 1626.

UPON Complaint that Perſons having no Right preſumed to ſend their Warrants for Deer out of the King's Foreſts, Chaces, and Parks, it declares that no Subject can challenge ſuch Right but the two Juſtices of the Foreſts on the *Trent*, and prohibits all the Wardens, Lieutenants, or other Officers of the King's Foreſts, *&c.* to ſerve the Warrants of any, but only of the ſaid Juſtices of the Foreſts, or of ſuch as have Right, by being Lieutenants or other principal Officers, and are therefore intitled to the ſame by the Allowance of the Juſtices of the Foreſts, according to the Laws of the Foreſt.

Grants.

119. 1. *A Grant* (*dated at* Weſtminſter, June 20, 1625.) *of* 500 *Oaks out of the King's Manor of* Gillingham *in* Kent, *to the Duke of* Bucks, *for enlarging his Park at* Eaſt-Beaulieu *in* Eſſex.

HE had a Grant from the late King of 1000 Oaks for that purpoſe, out of the Woods near *Milton* in *Kent*, but they were inſufficient.

165. 2. A Grant of a Pinnace, with all its Rigging and Furniture, to the ſaid *George* Duke of *Bucks*, High-Admiral of *England*, who, 'tis therein ſaid, had undertaken to adventure for Diſcovery of the North-Weſt Paſſage; 'tis dated at *Oxford*, *Aug.* 1.

199. 3. A Grant to the Duke of *Bucks* of the yearly Rent of 400 *l.* payable to the Court of Wards and Liveries for certain Lands farmed of the Crown, during the Minority of the Earl of *Southampton*; and of two Fines due to the Crown, *viz.* one of 2000 *l.* for a Grant made to the Counteſs of *Southampton* and others, of the Cuſtody, Wardſhip, and Marriage of the young Lord of *Southampton*; and another of 256 *l.* on a Compoſition made with the Counteſs by the abovementioned Court. This Aſſignment is dated at *Foxley* the 8th of *October*.

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233. 4. A Grant to *Chriſtopher* Earl of *Angleſey* of a Fine of 2000 *l.* payable by Sir *Henry Fines*; another of 100 *l.* payable by *Nicholas Rooper*, and another of 100 *l.* payable by *Edward Keighlie* and *Iſabel* his Wife, purſuant to a Sentence of the Court of *Star-Chamber* in the late Reign, for divers Miſdemeanors by them committed, as contained in a Complaint exhibited againſt them by *Edward Harriſon*, Eſq; 'Tis dated *December* 6. at *Hampton-Court*.

248. 5. A Grant to *Thomas* Earl of *Arundel* and *Surrey*, Earl-Marſhal of *England*, of the Wardſhip of the Body, and Leaſe of the Lands, of *Henry* Lord *Stafford*, to be diſpoſed of during the Minority of the ſaid Ward, together with a Fine of 500 Marks impoſed upon the ſaid Lord *Stafford* in the Court of Wards and Liveries to the King's Uſe, for the ſaid Lordſhips, Wardſhip, and Marriage. The Improvement of the ſaid Lord *Stafford*'s Eſtate, and the better Relief and Maintenance of thoſe who are to receive any Benefits by the ſame, are aſſigned as the Motives of the ſaid Inſtrument, which is dated *Dec.* 22, at *Weſtminſter*.

264. 6. A Grant of 1000 *l.* to *Thomas Caldwell*, Eſq; dated *Jan.* 6, 1626. at *Weſtminſter*.

304. 7. A Grant of *Somerſet-Houſe* in the *Strand* to the Queen for her Life; dated at *Weſtminſter*, *Feb.* 15, 1626.

685 to 714. 8. A Grant of certain Lands and Revenues to the Queen for her Life, as part of her Jointure; dated at *Weſtminſter*, *Mar.* 14.

716. 9. A Grant of 200 *l.* a Year to Sir *Edmund Verney*, Knt. Marſhal of *England*, for his Life; dated *May* 26.

718. 10. A Commiſſion to the Lord Keeper, *&c.* to conſider and conclude what Honours and Mannors, Annuities or Revenues, are fitteſt to be conveyed and aſſured to the King's Conſort for her Jointure and Dowry according to the Marriage-Articles. Dated at *Weſtminſter*, *June* 8, 1626.

794. 11. A Confirmation of the Privileges granted to the Warden and Scholars of *Wincheſter* College in *Oxford*; dated *November* 11.

816. 12. AN Act for granting Denization and a Sum of Money to *William Belowe*, Eſq; a Foreigner, in order to make full ſatisfaction of 5000 *l.* due for the Arrears of a Penſion of 2000 *l.* granted by the late King to

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914. 13. An Act confirming the Divinity-Lecture founded in the Divinity-School at *Oxford*, by *Margaret* Counteſs of *Richmond*, Mother to *Henry* VII, dated at *Canbury*, *July* 5.

Inventions.

73. 1. A Grant of the Office of Maſter-Imboſſer and Maker of the Medals to the King and his Heirs, with a Salary of 40 *l.* a year to *Abraham Vanderdoort*, Eſq; who after many chargeable Tryals and long Practice had attained to the Art and Myſtery of making of Medals. 'Tis dated at *Weſtminſter* the 14th of *May*, 1625.

162. 2. *A Grant to* William Beale *of* London *Goldſmith, who had invented a certain Compound of Stuffs and Waters called a Cement or Dreſſing for Ships, by which they might be preſerved in Fights from Burning, or Conſuming by Wildfire or Gunpowder, and in long Voyages from the Sea-worm or Barnacle without ſheathing.*

He was to have the ſole making and diſpoſal of this Cement for the Term of 14 Years, on paying 40 *s.* a Year Acknowledgment to the Exchequer. The Grant is dated the 1ſt of *Auguſt* at *Southampton*.

638. 3. A Patent granted to *Edward Knapp* for the ſole making of new-deviſed Axle-Trees of Metal for Coaches, Carts, Waggons, *&c.* for the Term of 14 Years, under the yearly Rent of 40 *s.* to the Crown; dated *Jan.* 7, 1626.

680. 4. A Grant of a Privilege for 31 Years to *Joſeph Webb*, M. D. for the whole teaching and inſtructing all that deſire to learn the Tongues by the Ways and Means by him invented, and for the ſole Printing and Selling of the Books by him invented or modelled for that end; dated at *Weſtminſter*, *April* 26, 1626.

734. 5. A Grant of 14 Years Privilege to *Arnold Rotſipen*, who had invented a new way of making all Sorts of Guns; dated *July* 13.

857. 6. A Grant to *Caleb Morley*, A. M. who is ſaid to have contrived the beſt Method that ever was invented to *help the Memory*, and to ground Scholars in the *Engliſh*, *Latin*, and other Languages. If the ſaid Method ſhould be approved by the Teſtimony of 12 good Grammarians, then the ſame was enjoined to be taught for 21 Years in all Schools throughout the King's Dominions, and he was to have the ſole Privilege, for the ſaid Term, of Printing and Selling any Books, Tracts, or Tables, for that purpoſe. The Patent is dated the 9th of *March* 1627, at *Weſtminſter*.

870. 7. A General Liſt of Patents for Inventions granted in the ſecond Year of King *Charles*.

8. *Another of thoſe granted in his third Year.* Charles I.

There was one for melting Iron-Ore, 992. and caſting it into Bars, *&c.* with Sea-Coal and Pit-Coal. A ſecond for an Inſtrument for Earing and Ploughing of Land without Horſes or Oxen; and a third for an Engine to drive any Mills without Horſe, Wind, or Water.

Ireland.

64. 1. A Special Commiſſion directed to Sir *John Denham* and others, to enquire into the State of *Ireland*, and to certify the ſame to the Lords of his Majeſty's Privy-Council. 'Tis dated at *Weſtminſter* the 12th of *May*, 1625.

148. 2. Instructions to Sir *Francis Anneſley* his Majeſty's Vice-Treaſurer and Receiver-General in *Ireland*. They are copied from *Bibliotheque Harley*, contain Directions for improving the King's Revenues, and leſſening his Charge, and are dated at *Windſor*, *July* 20.

189. 3. A Commiſſion to the Deputy Lieutenant, Treaſurer, Judges, and Secretaries of State in *Ireland*, for continuing that called the High Court of *Caſtle-Chamber* in *Dublin-Caſtle*, which was firſt erected by King *James* on the 10th of *Auguſt* 1605. This Commiſſion bears date at *Foxley*, *Oct.* 5, 1625.

242. 4. Another directed to Sir *Francis Anneſley*, &c. to take a general Muſter of all the Forces in the Kingdom, to ſurvey the Proviſions, and to inquire into, and puniſh all Frauds committed by the Muſter-Maſters, Commiſſaries, Victuallers, and all other Perſons employed in any manner in the Service of the Forces. 'Tis dated the 9th of *December* at *Hampton-Court*.

309. 5. A Commiſſion to the Chancellor of *Ireland*, &c. for inſpecting and ſettling the Accompts of the Officers of the Revenue in that Kingdom. 'Tis dated at *Weſtminſter*, *March* 3, 1626.

932. 6. A Declaration for increaſing the Subſidies in this Kingdom, by laying a higher Impoſt upon the Goods and Merchandize exported from hence to Foreign Parts; dated at *Canbury*, *Aug.* 16, 1627.

Knights.

277. 1. A Commiſſion to the Earls of *Arundel* and *Pembroke* to prepare for the Rites and Ceremonies for creating Knights of the *Bath*, previous to his Majeſty's Coronation; dated *Jan.* 30, 1626, at *Weſtminſter*.

278. 2. *The King's Warrant to the Sheriffs to ſummon all Perſons that had for three Years paſt held* 40 *l. a Year, or more, of Lands or Revenues in their own Hands, or the Hands of Feoffees, and are not yet Knights, to come before his Majeſty by the*

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the 31ſt of January, *to receive the Order of Knighthood.*

THIS indeed was old Law and Cuſtom, and when it was firſt authorized by an Act of Parliament in the Reign of *Edward* II. with regard to ſuch as had 20 *l.* a Year in Land, 20 *l.* at that time was equal to 300 *l.* in the Reign of King *Charles*; ſo that to reinforce this Law or Cuſtom, now when the Value of Eſtates was ſo much diſproportioned to the Quality of Knights, was diſpleaſing to the Country, and thought at beſt but a legal Oppreſſion, tho' the King imagined he did his Subjects a Favour in including ſuch only in his Order as had 40 *l.* a Year. His Majeſty's faireſt Pretence for it, was to do honour to his Coronation.

THIS ſhews that the Date given to this Warrant in the *Fœdera*, viz. *February* 5. is wrong, and that it muſt have been iſſued ſome time in *January*, becauſe the Coronation was performed the 2d of *February*.

889. 3. A Commiſſion to *Dudley* Lord *Carleton* and Sir *William Seagar* to carry the Order of the Garter to *Henry* Count *Naſſau*, Prince of *Orange*; dated at *Weſtminſter*, *May* 12, 1627.

1020. 4. A Commiſſion to the Lord High-Treaſurer, *&c.* to fine all Perſons returned as poſſeſſed of 40 *l.* a Year, who came not in to receive Knighthood according to the Sheriffs Summons. 'Tis dated at *Weſtminſter*, *May* 29, 1628.

Letters betwixt the King and Foreign Powers.

116. 1. *A Letter to King* Charles *from* Mary *the Queen-Mother of* France, *dated the 16th of* June 1625, N. S. *at* Amiens, *to which place ſhe attended her Daughter* (*after her Eſpouſals to him ſolemnized by Cardinal* Richelieu) *in her way to* England.

THIS Letter was brought by the Duke of *Buckingham*, who was ſent to *France* to fetch the Bride. She therein applauds her Daughter's Happineſs, whoſe Marriage was to cement the Union of the two Crowns, and highly commends the Conduct of the Duke.

229. 2. *A Letter from King* Charles *to the Duke of* Chevreuſe, *who had in his Name eſpouſed the Princeſs* Henrietta-Maria. *'Tis dated at* Hampton-Court *the 20th of* November 1625.

THE Purport of this Letter was to put the Duke in mind of the Aſſurances given by the *French* Court that the Ships which King *Charles* ſent to the moſt Chriſtian King ſhould be employed in *Italy*; whereas they were detained againſt the *Rochellers*, tho' the King had ſent for them to guard his own Coaſts, and the Trade of his Subjects. The Duke is herein upbraided for not ſolliciting the Court of *France* for the Return of thoſe Ships. The King urges his moſt Chriſtian Majeſty to grant Peace to his Subjects of the *Reformed Religion*, that he might be more at liberty to proſecute his noble Deſigns in *Italy*, upon which his own Honour, and the Safety of his Allies, and his own State ſo much depended; while thoſe of that Religion being unmoleſted, would ſerve as Centinels to watch all the Motions and Deſigns of the *Spaniards*, to whom they were not to be reconciled. But if the King from meer Caprice, rather than real Neceſſity, was for continuing the War againſt his Proteſtant Subjects, King *Charles* hopes he will not ſo far expoſe him to the ſight of the whole World, as to employ his Ships againſt People of his own Religion; ſince it was plain from Senſe and Reaſon, that the Ruin and Extirpation of thoſe of the Reformed Religion in *France* would turn entirely to his moſt Chriſtian Majeſty's Diſſervice and Detriment. The King adds, that he had heretofore interceded by his Ambaſſador the Duke of *Bucks*, for the Releaſe of certain Proteſtants, who were detained Priſoners at *Paris* and elſewhere, and that he had obtained a Promiſe of the *French* King for their Liberty, but it was not yet performed. To all theſe Points King *Charles* preſſes the Duke to procure a ſpeedy and ſatisfactory Anſwer.

FOR the better underſtanding of that part of the King's Letter touching the Employment of the *Engliſh* Ships againſt *Rochel*, which was briefly mentioned in *p.* 549. 'tis neceſſary to be more particular.

CAPTAIN *John Pennington* with the Squadron no ſooner arrived at *Diep*, viz. *July* 21, 1625, but the *French* Admiral told the Captains, Owners, and their Companies, that they muſt and ſhould go to ſerve againſt *Rochel*; to which they were all very averſe, tho' Gold Chains and other Rewards were offered to ſome of them: And *Pennington* ſent a Memorial to the Duke of *Buckingham*, Lord High Admiral, to decline the Service, and to bring home the Ships in Safety and Honour. But he ſoon received Letters from the Duke, and a Warrant from Secretary *Conway* in the King's Name, commanding him to deliver up the Ships into the hands of ſuch *Frenchmen* as his Chriſtian Majeſty ſhould appoint, but not to deſert his Charge over them. Theſe Orders were delivered to him by the *French* Ambaſſador, together with a Letter from the *French* King, requiring him to receive aboard a certain number of *French* Soldiers, and his Admiral the Duke of *Montmorency*, and therewith to join againſt the *Rochellers* his rebellious Subjects. Theſe Letters being read, the Ambaſſador inſiſted upon the immediate Surrender of his Ship the *Vantguard* to his Poſſeſſion, and a Diſcharge of the *Engliſh* Soldiers, all but 60 or 80, in caſe they were willing to be enter-

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entertained in the Service. *Pennington* after much Diſpute, altho' he was firſt of all promiſed an ample Reward in Money, to be given him at the Surrender, and a Royal Penſion during his Life, and then threatned with the Loſs of his Head for Non-compliance, came to this reſolute Anſwer, that without an expreſs and clear Warrant he would not ſurrender, nor diſcharge a Man of his Company. Upon this the Ambaſſador's Secretary came twice aboard his Ship on the 26th at night, to proteſt againſt him as a Rebel to his King and Country. Upon the laſt Proteſt, which was enforced with Challenges and Threats, Capt. *Pennington* declared, *That he had rather live all his Life upon Bread and Water than betray his King and Country of ſo precious a Jewel; and had rather the King ſhould take away his Life, than he would have a hand in the Surrender or Undervaluing ſuch a Bulwark of the Kingdom.* Alſo the Soldiers and Mariners of all the Ships grew into ſuch a Fury and Tumult, that they got up their Anchors, and ſet ſail for *England* without the Order, though with the Connivance of the Captain; ſaying, like *true Engliſh* Seamen, *They would rather be hanged at home than ſurrender the King's Ships, or be Slaves to the* French, *and fight againſt the Proteſtant Religion.* It appears that the Captain of the Man of War was not ignorant of their Deſign to return for *England*, becauſe under his Prayer-Book he found a Petition, which they had put there privately, ſubſcrib'd by their Names in a Circle or Compaſs, that it might not appear who began it.

Bravery of the Engliſh *Seamen.*

WHEN they came to Anchor in the *Downs*, which was on the 27th of *July*, Capt. *Pennington* ſent one *Ingham* expreſs with a Letter to the Duke of *Buckingham*, to inform him of what had happened, (which Letter being inſerted in the *Cabala*, is our Authority for moſt of the foregoing Particulars) together with the Petition juſt now mentioned, and he aſſured the Duke that all his Men would rather be hanged than go back to *France*. *Ingham*, whom the Captain employed to ſollicit his Diſcharge from ſerving againſt *Rochel*, delivered the Letter to the Duke, and ſaw him read it, together with the Petition.

ALL this while the King or the Body of the Council knew nothing certain of any other Deſign of the *French* than their Pretence againſt *Genoa*, and believed that all the Articles and Inſtruments, that had paſſed between the *French* and us, or the Captains, Maſters, and Owners of the *Engliſh* Ships, had been penned and contrived with proper Cautions for preventing all Dangers to the King or the Subjects: And M. *de la Touche*, who with divers others came over in the mean time from the Duke of *Rohan* and the Proteſtants of *France* to ſollicit the King and Council againſt lending of our Ships, received fair Anſwers from both: Nevertheleſs the Duke told them that the King his Maſter was obliged, and that the Ships muſt and ſhould go; ſo that the King, at the Importunity of the Queen and the Duke of *Buckingham*, wrote a Letter, dated at *Richmond* the 28th of *July*, which he ſent to Captain *Pennington* by Captain *Thomas Wilbraham*, expreſſly and ſtrictly commanding him, without delay, to put his former Orders in execution, to conſign his Ship called the *Vantguard*, with all her Furniture, into the hands of the Marquis *d'Effiat* for the *French*; aſſuring her Officers, his Majeſty would provide for their Indemnity; and to require the ſeven Merchant-Ships, in his Majeſty's Name, to put themſelves alſo into the Service of the *French* King, according to the Promiſe his Majeſty had made to him: And in caſe of Backwardneſs or Refuſal, he was commanded to uſe all forcible Means to compel them to it, even to ſinking.

UPON this *Pennington* in the beginning of *Auguſt* ſailed again to *Diep*, and put his Ship forthwith into the abſolute Power and Command of the *French* King, his Subjects and Miniſters, to the *French* King's Uſe, and to be employed in his Service at pleaſure; and acquainted the reſt of the Fleet with the Effect of his Majeſty's Letter and Command; demanding and requiring them alſo to deliver, and put their Ships into the power and command of the *French* King. The Duke of *Buckingham*'s Secretary told them moreover, that if they did not do it, 'twas as much as their Lives were worth. Yet the Captains, Maſters, and Owners of the ſeven Merchant-Ships refuſed, as conceiving it was not the King's Pleaſure they ſhould ſo do, without Security for Delivery of their Ships, or Satisfaction for the ſame to their good Contentment. Hereupon *Pennington* went aſhore at *Diep*, and after having conferred with *d'Effiat* the *French* Ambaſſador, returned ſhortly after aboard, and gave the Captains, Maſters, and Owners, an Anſwer reſting upon the Validity, and urging the Performance of the former Contract made and perfected in *England*. Then the ſaid Maſters and Captains prepared to be gone, and accordingly weighed Anchor; but upon a Shot from *Pennington* they all came in again, except Sir *Ferdinando Gorge*, who with his Ship the *Great Neptune* ventured out, and brought her home. The other ſix that remained were delivered into the abſolute Poſſeſſion, Power and Command of the *French* King and his Ambaſſador *d'Effiat*, and other the Miniſters and Subjects of the *French* King, to be employed by him in his Service at his pleaſure; but not one of all the *Engliſh* Company, Man or

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or Boy, except one Man a Gunner (who was afterwards killed by charging a Piece of Ordnance which he had not well ſpunged) would ſtay in any of thoſe Ships to ſerve againſt the poor *Rochellers* of our own Religion.

THIS done, Captain *Pennington* return'd ſpeedily into *England*, and went to *Oxford*, where the Parliament was then ſitting, to whom he could have opened the whole Truth of the Buſineſs for the Service of the King and the Realm; but by means of the Duke of *Buckingham* he was prevailed on to conceal himſelf there 'till the Diſſolution of the Parliament, which happened very ſoon after.

Engliſh Ships forced into the Service againſt the Rochellers.

IN or about *September* following, the ſaid Ships were actually employed againſt the *Rochellers* and their Friends, to their exceeding great Prejudice, and almoſt utter Ruin; and it was ſaid by ſome of the *French*, that the *Vantguard* mowed them down like Graſs, to the great Diſhonour of our Nation, and the Scandal of our Religion, and to the Diſadvantage of the great Affairs of this Kingdom, and of all Chriſtendom. *Edward Nicholas* the Duke of *Buckingham*'s Secretary had a Preſent from the *French* Ambaſſador of a Diamond Ring and a Hatband ſet with Sparks for his pains in this ignominious Affair.

Letters of Marque.

11. 1. A Commiſſion to *George Villiers* Duke of *Bucks*, Lord High-Admiral of *England*, *Ireland*, *Wales*, &c. authoriſing him to grant Letters of Marque and Repriſal to the King's Subjects, who had ſuſtained any Wrongs and Loſſes from the *Netherlanders* under the Obedience of the King of *Spain* and the States-General. 'Tis dated the 7th of *April* 1625, at *Weſtminſter*.

188. 2. *Another Commiſſion to the Duke, authorizing him to grant Letters of Marque to ſuch of the* Engliſh *as had ſuſtained Damages from the* Spaniards, *for apprehending and taking the Goods, Ships, and Merchandize of the King of* Spain *or his Subjects, whereſoever found. 'Tis dated* Sept. 17. *at* Foxley.

IT muſt be obſerved, that Reſtitution or Satisfaction had firſt been demanded by all fair Means and due Proceedings, but none could be obtained.

222. 3. ANOTHER Commiſſion to the ſame purpoſe; dated *Nov.* 2. at *Weſtminſter*.

731. 4. *A Commiſſion to* Dudley *Lord* Carleton, *Sir* John Cook *Secretary of State*, *Sir* Julius Cæſar *Maſter of the Rolls*, *Sir* Henry Martin *Judge of the Admiralty*, *Sir* Robert Harley *Knight of the* Bath, *Sir* John Finch, William Noy, *Eſq*; William Reeves, Thomas Talbot, *and other Lawyers, to diſcover and find out dubious Caſes occurring in Letters of Repriſal, and to conſider what was Law in ſuch Caſes, and what the Practice of other Nations. 'Tis dated at* Weſtminſter, July 11, 1626. CHARLES I.

'TIS proper to note here, that the Proclamations were ſtill in force againſt carrying Proviſions to *Spain*, and that among other Grievances which fell under the Cognizance of King *Charles*'s ſecond Parliament, they took into conſideration certain Repriſals made upon *France*, with too much precipitation, to the great Damage of the *Engliſh* Merchants. Sir *James Bagg* Vice-Admiral of *Cornwal*, and others, had in *September* laſt ſeized upon the Goods of the *French* in our Ports, particularly thoſe of the Ship called the *Peter of Newhaven*, by Order of the Duke of *Bucks*, after the King and Council had ordered the Ship to be reſtored upon a juſt Claim, and after ſhe had been releaſed by the Admiralty. If *Ruſhworth* may be credited, 23 Bags of Silver and eight of Gold, were by Sir *Francis Steward* delivered to the Duke, who ſaid he would juſtify the Stay of the Ship by Order from the King. This Ship's Lading was valued at 40,000 *l.* Sterling, and the Duke's detaining of it was afterwards made one of the Articles of his Impeachment; for he took 20,000 *l.* out of her in Jewels and other rich Commodities. The Seizure of this Ship provoked the King of *France*, not only to deny the Reſtitution of the ſeven Ships lent him for his Aſſiſtance on the Coaſts of *Italy* (tho' employed againſt his Proteſtant Subjects at *Rochel*, contrary to Treaty) but to lay an Arreſt upon our Merchants Goods in his Dominions to the value of 300,000 *l.* However, Satisfaction being made to the *French* Merchants, the *French* King reſtored the *Engliſh* Ships, and releaſed the Embargo on their Goods in the beginning of *May* 1626.

860. 5. A Commiſſion to the Magiſtrates of *Dover*, &c. to appraiſe all *French* Ships and Goods arreſted within any of the Cinque-Ports, and to make Sale of what was periſhable; dated at *Weſtminſter*, *March* 12, 1627.

861. 6. ANOTHER to the Duke of *Bucks*, Lord High-Admiral, to grant Letters of Repriſal againſt the *French*; dated the 19th of *March*.

887. 7. ANOTHER to the ſame purpoſe; dated the 20th of *April*.

895. 8. A Commiſſion to receive and ſell all Prizes and Prize Goods taken from the *French*; dated at *Weſtminſter*, *May* 17.

901. 9. ANOTHER for examining Perſons touching the embezzling, carrying away, or ſpoiling the Goods, and to puniſh Offenders; and for appointing Sir *John Wolſtenhome* Treaſurer of the Moneys ariſing from the Sale. 'Tis dated *June* 6.

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10. A Proclamation againſt making illegal Claims to any part of thoſe Goods; dated at *Whitehall*, *June* 25.

11. A Commiſſion to *Richard* Lord *Weſton*, Lord High-Treaſurer, *&c.* to grant Letters of Repriſal againſt the *French* to the Subjects of *England* who had been injured by that Nation; dated at *Weſtminſter*, *Sept.* 20.

Licences.

120. 1. A ſpecial Licence to *John Hemings*, *William Rowley*, and others, for playing Comedies, Tragedies, Stage-Plays, *&c.* within their moſt uſual Houſes called the *Globe* in *Surrey*, and their private Houſes in *Black-Friars*; as alſo in any Town-Halls, or other convenient Places in the Liberties of any other Town or Univerſity, whenever the Lord-Mayor of *London* certifies that the Infection of the Plague does not carry off above 40 Perſons weekly. 'Tis dated at *Weſtminſter*, *June* 24, 1625.

136. 2. A Licence to *Henry Minors*, Eſq; Maſter of the King's Otter-Hounds, to take up as many Hounds, Beagles, Spaniels, and Mongrels for hunting the Otter, as he ſhould think fit for his Majeſty's Recreation, and to ſeize all Dogs that might be offenſive to the Game. 'Tis dated *July* 1. at *Weſtminſter*.

187. 3. AN Order to the Lord-Keeper of the Great-Seal to grant Licences for Collections to be made through the Realm, for certain Petitioners his Subjects, who had ſuffered much by Fire, Shipwreck, *&c.* and for Chriſtians of other Nations forced to fly hither on account of their Religion. 'Tis dated the 5th of *February* 1626.

947. 4. A Licence to Sir *Kenelm Digby* to undertake a Voyage beyond Sea, tending to the Service of the King and Kingdom; dated at *Weſtminſter*, *Nov.* 15, 1627.

Loans.

AMONG other illegal and impolitic Methods which King *Charles* took to raiſe Money by Advice of his Council inſtead of Parliament, one was the borrowing of Money by Letters of Privy-Seal ſent to ſeveral of the ableſt Perſons in all parts of the Kingdom; in each of which Letters the King promiſed, in the name of himſelf and his Succeſſors, to repay it in 18 Months after it was paid in to the Collectors, who were to have it in 12 Days after Delivery of the Privy-Seal, and then to carry it to the Exchequer, and to return the Names of ſuch as delayed or refuſed to pay the Sums required.

THE firſt time he ſet a Loan on foot was in 1625, juſt before the Fleet ſailed for *Cadiz*, and the Method of raiſing it was this;

FIRST, The King wrote to the Lord-Lieutenants of the Counties to ſend him in the Names of the moſt able Lenders, and what Sums they thought they could ſpare. Then the Comptroller of the King's Houſehold, by the Council's Order, iſſued forth Letters in the King's Name, under the Privy-Seal, to the ſeveral Perſons returned for the Loan of Money, in form as followeth.

'TRUSTY and Well-beloved, *&c.* having obſerved in the Cuſtoms of former Times, that all the Kings and Queens of this Realm upon extraordinary Occaſions have uſed either to reſort to thoſe Contributions, which ariſe from the Generality of Subjects, or to the private Helps of ſome well-affected, in particular by way of Loan. In the former of which Courſes, as we doubt not of the People's Love when they aſſemble in Parliament, ſo we being inforced to proceed to the latter Courſe for Supply of ſome Treaſure for publick Services that cannot be deferred, doubt not but as this is the firſt time we have required any thing in this kind, we ſhall receive ſuch a Teſtimony of your good Affection, and that with ſuch Alacrity and Readineſs, as may make the ſame ſo much more acceptable; eſpecially ſeeing we require but that Sum, which few Men would deny a Friend—The Sum we require of you by theſe Preſents is—— which we promiſe in the name of us, our Heirs, *&c.* to repay to you or your Aſſigns within 18 Months after Payment thereof, *&c.*'

PURSUANT to this Privy-Seal, the Moneys required were generally according to this Proportion, *viz.* for the Weſt-Riding of *Yorkſhire*, Sir *Thomas Wentworth* 20 l. Sir *John Jackſon* 20 l. Sir *Edward Osborn* 30 l. *Godfrey Copley*, Eſq; 15 l. *George Weſtby*, Eſq; 10 *l.* Sir *Henry Savil*, 30 *l.* Sir *John Savil* 15 l. *Urſula Wentworth* 10 l. *&c.*

THESE kinds of forced Loans were indeed practiſed by ſome former Kings, but were always conſidered as great Grievances, and as tending to render Parliaments uſeleſs. And as for this particular Project it did not ſo much anſwer the King's Occaſions, as it increaſed People's Murmurs and Complaints: For the King's *borrowing* what the Parliament denied to *give*, was arraigning the Judgment of the Commons; the Valuation of the Abilities of the Subjects by the Lieutenants, was an unprecedented way of Aſſeſſment; the demanding of a particular Sum took away all Appearance of a voluntary Loan; and the returning the Names of thoſe who refuſed or delayed, as well as of the free Lenders, was regiſtring the King's Subjects in oppoſite Columns of Friends and Enemies: Beſides, the Lenders could hardly expect to be repaid without a Parliamentary Fund; and yet a following Parliament might be ſo far from thinking it a juſt Debt, that they would rather refuſe the Diſcharge, for fear it ſhould encourage the like Practice in other Intervals of Parliament.

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THE King being under various Difficulties next Year, and eſpecially for Money to ſupport his Uncle the King of *Denmark*, whom he had engaged againſt the Emperor for the Reſtitution of the Elector Palatine, (and who had been defeated on the 27th of *Auguſt* 1026, by Count *Tilly* near *Luttern*) iſſued forth Privy-Seals to ſome Perſons; and to others he propoſed the way of Benevolence: And the Juſtices of Peace in the ſeveral Counties were directed by the Privy-Council to ſend for Perſons able to give, and to deal with them ſingly, by uſing the moſt pevailing Arguments.

BUT it ſeems that all hitherto proved ineffectual, for in this Tome of the *Fœdera* we find a Proclamation dated at *Hampton-Court*, *Sept* 22, 1626, wherein the King took notice, that he expected a better Return than he had received, which he aſcribed partly to the Averſeneſs of ſome Perſons not ſo well affected: And as for ſuch who had given him Money upon the ſaid Letters, or lent him any upon the Privy-Seals, he declares that he had given Orders for the ſpeedy Payment of it.—One remarkable Inſtance of his Majeſty's Neceſſities, was his borrowing 100,000 *l.* of the City of *London*; from which the Magiſtracy would fain have been excuſed, but were ſo ſeverely checked and threatned by the Council for preſuming to diſpute the King's Orders ſignified by their Board, that they were glad to ſubmit.

IN ſhort, the King was ſo preſſed, that he commanded his Council to adviſe by what ways and means he might be ſpeedily furniſhed with Moneys ſuitable to his great Occaſions; and after many days Conſultation, they came to this Reſolution, that the Urgency of Affairs not admitting the way of Parliament, the moſt ſpeedy, equal, and convenient Means would be by a general Loan from the Subject, according as every Man was aſſeſſed in the Rolls of the laſt Subſidy. But as the King and Council expected to meet with a great many Obſtacles in executing this Project, they gave the following Inſtructions to the Commiſſioners who were appointed in the ſeveral Counties to levy it.

761.

1. THAT for a good Example to others, they themſelves ſhould lend his Majeſty the ſeveral Sums required of them, and teſtify it by their Names with their own hands.

2. TO be guided by thoſe Rates at which Men were aſſeſſed in the Book of the laſt Subſidy; and to require the Loan of ſo much Money, as the entire Rate and Value amounts to, at which they are rated and ſet; as (namely) he that is ſet 100 *l.* in Goods, to lend 100 Marks; and he that is ſet 100 *l.* in Land, to lend 100 *l.* in Money; and ſo *pro rata* for a greater or leſſer Sum.

3. TO uſe all poſſible Endeavours to cauſe every Man willingly and chearfully to lend, by convincing them of the Neceſſity and Unavoidableneſs of it for the Honour and Reputation of the Kingdom, the true Religion, and the common Safety of the Prince and People, and of our Friends and Allies engaged in the common Cauſe; and that now is not the time of Diſputing, but of Acting.

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4. THAT they appoint the Days of Payment to be within 14 Days, and perſuade ſuch as ſhall be able, to pay it at one entire Payment, the better to accommodate his Majeſty's Occaſions; otherwiſe to accept of the one half at 14 Days, and the other to be paid before the 20th of *December* next.

5. THAT they treat apart with every Lender, and not in the Preſence or Hearing of any other, unleſs they ſee cauſe to the contrary. And if any refuſe to lend, or make Delays and Excuſes, they were to examine ſuch Perſons upon Oath, whether they have been dealt withal to deny, or refuſe to lend, or to make an Excuſe for not lending, and by whom they have been ſo dealt with. And that they ſhall alſo charge every Perſon in his Majeſty's Name upon his Allegiance, not to diſcloſe to any other Perſon what his Anſwer was.

6. THAT they ſhew their Diſcretion and Affections, by making choice of ſuch to begin with, who are likely to give the beſt Examples; and when they have a competent Number of Hands to the Roll or Liſt of the Lenders, that they ſhew the ſame to others, to lead them in like manner.

7. THAT they endeavour to diſcover whether any, publickly or ſecretly, be Workers or Perſuaders of others to diſſent from, or diſlike of this Courſe, or hinder the good Diſpoſition of others. And that, as much as they may, they hinder all Diſcourſe about it, and certify to the Privy-Council in writing, the Names, Qualities, and Habitations of all ſuch refractory Perſons with all ſpeed, and eſpecially if they ſhall diſcover any Combination or Confederacy againſt theſe Proceedings.

835. 838.

8. THAT they let all Men know whom it may concern, that his Majeſty is well-pleaſed upon lending the Sums required, to remit and diſcharge all the Money that by Letters had been deſired upon the late Benevolence or Free Grant, and that whatever had been already paid on that account, ſhall be accepted for part of this Loan; and if it exceed the Sum deſired, that the Overplus ſhall be repaid without Fee or Charge; ſo likewiſe for Privy-Seals, if any have been already paid: But if not, that they agreeing to the Loan of the Sum required, be excuſed the Payment of the Privy-Seal.

9. THAT they admit of no Suit to be made, or Reaſons to be given for the Abatement

ment of any Sum, the Time and inſtant Occaſion not admitting of any ſuch Diſpute, which would but diſturb and protract the Sheriff.

LASTLY, the Commiſſioners were required and commanded upon their Faith and Allegiance to his Majeſty, to keep thoſe Inſtructions ſecret to themſelves.

764. THE King alſo publiſhed an Act dated the 7th of *October* 1626, at *Whitehall*, intitled, *A Declaration of his Majeſty's clear Intention in receiving the Aid of his loving Subjects in this way of Loan.* After alledging the Reaſons his Majeſty had given at large in his late Declaration concerning the Diſſolution of the Parliament, he repreſents the Impoſſibility of taking any other Courſe at preſent for maintaining the Cauſe of Religion, preſerving the King's Honour, defending his People, ſecuring his Kingdoms, and ſupporting his Allies; but promiſes that this Method ſhall not be drawn into Precedent hereafter, to charge them or their Poſterity to the prejudice of their juſt and ancient Liberties enjoyed under his moſt noble Progenitors. His Majeſty took notice of the Rumor at that time, that if this Project ſucceeded, the ſame was to be renewed every Year on any pretence of want of Money, and that no Parliaments were to be called hereafter: But he declared and promiſed in the word of a Prince, that tho' the Suddenneſs and Importance of his preſent Occaſions would not admit of the time neceſſary for ſummoning, aſſembling, and for the Deliberations of a Parliament, yet it was far from his Deſign to make any ſuch Uſe of the Love of his People; that he fully purpoſed to call a Parliament, as ſoon as he might conveniently do it, to which the Affections of the People, demonſtrated to him in the preſent Emergency, would the ſooner induce him; that all the Sums of Money lent him ſhould be repaid without Fee or Charge, as ſoon as he was able; and that every Penny of it ſhould be expended for the Service of the Publick.

King's Declaration about the Loan.

835. 838. THE Commiſſions for raiſing this Loan may be ſeen in this Tome of the *Fœdera*.

Methods taken to advance it.

FOR the Advancement of it, a Liſt was publiſhed of ſuch of the Nobility, Judges, Serjeants at Law, *&c.* as had freely ſubſcribed, for a good Example to others; and divers Lords of the Council were ordered to repair to their Country-Seats with it. And the King, in order to give an Example that he would admit of no Excuſe, removed Sir *Randolph Crew* from his Place of Lord Chief-Juſtice, becauſe he ſhewed no Zeal for advancing the Loan *. *Soldiers* were quartered upon the private Houſes of ſuch as were backward to lend the King Money, and where any ſuffered by thoſe troubleſome Gueſts, they were obliged by the King's Orders to apply for Redreſs to a Council of War, ſo that the Officers were the ſole Judges of the Soldiers. The Biſhop of *Lincoln* ſpoke publickly againſt the Loan, for which a Complaint was ſent up to the Council, and an Information of other pretended Matters was afterwards preferred againſt him; of which we ſhall treat more at large in the Account of the next Tome. The *Benchers* of *Lincoln*'s-*Inn* demurring upon the Loan, as not altogether legal, received a Letter of Reproof from the Lords of the Council, with a Command to return the Names of the Refractory. The *Gentry* in ſeveral Counties, for refuſing to ſubſcribe, were bound over by Recognizance to appear at the Council-Table; and upon Noncompliance there, were many of them (as has been already obſerved in *p.* 595.) committed to Priſon in Counties diſtant from their Seats, while very many of the common Sort of People that refuſed the Loan, were impreſſed either for Soldiers or Seamen.

BESIDES theſe means, the Court hired Miniſters to preach up as Scripture-Doctrine, *that Subjects were obliged to obey the King's Will and Pleaſure without Examination.* Thoſe of the Clergy who diſtinguiſhed themſelves moſt by their Sermons on this Subject were, Dr. *Robert Sibthorp* Vicar of *Brackley*, in a Sermon preached *February* 22, 1626-7, at the *Lent* Aſſizes at *Northampton*; and Dr. *Roger Manwaring*, in two Sermons preached at *Oatlands* before the King in *July* following, and publiſhed under the Title of *Religion and Allegiance.* Dr. *Sibthorp* in his Sermon, which he now printed and dedicated to the King with the Title of *Apoſtolick Obedience*, aſſerted, 'That Subjects were bound to obey 'the Commands of Princes, and to ſuffer 'the Puniſhment if they are againſt the Laws 'of God or Nature, or impoſſible, without 'reſiſting, railing, or reviling; it being the 'Duty of the Prince to direct and make 'Laws; for where the Word of a King is, 'there is Power, and who may ſay unto 'him, *What doſt thou?*' Dr. *Manwaring*, who ſpoke ſtill more plainly, ſaid, 'That 'the King was not bound to obſerve the 'Laws of the Realm concerning the Subjects Rights and Liberties, but that his 'Royal Will and Command in impoſing 'Loans and Taxes without Conſent of Parliament, obliges the Subjects Conſciences, 'on pain of eternal Damnation. That thoſe 'who refuſed to pay this Loan offended 'againſt the Law of God, and the King's 'ſupreme Authority, and became guilty of 'Impiety, Diſloyalty, and Rebellion. That 'the Authority of Parliament is not neceſſary for raiſing Aids and Subſidies, and 'that the ſlow Proceedings of ſuch great 'Aſſemblies were not fitted for the Supply 'of

Sibthorp's Sermon.

Manwaring's.

* See *p.* 791, of this Tome.

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'of the State's urgent Neceſſities, but would 'rather produce ſundry impediments to the 'juſt Deſigns of Princes.'

Their Cenſure by Parliament, and Reward by the King.

THE Court was ſo far from diſcountenancing ſuch extraordinary Doctrine, that, as was obſerved in the Article of *Eccleſiaſtical Commiſſions*, Archbiſhop *Abbot*, for refuſing to licenſe *Sibthorp*'s Sermon, and giving his Reaſons againſt it in writing, was ſuſpended from all his Archiepiſcopal Functions. *Manwaring*, tho' ſentenced by the Lords in the next Parliament, to pay a Fine; to make a publick Submiſſion at the Bars of both Houſes, and to be impriſoned; ſuſpended for three Years, and declared for ever incapable of any Eccleſiaſtical Dignity, or Secular Office; ſoon after obtained the King's pardon, with a good Benefice, *viz. Stamford-Rivers* in *Eſſex*, to hold with his Vicarage of St. *Gyles in the Fields*; after which, he had the Deanry of *Worceſter*, and then the Biſhoprick of *St. David's*. And *Sibthorp*, tho' alſo cenſured by Parliament, was made Chaplain in ordinary to the King, Prebendary of *Peterborough*, and Rector of *Burton Latimers* in *Northamptonſhire*.

Memoirs relating to Sibthorp.

THIS Dr. *Sibthorpe* was of *Lincoln-College*, *Oxford*; but leaving the Univerſity early, before he was ſo much as Bachelor of Arts, was obliged for his Doctor's Degree to Dr. *Pierce*, Dean of *Peterborough*, in 1624, when he was Vice-Chancellor of *Oxford*. Beſides his Vicarage of *Brackley*, he was Rector of *Water-Stratford* in *Bucks*, by the Gift of Sir *Anthony Throckmorton*; and having married the Daughter of Sir *John Lamb* of *Bothwell* in that County, Chancellor of *Peterborough*, he was put into the Commiſſion of Peace. He was a Man of low Fortune and Parts, and put his Sermon in print, with a view of gaining favour at Court; in which by his Forwardneſs and Flattery he was not diſappointed, as will be ſeen hereafter. The Year before he preached his Sermon, he happen'd to be at *Leiceſter*, and being deſir'd to ſtay there, to act as Commiſſary for the High-Commiſſion, he and his Father-in-law join'd in preſſing the Biſhop of *Lincoln*, then at *Bugden*, to proceed againſt the Puritans. The Biſhop inquiring into their Character, they were repreſented to him by Sir *John Lamb*, in the Doctor's preſence, as a People that would not ſwear, whore, nor drink, but yet would lye, cozen, and deceive. That they would frequently hear two Sermons a-day, and repeat the ſame at Night; and that ſometimes they would ſpend a whole day in Prayer and Faſting. Thereupon the Biſhop aſk'd, what manner of Collection was made upon the Loan in thoſe places where the Puritans lived: both Sir *John* and the Doctor reply'd, That in the general they lent freely. 'Then, *ſaid the* 'Biſhop, no Man of diſcretion can ſay, that 'place is a place of *Puritans*. For my 'part, I am not ſatisfied to give way to Pro-'ceedings againſt them. I am already un-'der a Cloud, and have the Duke of *Buck-'ingham* for my Enemy, and will not draw 'the Puritans upon me, who I am ſure will 'carry things at laſt.' At this, Dr. *Sibthorp* was much diſcontented; and ſaid, *He was troubled to ſee the Church no better regarded.* Theſe Informations being tranſmitted to the Council-Table, were ordered to be ſealed up, and committed to the Cuſtody of Mr. *Trumbal*, one of the Clerks; but the Biſhop found means to get a Copy of them.

THERE is a Fact related in Archbiſhop *Abbot*'s Narrative concerning the Licenſing of this Doctor's Sermon, which is not improper to be mentioned, before we take our leave of this Divine. It was ſaid in the Article of *Eccleſiaſtical Commiſſions*, that his Sermon was licenſed by the Biſhop of *London*, after his Chaplain had refuſed it. Now it ought to be remarked, that this Chaplain, (by name Dr. *Worral*) a Man of no very tender Conſcience, raſhly approv'd the Sermon when it was firſt brought to him, and actually ſet his Name to it; but upon better Thoughts, he went and adviſed with the learned Mr. *Selden* of the *Inner-Temple*, who told him, that if the Book he had allow'd, was true, there is no *Meum* and *Tuum*, no Man in *England* hath any thing of his own; *adding*, that if ever the Tide turn'd, he would be hang'd for publiſhing ſuch a Book. The Doctor, upon his advice, ſcrap'd out every Letter of his Name, and thereby withdrew his Finger from the Pye.

To Manwaring.

Manwaring was born at *Stretton* in *Shropſhire*, learnt Grammar in the King's School at *Worceſter*, was enter'd a Student in *Oxford* the beginning of 1604, and came ſoon after to be one of the Clerks of *All-Souls College*.

HAVING juſt mentioned the ſuppreſſion of Dr. *Manwaring*'s Sermons by the King's Proclamation, under the Article of *Books*, and referr'd to this Article for the Proceedings of the two Houſes of Parliament againſt him, we will here inſert the Charge, Declaration and Sentence paſſed upon him, together with his Submiſſion, Pardon, and Preferment; which being particulars too curſorily treated of in Mr. *Rapin*'s, and moſt other General Hiſtories, to give the Curious any tolerable ſatisfaction, and ſuch that ſome of the moſt eminent Hiſtorians have been ſorry they have been obliged to omit for want of room; we hope our Readers will not think us too tedious in this Article, before we paſs to the next.

ABOUT the latter end of *May* 1628, Mr. *Rouſe*, Member of Parliament for *Truro*

FOEDERA Tom. XVIII. *Truro* in *Cornwal*, brought the following Charge againſt Dr. *Roger Manwaring*, into the Houſe of Commons.

Mr. SPEAKER,

Mr. Rouſe's Charge againſt Dr. Manwaring.

'I AM to deliver from the Committee, a Charge againſt Mr. *Manwaring*, a Preacher in Divinity; but a Man ſo criminous, that he hath turned his Titles into Accuſation; for the better they are, the worſe he is that diſhonours them.

'HERE is a great Charge that lies upon him; it is great in itſelf; and great, becauſe it has many great Charges in it: *Serpens qui ſerpentem devorat, fit draco*; his Charge having digeſted many Charges into it, becomes a Monſter of Charges.

'THE main and great one is this Plot and Practice to alter and ſubvert the Frame and Fabrick of this Eſtate and Commonwealth. To this end,

'1. HE labours to infuſe into the Conſcience of his Majeſty, the perſuaſion of a Power not bounding itſelf with Laws; which King *James*, of famous Memory, calls in his Speech to his Parliament, *Tyranny, yea, Tyranny accompanied with Perjury*.

'2. HE endeavours to perſuade the Conſcience of the Subjects, That they are bound to obey Commands illegal; yea, he damns them for not obeying them.

'3. HE robs the Subject of the Propriety of their Goods.

'4. HE brands them that will not loſe this Propriety, with moſt ſcandalous Speech and odious Titles, to make them both hateful to Prince and People; ſo to ſet a Diviſion between the Head and the Members, and between the Members themſelves.

'5. To the ſame end, not much unlike to *Faux* and his Fellows, he ſeeks to blow up Parliaments and Parliamentary Powers.

Here he read ſeveral Paſſages out of Manwaring's *Book, and then proceeded thus:* 'You have heard his Charge made up by his own Words; and withal I doubt not but you ſeem to hear the Voice of that wicked one (*Quid dabitis?*) What will you give me, and I will betray this State, Kingdom, and Commonwealth!

'BUT there are two Obſervations will draw the Charge more violently upon him.

'1. THE Time when this Doctrine of Deſtruction was ſet forth; it was preach'd in the heart of the Loan, and was printed in the beginning of that Term which ended in a *Remittitur*: So that you might gueſs there might be a double Plot, by the Law and Conſcience, to ſet on fire the Frame and Eſtate of this Commonwealth; and one of theſe entailed Foxes, was Mr. *Manwaring*.—— Then, as for this Doctrine of the Loan, (in caſe of Neceſſity) the Unſeaſonableneſs of it is to be noted, in that it was the Year after an Aſſent in Parliament to four Subſidies and three Fifteenths; which might ſerve for a ſufficient Stopple for the Doctor's Mouth, to keep in his Doctrine of *Neceſſity*. CHARLES I.

'2. THE Means by which he ſeeks to deſtroy this Commonwealth; his Means are Divinity; yea, by his Divinity, he would deſtroy both King and Kingdom: The King; for there can be no greater Miſchief to a Prince, than to put the Opinion of Deity into his Ears; for if from his Ears it ſhould have paſs'd to his Heart, it had been mortal: You know how *Herod* periſh'd. Now, this Man gives a participation of Divine Omnipotence to Kings; and tho' a part may ſeem to qualify, yet all may ſeem again to fill up that Qualification, and very dangerouſly, if we remember that God ſaith of himſelf, *I am a jealous God*.

'HE goes about to deſtroy the Kingdom and Commonwealth by his Divinity: But do we find in Scripture ſuch a deſtroying Divinity? Surely I find there, that *God is a God of Order, and not of Confuſion*; and that *the Son of God came to ſave, and not to deſtroy*. By which it ſeems he hath not his Divinity from God, nor from the Son of God: And that we may be ſure he went to Hell for Divinity, he names ſundry Jeſuits and Friars with whom he conſulted and traded for his Divinity. But not to belye Hell itſelf, the Jeſuits are honeſter than he; for if he had not brought more Hell unto them than he found with them, he had not found this Divinity in them which he hath brought forth; yea, in his Quotations, he hath uſed thoſe ſhifts and falſhoods for which Boys are to be whipt in Schools; and yet by them he thinks to carry the Cauſe of a Kingdom.

'BUT for a Concluſion, to give the true Character of this Man, whom I never ſaw, I will ſhew it you by one whom I know to be contrary to him: *Samuel*, we all know to be a true Prophet; now we read of *Samuel* that *he wrote the Law of the Kingdom in a Book, and laid it up before the Lord*. And this he did, as one of Mr. *Manwaring*'s own Authors affirms, that the King may not know what to command, nor the People what to obey.—— Thus Mr. *Manwaring* being contrary to a true Prophet, muſt needs be a falſe one; and the Judgement of a falſe Prophet belongs to him.

'I have ſhewed you *an evil Tree that bringeth forth evil Fruit*; and now it reſts with you to determine, whether the following Sentence ſhall follow, *Cut it down, and caſt it into the fire*.'

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On the 3d of *June*, the Commons proceeded with a Declaration againſt Doctor *Manwaring*, and preſented it the ſame Day to the Lords, at a Conference betwixt the Committees of both Houſes of Parliament; of which, Mr. *John Pym* was by the Commons appointed their Manager.

The Commons Declaration was as follows:

Declaration of the Commons againſt Dr. Manwaring.

'FOR the more effectual prevention 'of the apparent Ruin and Deſtruction 'of this Kingdom, which muſt neceſſarily 'enſue, if the good and fundamental Laws 'and Cuſtoms therein eſtabliſhed, ſhould 'be brought into contempt and violated, 'and that Form of Government thereby 'altered, by which it hath been ſo long 'maintained in Peace and Happineſs, and 'to the Honour of our ſovereign Lord the 'King, and for the Preſervation of his 'Crown and Dignity: The Commons in 'this preſent Parliament aſſembled, do, by 'this their Bill ſhew, and declare againſt '*Roger Manwaring*, Clerk, D. D. That 'whereas by the Laws and Statutes of this 'Realm, the free Subjects of *England* do 'undoubtedly inherit this Right and Li'berty, not to be compell'd to contribute 'to any Tax, Tallage, Aid, or to make 'any Loans, not ſet or impoſed by com'mon conſent, by Act of Parliament: And 'divers of his Majeſty's loving Subjects re'lying upon the ſaid Laws and Cuſtoms, 'did, in all humility, refuſe to lend ſuch 'Sums of Money without Authority of 'Parliament, as were lately required of 'them.

'NEVERTHELESS, he the ſaid *Roger* 'Manwaring, in contempt, and contrary 'to the Laws of this Realm, hath lately 'preached in his Majeſty's Preſence, two 'ſeveral Sermons; that is to ſay, the 4th 'Day of *July* laſt one of the ſaid Sermons, 'and upon the 29th of the ſame Month, 'the other of the ſaid Sermons; both which 'Sermons he hath ſince publiſhed in print, 'in a Book intituled, *Religion and Alle'giance*; and with a wicked and malicious 'intention, to ſeduce and miſguide the 'Conſcience of the King's moſt Excellent 'Majeſty, touching the obſervation of the 'Laws and Cuſtoms of this Kingdom, and 'of the Rights and Liberties of the Subjects, 'to incenſe his Royal Diſpleaſure againſt his 'good Subjects ſo refuſing, to ſcandalize, 'ſubvert, and impeach the good Laws and 'Government of this Realm, and the Au'thority of the High-Court of Parliament, 'to alienate his Royal Heart from his 'People, and to cauſe Jealouſies, Sedition, 'and Diviſion in the Kingdom, he the ſaid '*Roger Manwaring*, doth in the ſaid Ser'mons and Book perſuade the King's moſt 'Excellent Majeſty,

'1. THAT his Majeſty is not bound to 'keep and obſerve the good Laws and 'Cuſtoms of this Realm, concerning the 'Rights and Liberties of the Subjects afore'mentioned: And that his Royal Will and 'Command in impoſing Loans, Taxes and 'other Aids upon his People, without com'mon conſent in Parliament, doth ſo far 'bind the Conſciences of the Subjects of 'this Kingdom, that they cannot refuſe 'the ſame without peril of eternal Dam'nation.

'2. THAT thoſe of his Majeſty's loving 'Subjects, which refuſed the Loan afore'mentioned, in ſuch manner as is afore cited, 'did therein offend againſt the Law of 'God, againſt his Majeſty's ſupreme Au'thority; and by ſo doing, became guilty 'of Impiety, Diſloyalty, Rebellion and 'Diſobedience, and liable to many other 'Taxes and Cenſures, which he in the ſe'veral other parts of his Book, doth moſt 'falſely and maliciouſly lay upon them.

'3. THAT Authority of Parliament 'is not neceſſary for raiſing of Aids and 'Subſidies; that the ſlow Proceedings 'of ſuch Aſſemblies are not fit for the 'Supply of the urgent Neceſſities of the 'State; but rather apt to produce ſun'dry Impediments to the juſt Deſigns of 'Princes, and to give them occaſion of 'Diſpleaſure and Diſcontent.

'ALL which the Commons are ready to 'prove, not only by the general ſcope of 'the ſame Sermons and Book, but likewiſe 'by ſeveral Clauſes, leſſer Hints, and Sen'tences therein contained; and that he the 'ſaid *Roger Manwaring*, by preaching and 'publiſhing the Sermons and Book afore'mentioned, did moſt unlawfully abuſe 'his holy Function, inſtituted by God in 'his Church for the guiding of the Con'ſciences of all his Servants, and chiefly 'of ſovereign Princes and Magiſtrates, and 'for the maintenance of the Peace and 'Concord betwixt all Men, eſpecially be'twixt the King and his People, and hath 'thereby moſt grievouſly offended againſt 'the Crown and Dignity of his Majeſty, 'and againſt the Proſperity and good Go'vernment of this State and Common'wealth. And the ſaid Commons by Pro'teſtation, ſaving to themſelves the liberty 'of exhibiting at any time hereafter, on 'any other occaſion or impeachment againſt 'the ſaid *Roger Manwaring*, and alſo of 'replying to the Anſwers which he the 'ſaid *Roger* ſhall make unto any of the 'Matters contained in this preſent Bill of 'Complaint, and of offering farther Proof 'of the Premiſes, or any of them, as the 'Cauſe, according to the courſe of Par'liament, ſhall require; do pray, that the 'ſaid *Roger Manwaring* may be put to 'anſwer to all and every the Premiſes; 'and that ſuch Proceeding, Examination, 'Tryal, Judgement, and exemplary Pu'niſhment may be thereupon had and exe'cuted, as is agreeable to Law and Juſtice.'

This

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THIS Declaration being ingroſſed and read, Mr. *Pym* addreſſed himſelf to the Lords in this manner:

Mr. Pym's Speech to the Lords at the delivery of the Declaration againſt Dr. Manwaring.

'THAT he ſhould ſpeak to this 'Cauſe with the more confidence, 'becauſe he ſaw nothing out of himſelf 'to diſcourage him. If he conſidered the '*Matter*, the Offences were of a high Na-'ture, and of eaſy Proof: If he conſider'd 'their *Lordſhips*, who were the Judges of 'their own Intereſt and their own Honour, 'the Example of their Anceſtors, the Care 'of their Poſterity, would all be Advocates 'with him in this Cauſe in the behalf of 'the Commonwealth. If he conſider'd the '*King our Sovereign*, (the pretence of 'whoſe Service and Prerogative might 'perchance be ſought unto as a Defence and 'Shelter for this Delinquent) he could not 'but remember that part of his Majeſty's 'Anſwer to the *Petition of Right* of both 'Houſes, that he held himſelf bound in 'conſcience to preſerve thoſe Liberties, 'which this Man would perſuade him to 'impeach. He ſaid farther, That he could 'not but remember his Majeſty's love to 'Piety and Juſtice, manifeſted upon all 'occaſions; and he knew Love to be the 'Root and Spring of all other Paſſions 'and Affections. A Man therefore hates, 'becauſe he ſees ſomewhat in that which 'he hates contrary to that which he loves: 'A Man therefore is angry, becauſe he ſees 'ſomewhat in that wherewith he is angry 'that gives impediment and interruption 'to the accompliſhment of that which he 'loves.

'IF this be ſo, by the ſame act of his 'Apprehenſion by which he believes his 'Majeſty's love to Piety and Juſtice, he 'muſt needs believe his hate and deteſta-'tion of this Man, who went about to 'withdraw him from the exerciſe of both.

'HE laid down three Poſitions to be 'maintained as the Ground-work and Foun-'dation of the whole Cauſe.

'1. THAT the Form of Government 'in any State could not be alter'd without 'apparent Danger of Ruin to that State.

'2. THAT the Law of *England* where-'by the Subject was exempted from Taxes 'and Loans not granted by common con-'ſent of Parliament, was not introduced 'by any Statute, or by any Charter or 'Sanction of Princes, but was the an-'cient and fundamental Law iſſuing from 'the firſt Frame and Conſtitution of the 'Kingdom.

'3. THAT this Liberty of the Subject 'is not only moſt convenient and profitable 'for the People, but moſt honourable, moſt 'neceſſary for the King; yea, in that point 'of Supply for which it was endeavoured 'to be broken.

'1. FOR the Form of a Government is 'that which doth actuate and diſpoſe every 'Part and Member of the State to the 'common Good; and as thoſe Parts give 'Strength and Ornament to the Whole, ſo 'they receive from it again Strength and 'Protection in their ſeveral Stations and 'Degrees. If this mutual Relation and 'Intercourſe be broken, the whole Frame 'will quickly be diſſolved and fall in pieces; 'and inſtead of this Concord and Inter-'change of Support, whilſt one part ſeeks 'to uphold the old Form of Government, 'and the other Part to introduce a new, 'they will miſerably conſume and devour 'one another. Hiſtories are full of the 'Calamities of whole States and Nations 'in ſuch caſes. 'Tis true, that time muſt 'needs bring ſome Alterations, and every 'Alteration is a ſtep and degree towards a 'Diſſolution: Thoſe things only are eternal, 'which are conſtant and uniform. There-'fore it is obſerved by the beſt Writers upon 'this Subject, that thoſe Commonwealths 'have been moſt durable, which have often 'reformed and recompoſed themſelves ac-'cording to their firſt Inſtitution and Ordi-'nance; for by this means they repair the 'Breaches, and counterwork the ordinary 'and natural Effects of Time.

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'2. THERE are plain footſteps of thoſe 'Laws in the Government of the *Saxons*; 'they were of that Vigour and Force as to 'outlive the Conqueſt, nay, to give Bounds 'and Limits to the Conqueror, whoſe Vic-'tory gave him firſt hope; but the Aſſu-'rance and Poſſeſſion he obtained by Com-'poſition, in which he bound himſelf to 'obſerve theſe, and the other ancient Laws 'and Liberties of the Kingdom, which af-'terwards he likewiſe confirmed by Oath 'at his Coronation: From him the ſaid Ob-'ligation deſcended to his Succeſſors. It is 'true, they have been often broken; they 'have been often confirmed by Charters 'of Kings, by Acts of Parliaments; but 'the Petitions of the Subjects, upon which 'thoſe Charters and Acts were founded, 'were ever *Petitions of Right*, demanding 'their antient and due Liberties, not ſuing 'for any new.

'3. IT hath been upon another occaſion, '*ſaid he*, declared, That if the Liberties 'of the Subject were taken away, there 'would remain no more Induſtry, Juſtice, 'or Courage: Who will contend, who will 'endanger himſelf for that which is not his 'own? But without inſiſting on any of 'thoſe points, *he added*, That if thoſe Li-'berties were taken away, there would 'remain no means for the Subjects, by any 'act of Bounty or Benevolence, to ingra-'tiate themſelves to their Sovereign.

'AND he deſired their Lordſhips to 'remember, what profitable Prerogatives

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'the Laws had appointed for the Support 'of Sovereignty; as Wardſhips, Treaſures-'trove, Felons Goods, Fines, Amerciaments, 'and other Iſſues of Courts, Wrecks, Eſ-'cheats, and many more, too long to be 'enumerated; which for the moſt part are 'now by Charters and Grants of ſeveral 'Princes, diſperſed into the hands of pri-'vate Perſons; and that beſides the antient 'Demeſns of the Crown of *England*, *Wil-'liam the Conqueror* did annex, for the 'better maintenance of his Eſtate, great 'proportion of thoſe Lands which were 'confiſcate from thoſe *Engliſh* who per-'ſiſted to withſtand him; and of theſe, 'very few remain at this day in the King's 'poſſeſſion: And that ſince that time, the 'Revenue of the Crown had been ſupplied 'and augmented by Attainders, and other 'Caſualties in the Age of our Fathers, by 'the diſſolution of Monaſteries and Chan-'tries, near a third part of the whole Land 'being come into the King's poſſeſſion. 'He remember'd moreover, that conſtant 'and profitable Grant of the Subjects in the 'Act of Tunnage and Poundage: And all 'theſe, *he ſaid*, were ſo alienated, anti-'cipated, over-charged with Annuities and 'Aſſignments, that no means were left for 'the preſſing and important occaſions of 'this time, but the voluntary and free 'Gift of the Subjects in Parliament.

'THE Hearts of the People, *ſaid he*, 'and their Bounty in Parliament, is the only 'conſtant Treaſure and Revenue of the 'Crown, which cannot be exhauſted, alie-'nated, anticipated, or otherwiſe charged 'and incumbred.

'THEN he proceeded to the conſidera-'tion of the Offence given by the Doctor, 'whom he charged by Proofs from his 'Book, with aſſerting in the firſt place, 'That his Majeſty was not bound to keep 'and obſerve the Laws and Cuſtoms of this 'Realm concerning the Right and Liberty 'of the Subjects to be exempted from all 'Loans, Taxes, and other Aids laid upon 'them, without common conſent in Par-'liament: And that his Majeſty's Will and 'Command in impoſing any Charges upon 'his Subjects without ſuch conſent, doth ſo 'far bind them in their Conſciences, that 'they cannot refuſe the ſame without peril 'of eternal Damnation.

'FROM this Evidence of the Fact, '*ſaid he*, doth iſſue a clear Evidence of 'his wicked Intention, to miſguide and 'ſeduce the King's Conſcience touching the 'Obſervation of the Laws and Liberties of 'the Kingdom, and to ſcandalize and im-'peach the good Laws and Government of 'the Realm, and the Authority of Par-'liaments. If to give the King ill Coun-'ſel, *he argued*, in ſome one particular 'Action, hath heretofore been heinouſly 'puniſhed in this High-Court, how much 'more heinous muſt it needs be thought, 'by ill Counſel to pervert and ſeduce his 'Majeſty's Conſcience, which is the ſove-'reign Principle of all moral Actions, from 'which they are to receive Warrant for 'their Direction before they be acted, and 'Judgement for their Reformation after-'ward? If *Scandalum Magnatum*, Slander 'and Infamy caſt upon great Lords and 'Officers of the Kingdom, have been al-'ways moſt ſeverely cenſured, how much 'more tender ought we to be of that Slan-'der and Infamy which is here caſt upon 'the Laws and Government, from whence 'is derived all that Honour and Reverence 'due to thoſe great Lords and Magiſtrates? 'All Men (and ſo the greateſt and higheſt 'Magiſtrates) are ſubject to Paſſions and 'Partialities, whereby they may be tranſ-'ported into over-hard injurious Croſſes: 'Which Conſiderations may ſometimes ex-'cuſe, tho' never juſtify the railing and 'evil Speeches of Men who have been ſo 'provoked; it being a true Rule, That 'whatſoever gives ſtrength and inforcement 'to the Temptation in any Sin, doth ne-'ceſſarily imply an abatement and diminu-'tion of guilt in that Sin. But to ſlander 'and diſgrace the Laws of Government, is 'without poſſibility of any ſuch excuſe, 'it being a ſimple act of a malignant Will, 'not induced nor excited by any outward 'provocation; the Laws carrying an equal 'and conſtant reſpect to all, and claiming 'equal reverence from all.

'IN the ſecond place, he charged the 'Doctor, from the ſame Proofs, with aſ-'ſerting that the Refuſers had offended 'againſt the Law of God, and againſt the 'ſupreme Authority; and by ſo doing, 'were become guilty of Impiety, Diſloy-'alty, Rebellion, Diſobedience, and liable 'to many other Taxes. And he took no-'tice of the Doctor's odious Compariſons, 'by ranking them with Popiſh Recuſants, '*Turks* and *Jews*; with *Corah*, *Dathan*, 'and *Abiram*; *Theudas* and *Judas*. Upon 'this ſecond Article, *ſaid he*, are imprinted 'two malicious Characters, *viz.* a wicked 'intention to increaſe his Majeſty's Diſ-'pleaſure againſt his good Subjects ſo re-'fuſing, and to alienate his Heart from 'the reſt of his People.

'IN the third place, he charged the 'Doctor, by other Proofs from his Book, 'with a wicked Intention to avert his Ma-'jeſty's Mind from calling of Parliaments, 'and to cauſe Jealouſies, Seditions, and Di-'viſions in the Kingdom; by aſſerting, 1. 'That the Authority of Parliament is not 'neceſſary for raiſing of Aids and Subſi-'dies. 2. That the ſlow Proceedings of

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'ſuch Aſſemblies are not fit to ſupply the 'urgent Neceſſity of the State. And, 3. 'That Parliaments are apt to produce ſun-'dry impediments to the juſt Deſigns of 'Princes, and give them occaſion of Diſ-'pleaſure and Diſcontent.

'Mr. *Pym* concluded this third Article of 'his Charge by inferring, that if Parliaments 'be taken away, Miſchiefs and Diſorders muſt 'needs abound, without any poſſibility of 'good Laws to reform them; Grievances 'will daily increaſe without opportunities or 'means to redreſs them. And what readier 'way, *ſaid he*, can there be to Diſtractions 'betwixt the King and People, to Tumults 'and Diſtempers in the State, than this?'

THE Limitations whereby the Doctor had propoſed to juſtify (or at leaſt to excuſe) himſelf, were theſe three. '1. That 'he did not attribute to the King any ſuch 'abſolute Power as might be exerciſed *at 'all times*, or upon *all occaſions*, accor-'ding to his *own pleaſure*; but only upon '*Neceſſity extreme and urgent*. 2. That 'the Sum required muſt be proportioned to 'the Ability of the Party, and to the Uſe 'and Occaſion. 3. That he did not ſay, 'that the Subſtance of the Municipal or 'National Laws might be omitted or neg-'lected, but the *Circumſtances only*.'

Mr. *Pym* obſerv'd in anſwer, 'That 'tis all one to leave the Power abſolute, 'and to leave the Judgement arbitrary 'when to execute that Power; for altho' 'theſe Limitations ſhould be admitted, yet 'it is left to the King alone to determine 'what is an urgent and preſſing Neceſſity; 'what is a juſt Proportion, both in reſpect 'of the Ability, and of the Uſe and Occa-'ſion; and what ſhall be ſaid to be a '*Circumſtance*, and what of the Subſtance 'of the Law; and the Subject is left with-'out Remedy: for the legal Bounds being 'taken away, no private Perſon ſhall be 'allowed to oppoſe his own particular O-'pinion in any of theſe Points, to the 'King's Reſolution; ſo that all theſe Li-'mitations, tho' ſpecious in ſhew, are in 'effect fruitleſs and vain.

'As to the Limitation of *urgent Ne-'ceſſity*, Mr. *Pym* apply'd a particular An-'ſwer taken from the caſe of *Normandy*, 'as it appears in the Commentaries of *Guilme 'Jeremie*, upon the cuſtomary Laws of 'that Dutchy. The *Normans* having been 'oppreſſed with ſome Grievances, contrary 'to their Franchiſe, made their Complaint 'to *Lewis* X. who, by his Charter *Anno* '1314, acknowledging the Right and 'Cuſtom of the Country, and that they 'had been unjuſtly griev'd, did grant and 'provide, that from thenceforward, they 'ſhould be free from all Subſidies and 'Exactions to be impoſed by him and his 'Succeſſors, but with this Clauſe, *Si ne-'ceſſitie grand ne le requiret*; *i. e.* except 'in caſe of great Neceſſity: Which ſmall 'exception, Mr. *Pym* very well obſerved, 'hath devoured all theſe Immunities. For 'though theſe States meet every Year, yet 'they have little or no power left, but to 'agree to ſuch Levies as the King will 'pleaſe to make upon them.

'THE Circumſtances of Aggravation 'which Mr. *Pym* mentioned in *Manwa-'ring*'s Caſe, were theſe.

'1. THE Place where theſe Sermons 'were preached; the Court the King's own 'Family, where ſuch Doctrine was before 'ſo well believed, that no Man needed to 'be converted. Of this there could be no 'other end, but either *Simoniacal*, by flat-'tery and ſoothing to make way for his own 'Preferment; or elſe extreme malicious, to 'add new Afflictions to thoſe who lay un-'der his Majeſty's Wrath, diſgraced and 'impriſoned; and to inlarge the Wound 'which had been given to the Laws and 'Liberties of the Kingdom.

'2. HIS holy Function. He is a Prea-'cher of God's Word, ſaid Mr. *Pym*, and 'yet he hath endeavoured to make that 'which was the only Rule of Juſtice and 'Goodneſs, to be the Warrant for Violence 'and Oppreſſion. He is *a Meſſenger of 'Peace*, but he hath endeavoured to *ſow 'Strife and Diſſenſion*, not only among 'private Perſons, but even betwixt the 'King and his People, to the Diſturbance 'and Danger of the whole State. He is *a 'Spiritual Father*, but like that *evil Fa-'ther* in the Goſpel, he hath given his 'Children *Stones* inſtead of *Bread*; inſtead 'of *Fleſh*, he hath given them *Scorpions*. 'Laſtly, he is a Miniſter of the Church of '*England*, but he hath acted the part of a '*Romiſh* Jeſuit. The latter labour our 'Deſtruction, by diſſolving the Oath of 'Allegiance taken by the People: he doth 'the ſame work, by diſſolving the Oath of 'Protection and Juſtice taken by the King.

3. THE Authors upon whoſe Authority 'he doth principally rely, who are for moſt 'part Friars and Jeſuits; and his Fraud and 'Shift in citing thoſe Authors to purpoſes 'quite different from their own meanings; 'of which he gave ſeveral inſtances.

'4. THE Doctor's Behaviour ſince the 'preaching of thoſe Sermons at Court, by 'which he ſtill continued to multiply and 'increaſe his Offence; yea, even ſince his 'being queſtioned in Parliament, upon the '4th of *May* laſt, he was ſo bold as to 'publiſh the ſame Doctrine in his own Pa-'riſh Church of *St. Gyles in the Fields*; 'in which he ſaid it would be proved by 'very good Teſtimony, that he aſſerted, 1. 'That the King had Right to order all, as 'to him ſhould ſeem good, without any 'Man's conſent. 2. That the King might

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'require Aid in time of neceſſity; and if 'the Subjects did not ſupply, the King 'might juſtly avenge it. 3. That the Pro-'priety of Eſtates and Goods was ordina-'rily in the Subject, but extraordinarily '(that is, in caſe of the King's need) the 'King hath Right to diſpoſe of them.

'Mr. *Pym* therefore obſerved, that the 'Commons held it to be a great Contempt of 'the Parliament, for him to maintain that ſo 'publickly, which was here queſtion'd; and 'for a private Divine to debate the Right and 'Power of the King; which is a Matter of 'ſuch nature as to be handled only in this 'High Court, and that with Moderation 'and Tenderneſs.

'HAVING concluded his Aggravations, 'he produced the following precedents to 'teſtify what the Opinion of our Anceſtors 'would have been, if this Caſe had fallen 'out in their time.

'BY the Statute of 3 *Edw.* I. at *Weſtm.* '1. cap. 33. proviſion was made againſt 'thoſe who ſhould tell any falſe News or 'Devices, by which any Diſcord or Scandal 'may ariſe between the King, his People, 'and great Men of the Kingdom.

'27 *Edw.* III. *Rot. Parl. num.* 20. It 'was declared by the King's Proclamation, 'ſent into all the Counties of *England*, 'That they who reported that he would 'not obſerve the Great Charter, were ma-'licious People, who deſired to put trouble 'and debate betwixt the King and his Sub-'jects, and to diſturb the Peace and good 'Eſtate of the King, the People, and the 'Realm.

'5 *Edw.* II. *Inter novas ordinationes.* '*Henry de Beamond* for giving the King 'ill Counſel againſt his Oath, was put from 'the Council, and reſtrained from coming 'into the Preſence of the King, under pain 'of Confiſcation and Baniſhment.

'19 *Edw.* II. *Clauſe Minidors.* Com-'miſſions were granted to enquire upon 'the Statute of *W.* I. touching the ſpread-'ing of News, whereby Diſcord and Scan-'dal might grow betwixt the King and his 'People.

'10 *Edw.* III. *Clauſe M.* 26. Procla-'mation went out to arreſt all them who 'had preſumed to report, That the King 'would lay upon the Wools certain Sums, 'beſides the antient and due Cuſtoms; 'wherein the King calls theſe Reports, '*Exquiſita mendacia, &c. quæ non tan-'tum in publicam læſionem, ſed in noſtrum 'cedunt damnum, & dedecus manifeſtum*; '*i. e.* Exquiſite Lyes, *&c.* which are not 'only injurious to the Publick, but a da-'mage and manifeſt diſhonour to us.

'12 *Edw.* III. *Rot. Almaniæ.* The King 'writes to the Archbiſhop of *Canterbury*, 'excuſing himſelf for ſome Impoſitions which 'he had laid; profeſſing his great ſorrow 'for it; and deſiring the Archbiſhop, by 'Indulgencies and other ways, to ſtir up the 'People to pray for him; hoping that God 'would enable him, by ſome ſatisfactory 'Benefit, to make amends, and comfort his 'Subjects for thoſe preſſures.

'To theſe he added an Eccleſiaſtical 'Precedent out of a Book, called *Pupilla 'oculi*, publiſhed for the Inſtruction of 'Confeſſors; wherein all the Articles of '*Magna Charta* are inſerted, with this Di-'rection, *Hos articulos ignorare non de-'bent quibus incumbit Confeſſiones audire 'infra Provinciam Cantuarienſem; i. e.* 'None ought to be ignorant of theſe Ar-'ticles, on whom it is incumbent to hear 'Confeſſions within the Province of *Can-'terbury*.

'HE likewiſe remember'd the Procla-'mation of *Jac.* 8. for calling in and burn-'ing Dr. *Cowel's* Book; for which theſe 'Reaſons are there given, *viz.* For miſta-'king the true State of the Parliament, of 'the Kingdom, and the fundamental Con-'ſtitution and Privileges thereof; and for 'ſpeaking irreverently of the Common 'Law; it being a thing utterly unlawful 'for any Subject to ſpeak or write againſt 'that Law under which he liveth, and 'which we are ſworn and reſolve to maintain.

'FROM theſe Precedents, Mr. *Pym* 'collected, that if former Parliaments were 'ſo careful of falſe Rumours and News, 'they would have been much more tender 'of ſuch Doctrines as theſe, which tend to 'produce true occaſions of Diſcord betwixt 'the King and his People. If, *ſaid he*, 'thoſe who reported the King would lay 'Impoſitions, and break his Laws, were 'thought ſuch heinous Offenders, how 'much more ſhould the Man be condem-'ned, who perſuaded the King he is not 'bound to keep thoſe Laws? If that great 'King was ſo far from challenging any 'Right in this kind, that he profeſſed his 'own Sorrow and Repentance for grieving 'his Subjects with unlawful Charges: If 'Confeſſors were enjoin'd to frame the 'Conſciences of the People to the Ob-'ſervance of thoſe Laws, certainly ſuch 'Doctrine, and ſuch a Preacher as this 'would have been held moſt ſtrange and 'abominable in all theſe Times.

'HE finiſhed with the Concluſion or 'Prayer of the Commons, which conſiſted 'of three Clauſes. 1. They reſerved to 'themſelves liberty of any other Accuſa-'tion; and for this, *he ſaid*, there was great 'Reaſon, that as the Doctor multiply'd 'his Offences, ſo they may renew their 'Accuſations. 2. They ſave to themſelves 'the liberty of replying to his Anſwer; 'for they had great cauſe to think that 'he who would ſhift ſo much in offending, 'would ſhift much more in anſwering. '3. They deſire he might be brought to 'Examination and Judgment; this they

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'thought would be very important for the 'Comfort of the preſent Age, and for the Se-'curity of the future againſt ſuch wicked and 'malicious Practices. And ſo he concluded, 'that ſince the Cauſe had ſtrength enough 'to maintain itſelf, his humble ſuit to 'their Lordſhips was, That they would 'not obſerve his Infirmities and Defects 'to the Diminution or Prejudice of that 'Strength.'

Sentence given againſt Man waring *by the Lords.*

NOT long after, the Commons by their Speaker, demanded Judgment againſt *Manwaring* of the Lords; who, ſays *Ruſhworth*, not accounting his Submiſſion with *Tears and Grief*, a Satisfaction for the great Offence wherewith he ſtood charged, gave this Sentence:

1. That he be impriſoned during the pleaſure of this Houſe.

2. That he be fined 1000 *l.* to the King.

3. That he make ſuch Submiſſion and Acknowledgment of his Offences as ſhall be ſet down by a Committee in writing, both at this Bar, and in the Houſe of Commons.

4. That he be ſuſpended for three years from the exerciſe of the Miniſtry; and in the mean time, a ſufficient preaching Miniſter ſhall be provided to ſerve the Cure, out of his Livings: This Suſpenſion and Proviſion to be done by the Eccleſiaſtical Juriſdiction.

5. That he be hereafter diſabled to have any Eccleſiaſtical Dignity, or Secular Office.

6. That he be diſabled hereafter ever to preach at Court.

7. That his ſaid Book is worthy to be burnt; and that for the better effecting of this, his Majeſty may be moved to grant a Proclamation to call in the ſaid Books, that they may be all burnt accordingly in *London*, and both the Univerſities; and to inhibit the printing thereof upon a great Penalty.

Dr. *Manwaring*'s Submiſſion was in theſe words:

May it pleaſe this Honourable Houſe,

The Doctor's Submiſſion.

'I do here in all Sorrow of Heart and 'true Repentance acknowledge the many 'Errors and Indiſcretions which I have 'committed, in preaching and publiſhing 'thoſe two Sermons of mine, which I 'called *Religion and Allegiance*; and my 'great Fault in falling upon this Theme 'again, and handling the ſame raſhly and 'unadviſedly in my own Pariſh Church of '*St. Giles in the Fields*, the 4th of *May* laſt 'paſt. I do fully acknowledge thoſe three 'Sermons to have been full of many dan-'gerous Paſſages, Inferences, and ſcanda-'lous Aſperſions in moſt parts of the ſame: 'And I do humbly acknowledge the 'Juſtice of this Honourable Houſe in that 'Judgment and Sentence paſſed upon me 'for my great Offence: And I do from the 'bottom of my Heart crave pardon of God, 'the King, and the Honourable Houſe, 'and the Church, and this Commonwealth 'in general, and thoſe worthy Perſons ad-'judged to be reflected upon by me, 'in particular, for theſe great Errors and 'Offences.'

Roger Manwaring.

London.

1. *A Proclamation concerning Buildings and Inmates within the City and its Confines. Dated the 2d of* May 1625, *at* Whitehall. 33

It reſtrains the Building upon any new Foundation within two Miles of the City-Gates, or the King's Palace at *Weſtminſter*; directs that the outer Walls of all Buildings in the City, or within three Miles, be of Brick, or Brick and Stone; that every Story be ten feet in height, and every half Story ſeven feet and a half at leaſt; and that the Fore-front, and all outward and party Walls be of Brick, or Brick and Stone, to prevent the ſpreading of Fires. That the Window-Lights of every whole Story be of more heighth than breadth, that the Rooms may receive Air for Health. That the firſt Floors be not raiſed to gain height in the Cellars, in order to prevent the making of Steps into the Street. Here are alſo particular Directions for the making and rating of Bricks. It likewiſe prohibits the ſupporting of ruinous old Buildings by digging of Cellars, and bringing up new Walls, by erecting new Chimneys and Stair-Caſes, by placing pieces of Timber, ſetting on new Roofs or Rafters, thruſting out of Dormers, and faſtening the new Additions to the old Timber by Bars and Cramp-Irons, without a Licence from his Majeſty's Commiſſioners for Buildings. It forbids the erecting, covering, overlaying or incloſing any Hovels or other Sheds of Timber, with Reeds, Faggots, Hay, Straw, Boards, or other Materials, and the raiſing up any Wall, Pale, or Bank of Earth to which Sheds might be added, without ſuch Licence as aforeſaid. And to prevent the breeding of Infection (as well as for other Reaſons) by letting Parts of Houſes and Chambers to Inmates and Underſitters, no Perſon was to receive into any Houſe more than one Family. All Offenders were to be proſecuted by the Attorney-General in the Court of Star-Chamber. This is the firſt Act that takes notice of the Danger of Sickneſs and Infection with which the City was threatned, by the unwholeſome peſtering of multitudes of poor People together.

2. A Commiſſion to the Privy-Council and others of Quality, to give Directions for enforcing the ſaid Proclamation. 'Tis dated *May* 30. 97.

3. A Charter of Incorporation granted to the Preſident and Fellows of *Sion* College, founded by *Thomas White* late Reſidentiary of *St. Paul*'s, and Vicar of *St. Dunſtan's* 321.

FOEDERA Tom. XVIII. 816. *in the West*, for the Ministers of *London*. 'Tis dated at *Westminster*, *March* 13, 1626.

4. A Commission directed to the Lord-Keeper, and others his Majesty's Judges and Justices of the Peace, for enquiring into irregular and illegal Buildings, and such Houses as entertain several Families under one Roof, and into the Obstructions, Nusances, and Incroachments in the Streets of the City; dated *Jan.* 29, 1627.

828. 5. ARTICLES and Instructions for the better Direction of the Commissioners in the Execution of the abovementioned Commission.

889. 6. *A Commission to enquire into the State of* Bethlehem *Hospital, commonly called* Bedlam, *near* Bishopsgate, *and to reform all Abuses in the Management of its Patients and its Revenues; dated* May 12, 1627, *at* Westminster.

THIS Commission was granted upon a Petition of *Helkiah Croke*, M. D. whom King *James* had appointed Guardian of the said Hospital, setting forth, that he had done his utmost for regulating the said Hospital, but had always been opposed by the Governors of *Bridewell*, who are also by the City of *London* appointed Governors of *Bedlam*.

Manufactures.

60. 1. A Grant of a Pension of 2000 *l.* a Year to Sir *Francis Crane*, for the Encouragement of the Work of Tapestries, which he lately brought into the Kingdom, and erected at *Mortlake* in the County of *Surrey*. 'Tis dated at *Westminster* the 10th of *May*, 1625.

810. 2. A Proclamation to restrain the unlawful Transportation of Hides and Leather to *Scotland* and other Foreign Parts; dated at *Whitehall*, *Dec.* 14, 1626.

813. 3. *Another for the better making of Salt-Petre within this Kingdom; dated at* Whitehall, Jan. 2, 1627.

IT took notice that a Patent was granted to Sir *John Brook* and *Thomas Russel*, Esq; for the sole Privilege of making it during a Term of Years, and enjoined all Housekeepers to save all their Urine together with the Stale of their Cattle, entire without any Mixture, for the use of the Patentees, who were to cause the same to be removed to their Workhouses once a day in the Summer, and every other Day in the Winter.

915. 4. ANOTHER for keeping up and improving the Mines of Salt-Petre, for the right making of Salt-Petre and Gun-Powder, and for remedying all Abuses therein. 'Tis dated *July* 23, at *Ampthil*.

23. THERE is another of the same Tenor, dated at *Whitehall*, *April* 13, 1625.

918. 5. A Commission to the Duke of *Bucks* Lord High-Admiral, to *George* Earl of *Totness*, Master-General of the Ordnance, *&c.* their Deputies and Workmen, to enter, break open, and work for Salt-Petre in all Houses and Lands belonging either to the Crown or the Subject; dated *July* 25, at *Canbury*. CHARLES I. 957.

6. *A Proclamation for preventing the purloining and stealing of Arms, Gun-Powder, and all other military Stores; dated* Dec. 8, *at* Whitehall.

IT was issued upon Information that great Quantities had been purloined and sold in and about *Plymouth*, after the Return of the Fleet from the Isle of *Rhee*.

965. 7. ANOTHER against the unnecessary Consumption of Gun-Powder in Salutations, and other needless Ceremonies used in his Majesty's Castles and Ships, and commanding that no Shot be made from any of the Forts or Shipping but in Fight with the Enemies, or as Warning-Pieces upon Discovery of any Enemy, or for intercepting or arresting any Foreign Ships, or in case of Distress, without special Authority given or derived from the King or the Lord High-Admiral. 'Tis dated the 10th of *February* 1628.

Mines and Minerals.

21. 1. *A Proclamation prohibiting the Importation of Allum, and the buying and spending thereof in any of his Majesty's Dominions; dated at* Whitehall, April 13, 1625. 153.

THIS was the Produce of certain Mines discovered in *Yorkshire*, and brought to perfection after the Expence of great Sums of Money by King *James* I.

66. 2. A special Commission directed to the Archbishop of *Canterbury*, the Duke of *Bucks*, and others, appointing them Governors of the Royal Mines and Mineral Works of Gold, Silver, Copper, and Lead in *Cardiganshire*, which were farmed by Sir *Hugh Middleton*, Bart. who as the Patent sets forth, had been at great Charge and Pains to bring them to Perfection; dated *May* 12.

90. 3. A Grant of a Lease for 21 Years to *George Villiers* Duke of *Bucks*, of certain Mines of Silver and Lead, in or near *Mugglisby* in the County of *Durham*, on paying the King one Tenth of the Silver. 'Tis dated at *Westminster* the 23d of *May*. 174.

936. 4. A Commission to the Earl of *Devonshire* and others, to make a Contract with the Miners of *Derbyshire*, for farming their Lead-Mines, upon Information that a good Quantity of Silver was to be found in those Mines, and that Foreigners to whom the Lead had been transported, had refined it, and thereby gained much Silver. 'Tis dated at *Canbury*, *August* 22, 1627. 156. 236.

Misdemeanors.

863. 1. A Proclamation for apprehending *John Holland* Steward to the Earl of *Lincoln*, and *Robert Blowe* Clerk of the Kitchen, who had committed divers Misdemeanors, to the Danger and Disturbance of the State. 'Tis dated at *Whitehall*, *March* 20, 1627.

967. 2. ANOTHER for putting the Laws in execution against Rogues and Vagabonds; dated *Feb.* 16, 1628.

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3. A Commiſſion of Oyer and Terminer to the Earls of *Sunderland*, *Cumberland*, and *Mulgrave*, the Archbiſhop of *York*, the Biſhops of *Durham* and *Carliſle*, and to ſeveral Knights and Gentlemen in the North; dated at *Weſtminſter*, *June* 9.

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5. A ſpecial Warrant impowering the Duke of *Bucks* to borrow of the States-General, or their Subjects 300,000 *l.* or ſuch Sum as he could get for the Pawn of certain Jewels, Plate, *&c.* mentioned in the Schedule above referred to. 'Tis dated at *Windſor*, *Dec.* 16.

306. 6. A Commiſſion to the Lord High-Treaſurer, *&c.* to manage, demiſe, and diſpoſe of the King's Lands in the Dutchy of *Cornwal*, and the Revenues thereof, for Payment of his Debts; and to agree and compound with his Tenants there for Leaſes. Given under the Privy-Seal at *Weſtminſter*, *February* 23, 1626.

Mortgages for Loans, &c.

101. 1. A Mortgage of divers Royal Manors therein mentioned to *Edward Allen*, *Robert Ducie*, *George Whitmore*, *Nicholas Rainton*, *Thomas Moulſon*, *Robert Parkhurſt*, Aldermen of *London*; *Chriſtopher Cletheroe*, Eſq; *Francis Neave*, *William Rodowaie*, *Mich. Grigge*, Merchant-Taylors; *Edward Cropley*, *John Cordel*, *Hugh Perry*, Mercers; *Simon Lawrence*, Grocer; *John Mannyng*, *Thomas Smith*, Skinners; *Anthony Abdie*, Clothworker; and *James Bunce*, Leatherſeller, Citizens of *London*, Perſons named in Truſt to receive Security for the Repayment of Moneys lent to the late and preſent King by the Citizens, with Intereſt for the ſame. 'Tis dated at *Weſtminſter*, *June* 1, 1625.

153. 2. *A Grant to certain Commiſſioners who had taken up* 40,000 l. *at Intereſt for* Charles I. *when he was Prince of* Wales. *The Perſons to whom the Commiſſioners had given Bonds for the ſeveral Sums were*, *Sir* Paul Bannynge, *Bart.* George Huxley, *Eſq*; Thomas Plummer, Roger Palmer, *Eſq*; *Sir* Peter le Maire, John Smith, *Eſq*; *Mr.* Richard Grigge, William Boulton, *Eſq*; John Bland *Citizen and Grocer*, *Mr.* John Gouldwell, Thomas Hooſt *of* London, *Merchant*, Philip Burlimachie *a* Dutch *Merchant*, James Oyles, John Cotton, *and* David Edwards *Citizens of* London.

IT appears that this Money was depoſited in the hands of *Philip Burlimachie*, to be employed towards the Pay of 12,000 Soldiers, then at and about *Dover*, and for tranſporting them beyond Sea for the Service of the late King (*James* I.)

IN this Grant, which is dated at *Foxley*, *July* 22, the Securities are ſpecified which were given by the King to the Commiſſioners, who were bound for the Loan. *See the Commiſſion dated* Aug. 12, *at* Oxford.

174.

156. 3. ANOTHER Act of the like nature granted to Sir *William Courten* of *London*, Merchant, for repaying him 27,000 *l.* ſo advanced, with 8 *per Cent* Intereſt out of the two entire Subſidies of the Laity granted lately to the King by Parliament. 'Tis dated as above *July* 29.

236. 4. *A Warrant for the Delivery of certain Jewels and Plate to* George *Duke of* Bucks *and* Henry *Earl of* Holland, *the King's Ambaſſadors Extraordinary to the States of the United Provinces, for their Diſpoſal thereof in ſuch manner as the King had ordered them by private Direction.*

THE Warrant is dated *December* 7, at *Hampton-Court*. How thoſe Jewels, *&c.* were diſpoſed of, appears from the following Act.

Navy.

13. 1. A Commiſſion to Sir *Richard Weſton*, Knt. Chancellor and Under-Treaſurer of the Exchequer, and other Perſons therein mentioned, transferring to them the Authority of the Comptroller, Surveyor, and Clerk of the Navy, under the Direction of *George* Duke of *Bucks*, without whoſe Advice they were to undertake no Caſe of Difficulty or Importance. 'Tis dated the 7th of *April* 1625, at *Weſtminſter*.

104. 2. ANOTHER of the ſame kind dated the 4th of *June*.

245. 3. *A Proclamation dated* Dec. 15, *at* Windſor, *ſignifying that the Ships which were ſent to Sea in* October, *were ſhortly expected in ſome of the Weſtern Ports of the Kingdom, and commanding that none of the Soldiers upon their Arrival ſhould depart from their Colours, or be diſcharged from their Service 'till his Majeſty's Pleaſure be farther known.*

THIS was the Fleet that was ſent on that unſucceſsful Expedition againſt *Spain*, under Command of *Edward Cecil* Viſcount *Wimbleton*, which we mentioned in *p.* 555. *Whitelock* ſays the Duke of *Bucks* was the only one of the King's Council that knew of it, and that Sir *Robert Manſel* Vice-Admiral, the moſt experienced Sea-Officer in *England*, and the Lord *Chicheſter*, another old Officer, declared againſt the Undertaking.

WHEN this Fleet was outward bound, it met with a furious Storm after four Days Sail, which ſunk one of the beſt Ships with all her Crew, and ſo diſperſed the reſt, that 50 of them were miſſing for ſeven Days, but they joined again on the Coaſts of *Spain*. 'Tis obſervable, that notwithſtanding the Storm and Plague at Sea, and the Surfeit in *Spain*, Lord *Clarendon* ſays, that all the Ships, and upon the Matter all the Men came back again.

250. 4. A Commiſſion for the Duke of *Bucks*, Lord High-Admiral, for ſuppreſſing Pyracies; dated *Dec.* 22, at *Weſtminſter*.

252. 5. A Proclamation to the well-manning and arming ſuch Ships as ſet out to Sea; dated at *Hampton-Court*, *Dec.* 24.

253. 6. A Proclamation againſt embezzling of Armour, Ammunition, Victuals, and other Military Naval Stores; dated as above the 25th ditto.

7.

FOEDERA Tom. XVIII. 674. 7. A Warrant to the Duke of *Bucks*, Lord High-Admiral, and other Officers of the Admiralty, for the Payment of 17,000 *l.* for the Victualling of the Fleet for this Season; dated at *Weſtminſter, April* 18, 1626.

679. 8. A Proclamation for the Encouragement of Sailors by increaſing their Pay from 14 *s.* to 20 *s.* a Month; and for the Allowance of 5 *s. per* Tun to every Ship, which ſhall hereafter be built of 200 Tuns or upwards, for the better Encouragement of Ship-Building. 'Tis dated at *Whitehall, April* 27.

721. 9. A Proclamation againſt Mariners abſenting from the Service, and requiring them to repair to the Places, and at the Times appointed, upon Pain of Death, and all other Pains, Penalties, and Forfeitures enjoined by the Law. 'Tis dated *June* 18.

750. 10. A Proclamation for all Captains, Maſters, and Officers of Ships, and for all Mariners that are to ſerve in the King's Fleet, to repair immediately to *Portſmouth*. 'Tis dated the 29th of *Auguſt*.

758. 11. A Commiſſion to diſcover all Defects and Abuſes committed in or about the Navy; dated *Sept.* 12, at *Weſtminſter*.

766. 12. *A Commiſſion to the Duke of* Soubize, *Brother to the Duke of* Rohan, *to levy Ships of War for attacking the Subjects of the King of* Spain; *dated* Oct. 10.

HE was to bring all Prizes that he took into ſome Port of *England*.

802. 13. A Commiſſion for collecting and ſetting down proper Directions and Regulations for preventing Abuſes, as well in Matters of Commerce as Prize. 'Tis dated *Nov.* 27.

904. 14. *A Commiſſion for levying and appropriating the Penalties of Popiſh Recuſants Convict, towards the expence of equipping ſix ſtout Men of War for Defence of the Coaſt, from the fartheſt North-Eaſt Point of the Shore, to the Mouth of the River* Thames, *by reaſon of the Depredations which the Inhabitants of the Maritime Places, eſpecially in the North Parts, had ſuffered from the Aſſaults and Inſults of Foreign Enemies at Sea.*

THE *Newcaſtle* and *Sunderland* Men offered alſo to contribute Six-pence for every Chaldron of Coals, which they ſent away by Sea or Land, that they might have the Benefit of the ſaid Convoys, which the King accepted. The Commiſſion is dated *June* 23, 1627, at *Weſtminſter*.

912. 15. A Proclamation declaring his Majeſty's Intention upon that Head; dated at *Whitehall, June* 27.

968. 16. *A Proclamation for ſuppreſſing and preventing Mutinies among the Mariners lately returned from the Iſle of* Rhee, *by billetting them 'till they had received their Pay, about* Wapping, Stepney, *&c. and furniſhing them with Meat, Drink, and Lodging, after the rate of* 3 *s.* 6 *d. a Week. 'Tis dated at* Whitehall, Feb. 17, 1628.

THE Mariners came in Multitudes to the Court at *Whitehall*, clamouring in great Diſorder and Confuſion for their Pay, which Mr. *Rapin* ſays, they complained they had not received for three Years paſt, and that they deſerted in great Numbers, that they might not be forced to ſerve any longer for nothing. CHARLES I.

1017. 17. A Commiſſion to the Chancellor of the Exchequer, *&c.* for the well-ordering and husbanding the Affairs of the Royal Navy; dated at *Weſtminſter, May* 2, 1628.

1035. 18. *A Proclamation, directing that Priſoners taken at Sea by Men of War, and brought to* England, *ſhall be kept in Priſon and ſafe Cuſtody at the Charge of thoſe who bring them hither, 'till they are releaſed by way of Exchange, or otherwiſe; dated from the Court at* Portſmouth, July 23.

THIS was to reſtrain the Indulgence granted to ſeveral Priſoners, who by being ſuffered to go about, had Opportunities of obſerving Paſſages, of conferring with the Diſaffected, and corrupting them, and of viewing the Situation and Condition of Places moſt liable to be invaded.

Nobility and Gentry.

798. 1. *A Proclamation commanding the Repair of Noblemen, Knights, and Gentlemen of Quality to their Manſion-Houſes in the Country, there to attend their Services, and keep Hoſpitality at the approaching Feſtival of* Chriſtmas; *dated at* Whitehall, Nov. 23, 1626.

IT took notice that by their frequent Reſort and ordinary Reſidence in *London* and *Weſtminſter*, thoſe Cities were overburdened with Inhabitants and Recuſants, and requires them immediately, by the end of this Month, to repair, as aforeſaid, to their Country-Seats, on the Penalty not only of Diſability to hold any Places of Truſt under his Majeſty, but alſo of further Cenſure and Puniſhment.

950. 2. ANOTHER of the ſame nature; dated the 28th of *November* 1627.

Palatinate.

77. 1. *A Draught of Inſtructions concerning the* Palatinate.

IT has no Date or Subſcription, but may be imagined to have been drawn up by the Duke of *Bucks*, for ſome Miniſter who had a Commiſſion to the Prince of *Orange* about the Affair of *Amboyna*; for he inſtructs him to tell the Prince, that if he receive ſatisfaction in the Buſineſs of *Amboyna*, which he muſt require inſtantly, he would be glad to take occaſion upon a League to be formed between the neighbouring Kings and Princes of *Germany* for the Recovery of the *Palatinate*, to move his Majeſty to make a League Offenſive and Defenſive with the States-General 'till the *Palatinate* ſhall be recovered to the entire Poſſeſſion of his Majeſty's Son-in-Law and his Heirs. As he makes this Overture of his own Head, he fears if it were known to the King, while he ſtands injured and neglected by the *Dutch*, it might ruin his Credit with him, but he expreſſes an entire Confidence in the Judgment and Secrecy of the Prince of *Orange*.

HE

1. He inſtructs him farther to acquaint his Excellency, that upon the Negotiations with *Denmark*, *Sweden*, &c. his Majeſty expects to have an Army in the Field of 30 or 40,000 Men, whereof 6 or 8000 to be Horſe. And becauſe the Parliament cannot meet ſoon enough to raiſe and pay the Number of Soldiers requiſite for his Majeſty's Quota, he bids him tell the Prince, that his Majeſty would take it very kindly, if the States will permit the 6000 *Engliſh* paid by his Majeſty in the *Low Countries*, to join with that Army for re-eſtabliſhing Peace in *Germany*, and recovering the *Palatinate*, and that in ſuch Caſe his Majeſty will ſend as many more Men to them to be alſo paid by his Majeſty, and continued as many more Months longer with the States than the Day concluded of in the laſt Contract, as theſe 6000 ſhall be abſent from their Service.

He was alſo to ſift his Excellency, whether he thought that State would, upon a ſudden Emergency, furniſh him with 1000 Horſe, and 18 or 20 Pieces of Ordinance for that Service, and upon what Terms.

171. 2. A Commission to the Duke of *Bucks* to be Admiral, Captain-General, and Governor of the Fleet and Army of 10,000 Men that were to be ſhipped at *Plymouth* for aſſiſting the King's Brother-in-Law and Siſter, the Prince and Princeſs, Electors Palatine, in recovering their rightful Patrimony and Inheritance which had been taken from them in a hoſtile Manner. It is dated at *Oxford Auguſt* the 6th, 1625.

Mr. *Rapin* is miſtaken to call it *Portſmouth*. It ſeems alſo that both he and *Whitlock* were out in the Number of Land-Men, which the former makes only 8000, and the latter 12,000.

The Duke was hereby impowered by a Bill or Warrant under his Hand, to take up any Carriages by Land or Sea that ſhould be neceſſary for the King's Service, and all Magiſtrates were charged to be obedient.

181. 3. Instructions for the Duke of *Bucks* concerning the Fleet; by which it appears that the King of *Spain* had aſſiſted in the Oppreſſion of the Elector Palatine; becauſe the Duke was ordered to deſtroy the *Spaniſh* Shipping and Proviſion, to plunder any rich Town that he ſhould find, and to lie in wait for the Plate-Fleet, or to follow the *Spaniſh* Fleet, that was purſuing the *Dutch* to *Braſil*. They are taken out of *Bibliotheque Harley*, as well as thoſe above-mentioned, but have no Date nor Subſcription. The Fleet here meant is that which went to *Spain* under Lord *Wimbleton*.

207. 4. Instructions *to treat with* France. To whom they were addreſſed is not ſaid, nor by whom ſigned, but they are copied from *Bibliotheque Harley*, and dated *October* the 17th, at *Salisbury*, where the Court then was.

We may very well ſuppoſe that they were addreſſed to the Duke of *Buckingham* and the Earl of *Holland*, then at the *Hague*, with a Deſign to go to *France*. They were to perſwade the *French* King to join with King *Charles* in the offenſive and defenſive League he had made with the States General againſt the King of *Spain*, in order to bring the Houſe of *Auſtria*, which had long aimed at the Settlement of the Empire hereditarily in their Family, to conſent to the Reſtitution of the *Palatinate*, to leave the *Valloline* and *Switzers* in their ancient Liberties, and to their right Protectors, for the Security of the *French* Dominions on that Side, and for reſtoring Peace to *Germany*, and to each Prince of the Empire their proper Eſtates.

At the ſame Time the *French* King's Proteſtant Subjects (at *Rochel*) were to be perſwaded to accept of ſuch Terms as their Sovereign ſhould offer them, to rely on the King's (*Charles*'s) Mediation with their Sovereign that thoſe Conditions ſhould be kept, and on his Promiſe that if ſuch Mediation did not prevail, he would aſſiſt and defend them.

But if he refuſed, or ſo far delayed to grant his ſaid Proteſtant Subjects Conditions of Peace (notwithſtanding King *Charles*'s Diſcountenance of, and Aſſiſtance againſt *Soubize*, who was their Sollicitor) as to endanger their Deſtruction, the Ambaſſador was to let him know that King *Charles* could not be contented to ſee the Proteſtants, thoſe good Subjects of *France*, ruined by the Enemies of *France*, to the apparent Danger of his Sovereignty and of the Sovereignty of all other Princes and States, ſince the Enemies of *France* made the Extirpation of Hereticks a Pretence for encreaſing their Monarchy.

The Ambaſſador was to obſerve, that the Caſe of the Proteſtant Subjects of *France*, and of the *Roman Catholicks* in *England*, and other Proteſtant Countries, was different, ſince the former acknowledge no Sovereignty but their King's, whereas the *Roman Catholick Subjects* of other Princes do not only acknowledge the Pope's Power in ſpiritual Things, but a Poſſibility and Authority to incline and ſubmit them to the Favour and Protection of the King of *Spain*.

He was, moreover, to repreſent to the *French* King, that it would be as imprudent and ſlothful for all the Proteſtants in the World to ſtand by and ſee the Depreſſion and Extirpation of their Religion in *France*, as it would be for the Magiſtrate of a City to ſpare the pulling down

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of ſome Houſes, to ſave the reſt from a Fire ſpreading towards them.

If the Ambaſſador ſhould find that the *French* King had not, upon his Requeſt by *Lorkin*, ſent back his Ships, he was to preſs their Return for Defence of the *Engliſh* Coaſts, and the narrow Seas, rather than to be employed for the Extirpation of thoſe of the Proteſtant Religion in *France*, for whom the King gave his Word that they would ever remain loyal Subjects to their Sovereign, and that they would as vigorouſly defend his Perſon and Eſtate as any of his Subjects whatſoever.

Finally, The Ambaſſador was to ſollicit the Reverſion of the Government of *Picardy* for the Duke *de Chevreuſe*, and for the Removal of the *French* Secretary, who is ſaid to have done the King (*Charles*) many ill Offices: And for this End, the Ambaſſador was to uſe the Mediation of ſuch Miniſters at the Court of *France* as were beſt diſpoſed to the King of *England*; eſpecially the Queen Mother and the Queen Regent.

209. 5. Instructions for the Ambaſſadors to the States, to treat of the Reſtoration of the King's Brother, Siſter, and Nephews, to their ancient Dignities and Eſtates, as alſo of the Peace of *Germany*. They are of the ſame Date as the former, and without any Subſcription. The only Ambaſſador herein mentioned is, *Henry* Earl of *Holland*; but, as is ſaid above, it appears from the Hiſtory of this Time, that the Duke of *Bucks* was the other.

When they came to the *Hague*, where Sir *Dudley Carleton* was then the *Engliſh* Reſident, they were to acquaint the Elector and Electoreſs Palatine of the King's Reſolution to purſue the Re-eſtabliſhment of them and their Children to their Eſtates and Dignities. And they were to repreſent to the Prince of *Orange*, and the States, the great Advantages which they received, among others, from their League with *England*, not only by the Diverſion and Suſpenſion of the King of *Spain*'s Power from falling upon them, but by the Aſſiſtance of the *Engliſh* Ships in the narrow Seas, which would break the King of *Spain*'s great Project grounded upon the forming of a Company or Admiralty between *Flanders* and *Spain*, for infeſting the *Dutch* Fiſhery and Trade. They were alſo to ſhew the infinite Coſt the King was, and muſt be at, in fitting out Fleets, and other Aids, to them, the King of *Denmark*, Count *Mansfield*, and otherwiſe. All which was to be repreſented with a View to convince the *Dutch* of the Neceſſity there was of joining ſeriouſly for the vigorous Suppport of the War.

They were likewiſe to deſire the States to keep the Forces they had raiſed for the Relief of *Breda* two Months longer in their Pay; and to inſiſt on that, and every other Article relating to the Aſſiſtance or Accommodation of the King of *Denmark* or Count *Mansfelt*. They were to conſult with the *Dutch* upon the Feaſibleneſs of the Conqueſt of *Dunkirk*, *Oſtend*, and *Mardyke*, and to adviſe them to preſerve their Unity, as the only Foundation and principal Cement of their State, which had been dangerouſly ſhaken of late by religious Sects and Factions brought in by the Truce, by a Liquoriſhneſs after the Trade with *Spain*, by the Hopes of entertaining either the *Armenian* or *Romiſh* Religion, and alſo by Domeſtick Quarrels betwixt one Province and Town and another. Finally, they were to preſs them for ſpeedy Juſtice, and Satisfaction of our Merchants in point of Honour and Profit as to the Buſineſs of *Amboyna*, and for ſuch a Regulation between the Ships and Subjects of both States as might prevent all future Queſtions and Exceptions.

Charles I.

211. 5. Other Inſtructions of the ſame Date to the ſaid Ambaſſadors, for treating with the King's Uncle, the King of *Denmark*, in order, if poſſible, to moderate the King of *England*'s Quota towards the War, who was charged with the Maintenance of 6000 Foot and 1000 Horſe, beſides Artillery, or with 30,000 *l.* a Month; but this was to be done with Caution, leſt he ſhould think of diſengaging himſelf, and cloſing with the Emperor.

212. 6. Instructions of the ſame Date to treat with *Swedeland*. The Ambaſſadors were to endeavour by all means to promote a good Underſtanding between the Kings of *Sweden* and *Denmark*, becauſe a Diſunion and a War between them would give an Opportunity to their publick Enemies the Houſe of *Auſtria* and the King of *Poland*, to devour one firſt, and the other after. They were to put the King of *Sweden* in mind of the eternal Quarrel betwixt him and *Poland*, of the ſtrict Alliance between the Emperor and that Crown, and that if he ſuffer the *German* Princes to be ſubdued, the Houſe of *Auſtria* and the King of *Poland* will not want Pretences either of Religion or State to invade *Sweden*. They were to perſwade his *Swediſh* Majeſty to enter into Confederacy with *Great-Britain*, *Denmark*, the *Dutch*, and the reſt of the Princes of *Germany*, who from ſeveral Intereſts were engaged in a War againſt the Houſe of *Auſtria* and *Bavaria*. They were for this Reaſon to acquaint him, that their Maſter being moſt properly ſeated and beſt furniſhed for maritime Actions, had undertaken, at very great Expence, to interrupt, or to ſhare in the Wealth the Houſe of *Auſtria* drew from the *Indian* Mines,

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Mines, on which the aſpiring Hopes of that Family for unlimited Monarchy were firſt blown up, and are ſolely maintained: And finally, they were to conſult with his *Swediſh* Majeſty on the great Importance of taking away the Harbours of *Flanders* from the King of *Spain*.

747. 7. A COMMISSION conſtituting *Robert* Lord *Willoughby* of *Eresby*, who was Great Chamberlain of *England*, to be Admiral, Captain-General, and Governor of the Fleet to be ſent forth for the Service of the Prince and Princeſs, Electors Palatine. It is dated at *Canbury* the 29th of *Auguſt*, 1626.

210. 8. A COMMISSION to the Marquiſs of *Baden*, to raiſe 4000 Foot and 1000 Horſe, to be employed againſt the King of *Spain*, for reſtoring *Frederick*, Elector Palatine, and the Princeſs *Elizabeth*, to their Dominions. It is dated at *Weſtminſter*, *November* the 3d.

791. 9. ANOTHER Commiſſion to the Marquiſs to march with thoſe Forces for the ſame Purpoſe. Dated *November* the 10th.

886. 10. A COMMISSION to Sir *Robert Anſtruther* to go to *Nuremberg*, where a Congreſs was appointed of the Electors and other Princes, in order to treat of the Peace of *Germany*, and of the Affairs of the Elector Palatine. It is ſigned with the King's own Hand at *Weſtminſter*, *April* the 12th, 1627.

945. HE had another afterwards to go to *Malhauſen*, which was ſigned by the King's own Hand at *Weſtminſter*, *October* the 20th.

Pardons.

43. 1. A PARDON for twenty Popiſh Recuſants, of whom ſix were Clergy-men. Dated at *Weſtminſter May* the 4th, 1625.

MR. *Ruſhworth* mentions a ſpecial Pardon granted on the 10th of this Month to twenty *Roman* Prieſts, of all Offences committed contrary to the Laws then in Force againſt the Papiſts. Which Pardon he calls the Firſt-Fruits of the Indulgence and Favour promiſed to the Catholicks by vertue of the King's Marriage-Treaty.

2. A PARTICULAR Pardon of the ſame Kind and Date, for *Edward* Lord *Vaux*, of *Harrowden Magnâ* in the County of *Northampton**. 44.

'So ſoon, ſays another Author, did 'the ſad Effects of the Popiſh Alliance 'with *France* appear, and ſo kind was the 'young King to the young Queen.'

3. A PARDON for *Lionel* Earl of *Middleſex*, who in the late Reign was ſentenced by the Houſe of Lords to pay a Fine of 50,000 *l.* Dated *May* the 10th, 1625, at *Weſtminſter*. 69.

4. A PARDON for *James Alleſtre* of *Coventry* Goldſmith, who was convicted in the late Reign of clipping and filing Shillings. It is dated *May* the 23d, at *Weſtminſter*. 92.

5. A PARDON for *Ezekiel Groſſe* of *Camborne* in the County of *Cornwal*, who in the late Reign had a Bill preferred againſt him in the *Star-Chamber*, for ſcandalous Words againſt the King, the Prince, and the Duke of *Bucks*; and afterwards, for having committed Adultery with *Elizabeth Meriſield*, was by the High Commiſſion Court at *Lambeth* fined in a Sum of 2000 *l.* and ordered to do publick Pennance at the Pariſh-Church of St. *Burien*, and to ſuffer Impriſonment. 166.

THE ſcandalous Words laid to his Charge were theſe that follow, as they are expreſſed in the Pardon; *viz.* 'The King 'and the Prince (*innuendo* King *James* 'and *Charles* Prince of *Wales*) are both 'rank Papiſts. If it were not ſo, then 'why ſhould the King ſend the Prince 'over into *Spain* with the Arch-Papiſt of '*England* the Duke of *Buckingham*?— 'The Archbiſhop (*innuendo George* Archbiſhop of *Canterbury*) and the Nobility of the Realm (*innuendo* of *England*) have ſworn and ſubſcribed to

* THIS Family, whoſe Seat had been at *Harrowden* above 300 Years, was deſcended of *Robert* de *Vaux*, a Great Man in the North of *England*. In the Time of the ſharp Conteſt between the Houſes of *York* and *Lancaſter*, *William de Vaux* of this Family was a fierce Stickler for the *Lancaſtrians*, and on that account loſt all his Eſtate when King *Edward* IV obtained the Crown: But his Son *Nicholas*, on the Acceſſion of *Henry* VII to the Throne, not only regained his Eſtate, but was highly in that Prince's Favour, and a principal Perſon at the Solemnity of Prince *Arthur*'s Marriage. King *Henry* VIII alſo made him Lieutenant of the Caſtle of *Guiſnes*, ſent him one of his Ambaſſadors to confirm the Peace with the *French* King, and at length he was advanced to the Dignity of a Baron of this Realm, which Honour continued in the Family 'till the Year 1661, when *Edward* Lord *Vaux* died without Iſſue.

WHEN King *Charles* was Priſoner at *Holmby-Houſe*, he came ſometimes under a proper Guard to a Bowling-Green at this Lord's Seat, of which Diverſion he was very fond.

IT appears by a Letter in the *Cabala* (dated the 20th of *November*, 1625) from the Earl of *Carliſle* to the Duke of *Buckingham*, then in *Holland*, that when the Reſolution of the King and Council for the diſarming of all the Popiſh Lords came to be executed at this Lord's Houſe by the Deputy Lieutenant, aſſiſted by Mr. *Knightly* a Juſtice of the Peace, a Quarrel happened, in which ſome Blows were exchanged between his Lordſhip and his Worſhip, and that when Complaint was made of it to the King in Council, by whom the matter was referred to the Court of Star-Chamber for next Term, the Lord *Vaux* took Occaſion to tell Sir *William Spencer* (who with the reſt had given Information in favour of Mr. *Knightly*) that tho' he had neglected his Reputation before the Lords, yet he doubted not but he would have more Care of his Oath when it came to be examined in the Star-Chamber: Upon which Sir *William Spencer*, finding his Character called in queſtion, complained, and the Lord *Vaux* was committed Priſoner to the *Fleet*.

THE Earl adviſes the Duke that he need not be uneaſy about the diſarming of the Lords Recuſants, by aſſuring him, that there was as much Reſpect had to ſome who have Relation to his Lordſhip as he himſelf would deſire.

* certain

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'certain Articles which the Pope hath 'ſent over concerning the Supremacy 'over the Church of *England*.— And 'the King (*innuendo* King *James*) had 'never done any Good in *England*, but 'had beggar'd it.

THIS Pardon bears Date at *Oxford*, *Auguſt* the 3d.

292. 6. ANOTHER for *Ferdinando Cardues* of *Amſterdam*, for the Murder of *Peter Clauſon* of *Plymouth*. It is dated *February* the 12th, 1626, at *Weſtminſter*.

319. 7. A COMMISSION to the Archbiſhop of *Canterbury* and others to repriеve and ſtay from Execution ſuch Perſons as ſtand convicted of Felony, *&c.* who were able enough of Body to be employed in foreign Diſcoveries, or other Services beyond the Seas; and alſo to appoint and commit them to ſuch Service. This Commiſſion, which excepts all Malefactors convicted of Murders, Rapes, Witchcraft, High-way Robberies, Burglaries, and Burning of Houſes, is dated as above, *March* the 8th.

1050. THERE is another to the ſame Purpoſe dated *September* the 20th, 1628.

630. 8. A GENERAL Liſt of Pardons granted in the firſt Year of King *Charles*.

678. 9. A PARDON granted to *Henry Hinckley* of *Southampton*, for Pyracies committed within the Juriſdiction of the Admiralty of *England*. Dated at *Weſtminſter April* the 26th, 1626.

726. 10. A PARDON of *Heron Heris*, a Foreigner, for the Murder of another Foreigner, *Tobias Wolties*. Dated *July* 6.

744. 11. ANOTHER ſpecial Pardon granted to *Lionel* Earl of *Middleſex*, of all Penalties and Diſabilities impoſed on him by Parliament in the 21ſt Year of King *James*, for Errors and Miſdemeanors in certain Offices which he held in that Reign. In the Preamble to this Proclamation, which is dated at *Canbury Auguſt* the 20th, his ſeveral Employments are enumerated as follows; *viz.* Maſter of the great Wardrobe, Maſter of the Court of Wards and Liveries, and Lord High Treaſurer, General Receiver of the Revenues of *Dorſet* and *Somerſet*, Surveyor General of his Majeſty's Cuſtoms, Receiver of the Fines and Profits of Wine Licenſes, Receiver of the Impoſitions upon Silk, Lawns, and Cambricks, *&c.* and Receiver of the 3 *d.* in the Pound on Strangers. It is alſo ſaid in the Preamble, that upon the Earl's Petition to King *James*, he had been pleaſed to reduce his Fine of 50,000 *l.* to 20,000 *l.* which the ſaid Earl actually paid, and ſubmitted himſelf to the reſt of the Cenſures, and to the Diſability of ſitting in the upper Houſe, which with all others were by this Proclamation taken off.

Parliament.

1. THE King's Warrant to the Lord-Keeper of the Great Seal, to iſſue Writs for calling a Parliament (which was the ſecond of this Reign) to meet at *Weſtminſter* on the 6th of *February*, 162⅞*. It is dated at *Hampton-Court*, *Dec.* 16, 1625. 245.

2. A PROCLAMATION againſt publiſhing a *Declaration* or *Remonſtrance* of the late diſſolved Parliament. Dated at *Weſtminſter June* the 17th, 1626. 721.

THIS Proclamation ſays, that ſeveral Copies of the ſaid *Remonſtrance* having been diſperſed, containing many things to the Diſhonour of the King and his Royal Father, his Majeſty for ſuppreſſing of this inſufferable Wrong, commands all Perſons who have any Copies or Notes of the ſaid *Remonſtrance* forthwith to burn the ſame, that the Memory thereof may be utterly aboliſhed.

3. A PROCLAMATION for calling a Parliament to meet on the 17th of *March* next. Dated the 16th of *February*, 1628, at *Whitehall*. 967.

Patents and Salaries of Offices.

1. A GRANT of 30 *l.* a Month to *Andrew Pitcairne*, Eſq; one of the Grooms of the Bed-chamber, in quality of Maſter Surveyor and Keeper of the King's Hawks, beſides 10 *s.* a Day for the Proviſion of Pigeons, Hens, and other Diet for the Hawks. It was a Grant during Pleaſure, and dated at *Weſtminſter* the 12th of *May*, 1625, but on the 31ſt of *July* following, it was turned into a Grant for his Life. 63.

2. A PATENT appointing *Henry Atkins*, Eſq; Phyſician in ordinary to the King for his Life, with a Fee of 100 *l. per Annum*. Dated *May* 19, 1625, at *Weſtminſter*. 159.

3. ANOTHER appointing *Abraham Vanderdoort*, Eſq; Overſeer of the Pictures belonging to the Royal Family at their ſeveral Palaces, with a Fee of 40 *l.* a Year. Dated *May* 30. 100.

4. A PATENT appointing *Daniel Mittens*, one of the Picture Drawers of the Chambers in ordinary to the King, with a Fee of 20 *l.* a Year for his Life. Dated *June* 4, at *Weſtminſter*.

5. ANOTHER appointing *Jolliffe Lownes*, the King's Apothecary in ordinary, with a Salary of 40 *l.* Dated as above.

6. A PATENT conſtituting *William Clowes* chief Surgeon and Serjeant Surgeon to his Majeſty and Heirs, with a Salary of 80 *l.* for the firſt, and 40 Marks for the laſt. It is dated at *Weſtminſter*, *June* 10.

† MR. *Rapin* was miſtaken in ſaying that this Parliament was ſummoned to meet on the 8th of *February*. This was that which *Whitelock* calls the great warm and ruffling Parliament.

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THE Patent allows him all the Perquisites, Fees, Advantages, and Privileges appendent to both Titles, particularly Wine, Wax, and all Neceſſaries for Cures. By a Patent of the ſame Date, *Michael Andrews* was appointed one of the King's Surgeons, with a Salary of 40 *l.* for his Life.

115. 7. A PATENT granting the Place of his Majeſty's Barber to *Thomas Caldwall*, with a Salary of 100 *l.* for his Life; dated as above.

146. 8. A PATENT ſettling the Fees of the Gentlemen-Uſhers of the Privy-Chamber; dated at *Weſtminſter*, *July* 11.

179. 9. A PATENT conſtituting *Oliver* Viſcount *Grandiſon*, in *Limeric*, Lord High Treaſurer of *Ireland*, *durante bene placito*. It is dated at *Oxford*, *Aug.* 13.

187. 10. A PATENT appointing Sir *Simon Harvey*, who was one of the Clerks of the Green-Cloth, to be Aſſayer of the Tin in *Cornwal* and *Devon* for his own and another Life, with a Salary of 200 *l.* This Officer was to take an Oath before the Warden of the Stannaries, to perform all things relating to the Office, without Hatred or Affection to any Perſon. It is dated at *Southampton*, *Sept.* 13.

205. 11. ANOTHER Patent in favour of the King's Surgeon *Michael Andrews*, granting 150 *l.* a Year to him and his Wife during their Lives. It is dated *Oct.* 9, at *Foxley*.

317. 12. A PATENT granted to *Henry Stringer*, M. A. of the Office of Reader of the Greek Tongue in the Univerſity of *Oxford*, *quamdiu ſe benè geſſerit*, with a Salary of 40 *l.* a Year; dated at *Hampton-Court* the 31ſt of *October*.

218. 13. Two Patents, the one of the ſame Date as above, and the other on the 1ſt of *November* at *Weſtminſter*, conſtituting Sir *Robert Heath* Attorney-General, and Sir *Richard Shilton* Sollicitor-General to his Majeſty.

220. 14. ANOTHER of *October* 30, appointing Sir *Thomas Coventry* Keeper of the Great Seal, in the room of Biſhop *Williams*, with a Salary of 542 *l.* 15 *s.* a Year, 50 *l.* every Term, for his Attendance in the Star-Chamber, and 300 *l.* a Year over and above; beſides 60 *l.* for 12 Tun of Wine by the Year, and 60 *l. per Annum* for his Wax.

225. 15. A GRANT of 100 *l.* a Year to *John Lile* Maſter-Cook, ſo long as *John Ferris* was joined with him in that Office, whereby he took half of his Diet and Fees. It is dated the 9th of *November*, at *Reading*.

226. 16. A PATENT appointing Sir *John Cook*, one of his Majeſty's principal Secretaries of State. It is dated the 9th of *November*, at *Weſtminſter*.

17. A PATENT appointing *William le Neave*, *York* Herald at Arms, with a Salary of 40 Marks; dated at *Reading*, the 25th of *November*. In the 9th Year of this Reign, on the 2d of *January*, he ſurrendered his ſaid Patent in the Court of Chancery. CHARLES I. 231.

18. A PATENT appointing *John Cookeburn*, Eſq; one of his Majeſty's Carvers, with a Penſion of 150 *l.* a Year during his Life. It is dated the 10th of *December* at *Hampton-Court*. 244.

19. ANOTHER appointing *Thomas Preſton*, Gent. a Purſuivant at Arms, withe the Title of Portcullis, and a Salary of 20 *l.* a Year. It is dated at *Weſtminſter* the 22d of the ſame Month. 248.

20. ANOTHER appointing *John Bradſhaw*, *Windſor* Herald, with the Salary of 40 Marks; dated at *Weſtminſter*, *January* 3, 1626. 263.

21. A PATENT granting the Office of Chief Phyſician in Ordinary to his Majeſty to Sir *Theodore de Mayerne*, who was Phyſician to *Henry* IV of *France*, and came over to attend the late King *James* and his Queen *Anne*. This Patent, which was for his Life, diſpenſed with his Perſonal Attendance upon King *Charles* or his Court, and gave him Leave to hold his Office of Counſellor and Phyſician to *Lewis* XIII. It is dated *January* 17, as above. 271.

22. A PATENT veſting *John Richardſon*, Eſq; of *Durham*, in the Office of Remembrancer in the Biſhoprick of *Durham*; dated as above. 272.

23. AN Order for doubling the Fees of the Gentlemen Uſhers Quarter-Waiters; dated at *Weſtminſter*, *Feb.* 19. 305.

24. A PATENT for creating *George Owen* one of the Pourſuivants at Arms, by the Title of *Rouge Croix*; dated at *Weſtminſter*, *March* 2. 308.

25. A PATENT indempnifying the King's Serjeant at Arms from paying Taxes; dated the 13th of the ſame Month at *Weſtminſter*. 328.

26. A PATENT appointing *Thomas Smiſby*, Eſq; Sadler to their Majeſties during his Life, with the Salary of 12*d.* a Day for himſelf, and 3*d.*½ a Day for his Servant; dated as above, the 18 of *March*. 331.

27. ANOTHER appointing *David Beton*, M D. Phyſician, in ordinary to his Majeſty, with the Salary of 200 *l.* for his Life. It is dated the 24th as above. 333.

28. COMMISSIONS of the Peace iſſued for the ſeveral Counties of *England* and *Wales*. 566, *to* 615.

29. A GENERAL Liſt of Patents for Offices granted in the firſt Year of King *Charles*. 631, *to* 638.

30. PATENTS for Sheriffs of *England* and *Wales* in the firſt Year of the King. 649.

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657. 31. PATENTS for the Office of Eſcheators in the ſeveral Counties of *England* and *Wales*.

675. 32. A GRANT of the Office of Maſter-Maſon and Architect for the Palace at *Windſor*, to *Nicholas Stone*, during his Life, with the Wages and Fee of 12*d*. a Day; dated *April* 21, at *Weſtminſter*.

718. 33. A GRANT of the Profeſſorſhip of Hebrew in the Univerſity of *Oxford*, to *John Morris*, B. D. with the Salary of 40 *l*. payable by the Treaſurer of that See. It is dated as above, *June* 19.

727. 34. A PATENT, dated *July* 7, to *Robert Raine* of the Office of one of the Yeomen Prickers of his Majeſty's Privy-Harriers, with a Fee of 3 *l*. a Month during his Life.

728. 35. A GRANT of 200 *l*. a Year to *Nicholas Laniere* Maſter of the King's Muſick; dated *July* 11.

804. 36. A GRANT to *Robert Kinderſley*, during his Life, of the Fee of 20 *d*. a Day, beſides 16 *l*. 2 *s*. 6 *d*. a Year for his Livery, for his Skill and Service in the Art of Muſick. It is dated *Nov*. 28.

831. 37. A GRANT of 25 *l*. a Year to *James Sleighton*, in his Patent for the Place of one of the Yeomen Prickers of the King's Privy-Harriers. Dated at *Weſtminſter*, *January* 30, 1627.

835. 38. A PATENT, dated *Jan*. 31, conſtituting Sir *Nicholas Hide*, one of the King's Serjeants at Law, and another of *Feb*. 5, creating him Lord Chief Juſtice of the common Pleas, in the room of Sir *Randolph Crew*, who was removed, as has been already mention'd, for his want of Zeal to advance the Loan; but he was ſo well-beloved, and ſo ſuddenly removed, ſays *Ruſhworth*, that Sir *Nicholas*, tho' a Perſon of Parts and Abilities worthy of that Preferment, came to it with a Prejudice, eſpecially becauſe the Duke appeared, in his Advancement, to expreſs a grateful Acknowledgement to him for the Care and Pains he took in drawing the Duke's Anſwer to the Impeachment in Parliament againſt him.

843. 39. A COMMISSION to the Earl of *Marlborough*, Lord High-Treaſurer, to adminiſter the Oaths to him, on account of the Indiſpoſition of the Lord-Keeper of *Coventry*. Dated *Feb*. 6.

844. 40. A COMMISSION to enquire into, and certify the Salaries and Fees of all Offices Temporal and Spiritual, for reforming all Extortions, Oppreſſions, *&c*. committed in the ſeveral Courts. It is dated at *Weſtminſter*, *Feb*. 15.

864. 41. PATENTS for Offices in the ſecond Year of this Reign. It is a general Liſt.

943. 42. A PROCLAMATION, declaring his Majeſty's gracious Intention relating to the Commiſſion abovementioned for the enquiring into the new Offices erected in any of the Courts of Juſtice, and into the new Fees by them exacted. It is dated at *Whitehall*, *Oct*. 12.

CHARLES I. 948. 43. A PROCLAMATION directed to *George Thorpe* and his Son *John Thorpe*, the King's Water-Bailiffs, of all the River of *Thames* from *Stanes*-Bridge to *Cirenceſter*, for preſerving of the Fiſh; dated *Nov*. 28, at *Weſtminſter*.

979. 44. A PATENT for aſcertaining and augmenting the Fees of the Pages of the Bed-Chamber; dated *March* 20, 1628.

987. 45. A GENERAL Liſt of Patents for Offices granted in the third Year of this Reign.

1048. 46. ANOTHER Patent ſettling the Fees of the Gentlemen Uſhers, Quarter Waiters, *&c*. Dated at *Canbury*, *Sept*. 16, 1628.

1059. 47. ANOTHER for ſettling the Fees of the King's Heralds and Purſuivants at Arms; dated at *Weſtminſter*, *Oct*. 10.

Patents for Peerage.

9. 1. A PATENT dated the 1ſt of *April*, 1625, at *Weſtminſter*, for creating Sir *Edward Chicheſter* Baron *Chicheſter* of *Belfaſt*, and Viſcount *Chicheſter* of *Karickfergus* in *Ireland*, with an annual Fee of 13 *l*. 6 *s*. 8 *d*. payable out of the great and ſmall Cuſtoms collected at the Port of *Dublin*.

17. 2. ANOTHER for creating Sir *Robert Needham* of *Shenton*, in the County of *Salop*, a Peer of *Ireland*, with the Stile and Title of *Robert* Viſcount of *Kilmorey*; and the ſame yearly Fee. It is dated the 8th of *April*, at *Weſtminſter*.

It recites his Services to Q. *Elizabeth* againſt the Rebels and Traitors in *Ireland*, and his worthy Behaviour in the Reign of King *James* I, while he was Vice-Preſident of the Council in *Wales*.

180. 3. ANOTHER for creating *Hugh Hare*, Eſq; Son to *Margaret* Viſcounteſs *Mandeville*, who was about to marry the Daughter of *Henry* Viſcount *Mandeville*, Preſident of the Council, a Peer of *Ireland*, with the Title of Baron *Colerain* of *Colerain*. It is dated *Aug*. 31, at *Southampton*. This Gentleman, who was created a Baron when but 19 Years of Age, was noted for a great Floriſt.

278. 4. A PATENT for advancing *George* Lord *Carew* of *Clopton*, Maſter of the Ordnance, to the Dignity of Earl of *Totneſs* in the County of *Devon*. It is dated the 5th of *February*, 1626, at *Weſtminſter*. The Preamble recites his Induſtry, Skill, and ſucceſsful Exploits in War, both by Land and Sea, and his Fortitude and Prudence when he was Preſident of the Province of *Munſter* in *Ireland*, not only in ſubduing the Rebels there, but in expelling the *Spaniards*, who had invaded that Kingdom.

280. 5. ANOTHER creating *Robert* Lord *Cary* of *Leppington* Earl of *Monmouth*, of the

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the ſame Date as above. The Preamble takes notice of his Deſcent from a very ancient Family, and his being Couſen to Queen *Elizabeth*; that upon her Death he undertook a Journey to *Scotland*, with great Hazard of his Life, to carry King *James* the News of his Acceſſion to the Crown, who afterwards committed the Care of Prince *Charles's* Education to him; and that he accompanied the ſaid Prince to *Spain*.

281. 6. ANOTHER of the ſame Date for advancing *Thomas* Lord *Wentworth* of *Nettleſtead* in *Yorkſhire*, to the Dignity of Earl of *Cleveland*. King *Charles* ſoon after made him Captain of the Guards. He had been made Knight of the *Bath* at the Creation of *Henry* Prince of *Wales* in 1610; and in the eighth of King *James* he was created a Baron.

282. 7. ANOTHER of the ſame Date for advancing *Edmund* Lord *Sheffield*, Baron of *Butterwick*, *&c.* Knight of the moſt Noble Order of the Garter, to the Dignity of Earl of *Mulgrave* in *Yorkſhire*. The Preamble takes notice of his gallant and honourable Behaviour for ſeventeen Years, while he was Preſident of the Council in the North of *England*, and particularly of his Service in 1588, againſt the *Spaniards*, who then invaded the Kingdom; for which Queen *Elizabeth* granted to the ſaid Lord and his Heirs the Manour of *Mulgrave* in *Yorkſhire*. It is ſaid that he had ſix Sons, of whom four were drown'd, and another broke his Neck by a Fall from a Horſe.

284. 8. ANOTHER of the ſame Date for advancing *Thomas Howard*, Baron of *Charlton*, Viſcount *Andover*, and Knight of the Garter (the ſecond Son of *Thomas* Earl of *Suffolk*) to the Dignity of Earl of *Berkſhire*.

285. 9. ANOTHER of the ſame Date for advancing *Henry* Baron *Danvers* of *Danſtey* in the County of *Wilts* (Son of Sir *John Danvers*) to the Dignity of Earl of *Danby* in *Yorkſhire*. The Preamble takes notice, that he was created a Baron by King *James* I, for his heroic Services to Queen *Elizabeth*, eſpecially in *Ireland*, as well againſt the Rebels there as the *Spaniſh* Invaders, particularly at *Kinſale*. He was alſo created by King *Charles* a Knight of the Garter. This Lord, who was likewiſe Governour of the Iſle of *Guernſey*, was afterwards Founder of the Phyſick-Garden at *Oxford*, which had 'till then been the *Jews* Burial-place. He purchaſed the Ground, which is five Acres, of *Magdalen* College, and erected round it moſt magnificent Walls and Gates of the beſt ſquared and poliſhed Stone, which coſt him 5 or 600 *l.* He endowed it with an annual Revenue for ever for the Maintenance and keeping of the ſame, and its great Variety of Plants.

10. ANOTHER of the ſame Date for creating *Henry Montagu* (who was Baron of *Kimbolton*, and Viſcount *Mandeville*) Earl of *Mancheſter*. The Preamble takes notice of his Deſcent from the ancient and moſt noble Family of *Montacutes*, and of his Behaviour in the late Reign, when he was Recorder of *London*, Lord Chief Juſtice, and afterwards High Treaſurer of *England*, and Preſident of the Council.

THIS Nobleman was the firſt Earl of the Family: He was created a Baron of *Kimbolton* and Viſcount *Mandeville*, *Decemb.* 19, 1620, becauſe he was then in Poſſeſſion of the Caſtle and Lordſhip of *Kimbolton*, which had for many Ages belong'd to the Family of *Mandeville*. His Brother was *Edward* Lord *Montagu* of *Boughton*.

289. 11. ANOTHER of the ſame Date for advancing *James* Lord *Ley* of *Ley*, to the Dignity of Earl of *Marlborough* in *Wilts*. The Preamble mentions his prudent and faithful Diſcharge of the Offices of Lord Chief Juſtice in *Ireland*, Lord Chief Juſtice of the Common Pleas in *England*, one of the Commiſſioners of the Revenue, and afterwards Lord High Treaſurer.

THIS Earl had made himſelf very eminent for his Proficiency in the Laws of *England*, and was firſt preferr'd in 44 *Eliz.* to be Lent-Reader in *Lincolns-Inn*; ſoon after which he was raiſed to diverſe Degrees of Honour, and eminent Employments. King *James* made him a Baron, and King *Charles* an Earl, with a Limitation of this Honour to the Heirs Male of his Body by *Jane* his third Wife, Daughter of *John* Lord *Butler* of *Brimsfield* in *Hertfordſhire*, and for lack of ſuch Iſſue, to the Heirs Male of his own Body. He died at *Lincolns-Inn*, *March* 14, 1628, and was buried under a ſumptuous Monument in the Pariſh-Church of *Weſtbury*. After his Death were publiſhed his Reports of diverſe Law-Caſes tried in the Reigns of King *James* I, and King *Charles* I. His Son and Grandſon were both of his own Name, and the latter was kill'd at Sea, at *Solebay* Fight. His Uncle *William* became thereupon Heir to his Honours, but leaving no Iſſue, the Title became extinct, 'till it was revived by King *William* III, of Immortal Memory in the Perſon of the ever Victorious *John Churchil*.

291. 12. A PATENT for ſettling the Precedency of the eight Earls above-mentioned; dated at *Weſtminſter*, *Febr.* 7.

625. 13. A LIST of Perſons promoted to the Peerage in the firſt Year of King *Charles*.

14. A

FOEDERA Tom. XVIII. 714.

14. A PATENT for advancing *Oliver St. John* who was by King *James* created a Peer of *Ireland*, with the Stile and Title of Viſcount *Grandiſon* of *Limeric*) to the Dignity of Baron *Tregoze* of *Highworth* in *Wilts*. It is dated *May* 21, at *Weſtminſter*. The Preamble ſets forth, that he was deſcended of the ancient and noble Family of *St. John*, and that he had ſerv'd the late King in *Ireland* firſt as Maſter of the Ordnance, and then as his Deputy and Lieutenant; that he was one of the Privy-Council, and a Member of the Council of War to King *Charles*, and his Chief Treaſurer in *Ireland*, at the Time of this Creation.

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HE was a younger Branch of the Family of the *St. Johns* of *Bletſho*, and was created Viſcount *Grandiſon* by reaſon of his Deſcent from a Female Heir of the *Grandiſons*. By his wiſe Conduct he ſo civilized the People of *Ireland*, that whereas that Kingdom had for many Years been a Burden to the *Engliſh* Exchequer, through the continual Broils in it, he kept it under ſuch a Subjection and Regulation, that the Income of it turn'd to good Account, and the People liv'd peaceably together. He died without Iſſue-Male at *Batterſea*, where he had liv'd many Years after his Return from *Ireland*, and left his Honour to his Siſter's Son Sir *Edward Villiers*, but the Main of his Eſtate to his Brother's Son Sir *John St. John*.

THE Author of the *Britiſh Compendium* ſays, that being ſent to ſtudy the Law in the Inns of Court, he had a Quarrel with one *Beſt*, Captain of the Guards to Queen *Elizabeth*, and Champion of *England*, and kill'd him in a Duel, for which he was forc'd to leave the Kingdom, but returned in the Reign of King *James*, who Knighted and created him a Peer, and that King *Charles* gave him a Grant by Patent, of the Manours of *Batterſey* and *Wandſworth*.

715. 15. ANOTHER for creating Sir *Dudley Carleton*, who was Vice-Chamberlain of the Houſhold, and one of the Privy-Council, Baron *Carleton* of *Imbercourt* in the County of *Surry*. It is dated *May* 22. The Preamble mentions the Embaſſies he had been employ'd in for ſixteen Years to the *Dutch*, the *Venetians*, the Duke of *Savoy*, and the *French* King.

743. 16. A PATENT for advancing *William* Baron *Knollys* of *Greys* in *Oxfordſhire*, and Viſcount *Wallingford*, to the Dignity of Earl of *Banbury*; dated at *Weſtminſter*, *Aug.* 18, 1626. The Preamble takes notice, that this Gentleman, who was Sir *William Knollys* in the Reign of King *James* I, was by him preferred to be Treaſurer of his Houſhold, Baron of *Greys*, Maſter of the Court of Wards and Liveries, and Viſcount *Wallingford*, and that he was related by Blood to Queen *Elizabeth*.

THE Relation was owing to the Marriage of his Father Sir *Francis Knollys* with *Catherine*, Daughter of *Mary Bullen*, who was the Queen's Aunt. As the Father was Treaſurer of that Queen's Houſhold, ſo was the Son, who in the next Reign was created Knight of the Garter.

777. 17. A PATENT for advancing *Edward* Lord *Denny*, whom King *James* created Baron of *Waltham*, to the Dignity of Earl of *Norwich*; dated *October* 24. The Preamble to it takes notice, that his Grandfather, Sir *Anthony Denny*, was Gentleman of the Privy Chamber to King *Henry* VIII, and one of the Executors of his laſt Will and Teſtament. He was alſo of Council to Prince *Edward*, that King's only Son and Succeſſor. This *Edward* was Knighted 31 *Eliz.* and ſummoned to Parliament as Lord *Denny*, among the Peers of the Realm, in the third Year of King *James*. He married *Mary*, Daughter to *Thomas* Earl of *Exeter*, but died without Iſſue.

778. 18. ANOTHER for creating Sir *Nicholas Tufton*, Kt. and Bart. Baron *Tufton* of *Tufton* in the County of *Suſſex*. It is dated *Nov.* 1. The Preamble ſets forth the great Antiquity of his Family, their Alliance with many noble Families of the Kingdom, their ample Poſſeſſions and ſplendid Revenues; and of the Perſonal Wiſdom, Bravery and Integrity of the Patentee, who was indeed a Perſon of very great Merit.

781. 19. ANOTHER for advancing *Thomas Savage* Lord *Darcy* of *Chicheſter* (who was by King *James* created Viſcount *Colcheſter*) to the Dignity of Earl *Rivers*, with Remainder to Sir *Thomas Savage* of *Rock-Savage* in *Cheſhire*, if he died without Iſſue-Male. It is dated *Nov.* 4, at *Weſtminſter*.

797. 20. A PATENT for creating *Robert* Lord *Willoughby* of *Willoughby Beake* and *Eresby*, Earl of *Lindſey*; dated *Nov.* 22. It takes notice that the Office of Great Chamberlain of *England* was devolv'd to him, as the next a-kin to *Henry de Vere* late Earl of *Oxford*, who enjoy'd it laſt. Queen *Elizabeth*, who did him the Honour to be his Godmother, ſeem'd to prognoſticate his martial Genius, by calling him her young General at the Chriſtening; and it is recorded of him, that as ſoon as he came to any Knowledge of Things, he was more delighted with Swords and Guns than the uſual Toys of Children. In that Queen's Reign he diſtinguiſh'd

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ſtinguiſh'd his Valour at the Siege of *Calais*, the Adventure at the *Brill*, the Siege of *Amiens*, and the taking of the great *Spaniſh* Carrack, worth a Million of Crowns. In the following pacific Reign he generally reſided in *Lincolnſhire*; and in the Reign of King *Charles*, he was made chief Commander of the Fleet, as has been already mention'd in the Hiſtory, and Knight of the Garter, and loſt his Life at the Battle of *Edgehill*, 1642, where his Son alſo was taken Priſoner.

810. 21. A PATENT for creating Sir *Thomas Somerſet* Viſcount *Caſſile* in the County of *Tipperary* in *Ireland*; dated *Dec.* 8. He was the ſecond Son of *Edward* Earl of *Worceſter*, Knight of the Garter, who was then Lord Privy-Seal. The Preamble ſays, that he was related to the Royal Family, and that he had been Maſter of the Horſe to King *James*.

863. 22. A GENERAL Liſt of Patents for Baronettage and Peerage, granted in the ſecond Year of this Reign.

983. 23. ANOTHER General Liſt of ſuch Patents granted in the third Year of this Reign.

Penſions.

26. 1. A GRANT to *James* Duke of *Lenox* of the Sum of 1050 *l.* and of a Penſion of 1400 *l.* for the Term of 20 Years; dated at *Weſtminſter*, *April* 16, 1625.

27. 2. A GRANT to *Catherine*, Dutcheſs Dowager of *Lenox*, of 4400 *l.* and of an Annuity of 2100 *l.* during her Life, on the Surrender of Patents for Green Wax, *&c.* and alſo of a Penſion of 2100 *l.* to *James* Duke of *Lenox*, and his Heirs, from and after the Deceaſe of the ſaid Dutcheſs Dowager, to be continued during the Life of the ſaid Duke, and of his Brother *Henry* Lord *Steward* or *Stuart*: And alſo of a Penſion of 2100 *l.* to the ſaid Lord *Henry Stuart*, and his Aſſigns, from and after the Deceaſe of the ſaid Dutcheſs, and the ſaid Duke, without Heirs Male, for and during the ſaid *Henry*'s Life. All which Sums were to be paid out of the Court of Wards and Liveries. It is dated the 21ſt, and both this and the former are under the Privy-Seal.

88. 3. A GRANT under the Privy-Seal of a Penſion of 2000 *l.* for 21 Years to *Edward* Lord *Conway* (his Executors and Aſſigns) who by a Patent of the ſame Date, *viz.* *May* 23, was appointed one of his Majeſty's Principal Secretaries of State *.

95. 4. A GRANT of 500 *l.* a Year to *Thomas Carey*, Eſq; Groom of the Bedchamber, for his Life; dated the 28th of *May*.

112. 5. A GRANT of 100 *l.* a Year to *Francis Cleyne* during his Life. It is dated *June* 4, at *Weſtminſter*. The King, about a Week before made him a Denizen of *England* by an Act for that Purpoſe. 96.

113. 6. A GRANT of 1000 *l.* a Year to *Chriſtopher* Earl of *Angleſea* for his Life; dated as above.

198. 7. ANOTHER of 500 Marks a Year to *James Hay*, Eſq; for his Life; dated *Octob.* 5, at *Foxley*.

243. 8. ANOTHER of 150 *l.* a Year during Life to *John Cookeburn*, Eſq; one of the King's Carvers; dated *Dec.* 10, at *Hampton-Court*.

317. 9. ANOTHER of 200 *l.* a Year to Sir *Francis Biondy*, and Dame *Mary* his Wife, who was Siſter to Dr. *Mayerne*, his Majeſty's Phyſician, for their former Services to his Majeſty and the late King. It is dated at *Weſtminſter*, *March* 8, 1626.

332. 10. ANOTHER of 100 *l.* a Year to Sir *James Younge*, one of the Gentlemen of the Privy-Chamber, for his Life; dated as above, *March* 21.

626 *to* 630. 11. A GENERAL Liſt of Penſions granted in the firſt Year of King *Charles*.

805. 12. A GRANT of a Penſion of 100 *l.* to M. *l'Avignon* (Gentleman Uſher to the Queen) for his Life; dated at *Weſtminſter*, *Dec.* 4.

808. 13. ANOTHER of 120 *l.* a Year to *Charles Trevor*, Gent. who was Servant to the King when Prince of *Wales*. It is dated *Decemb.* 7.

Plague.

78. 1. A PROCLAMATION dated the 17th of *May*, 1625, at *Whitehall*, for *Reſtraint of diſorderly and unneceſſary Reſort to the Court*.

IT takes notice, that this Seaſon grew every Day more dangerous for increaſing the Infection already begun in the City and Confines of *London*, and forbids the Concourſe of People to ſee his Queen when he went to receive her at *Dover* †, or in any other

* THE Author of a late Hiſtory, *viz.* R. H. *S.* ſays, that when the Warrant came to Biſhop *Williams*, Lord Keeper, to paſs this Grant, he boggled at it, and told the King, *He durſt not do it for fear of infringing his Duty to his Majeſty, and drawing ſome Danger upon himſelf*, and that the Reaſons he gave, *with much ado*, prevail'd; but that he made the Lord *Conway* his Enemy, which is no great Wonder.

† WE have met with a Letter in the *Cabala* ſince the 'foregoing Sheets were printed off, which gives ſuch a Character of this Queen, that we chooſe this Opportunity to take notice of it, tho' it be a little out of Time, rather than wholly to omit it. It is from Sir *Tobias Mathew* to the Dutcheſs of *Buckingham*; dated the 9th of *June* at *Boulogne*, the Day after the Queen arrived there in her Way to *England*. 'Madam, ſays

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Progreſſes which they, or either of them ſhould make this Summer. For the ſame Reaſon it forbad the Repairing to Court on account of the King's Evil, for that his Majeſty would not touch 'till *Michaelmas* next, and after his Coronation. And as it was uſual for the poor People to flock into the Highways and Streets where his Majeſty travell'd, under colour of Relief from the Almoner, the ſaid Almoner was to deliver the ſaid Alms to the Overſeers of the Pariſhes, and the Magiſtrates were to ſend all ſturdy Vagabonds to the Houſe of Correction, and to paſs all Strollers that were not able to work, to their reſpective Countries. Nor were any of the King's Servants to attend him in his Journey without ſpecial Orders.

IT is an Obſervation of *L'Eſtrange*, that this Plague, and that in 1605, were both Natives of one Pariſh, *viz. Whitechappel*, yea, under the ſame Roof, and that they both iſſued forth on the ſame Day of the Month.

94. 2. ANOTHER Proclamation of the ſame Kind, dated the 26th of the ſame Month, which commands in particular, that no Laundreſs ſhall have Recourſe to any Officer or Chambers within the Palace, but that the Linnen be ſent to and from ſuch Laundreſſes; and that for preventing ſuch Diſorders as frequently happened to the great Diſhonour of the King's Houſhold, the Laundreſſes to the Body, and others who were allowed to follow the Houſhold, ſhould attend in Perſon, and not ſupply their Places by their Servants and Maids.

116. 3. ANOTHER for the Adjournment of Part of Trinity-Term, by reaſon of the Increaſe of the Plague. It is dated at *Whitehall* the 18th of *June*.

118. 4. ANOTHER of the ſame Date, entituled, *A Proclamation for the better ordering of thoſe who repair to Court for Cure of the Diſeaſe call'd the* King's Evil.

THIS was for changing the Times of preſenting ſuch Perſons to his Majeſty from *Eaſter* and *Whitſuntide*, to *Eaſter* and *Michaelmas*, as Times more convenient both for the Temperance of the Seaſon, and in reſpect of any Contagion which might happen by ſuch near Acceſs to his Majeſty's Perſon.

5. ANOTHER, dated *June* 26, certifying, that by reaſon of the violent Increaſe of the Plague, his Majeſty intended to remove with the Queen from *Whitehall*, and prohibiting Reſort to Court by People dwelling in or near infected Places; who were alſo hereby reſtrained from taking Houſes on, or near the Roads to *Richmond*, *Nonſuch*, *Hampton-Court*, or *Windſor*. CHARLES I. 121.

6. A PROCLAMATION for a General Faſt to be obſerved throughout the Kingdom on *Wedneſday* the 20th of *July*, and every *Wedneſday* following, to implore the Divine Mercy to ſtop the Fury of the Plague, and to grant a Bleſſing to his Majeſty's Perſon, People and Armies both by Land and Sea. It was dated at *Whitehall* the 3d of *July*. It takes notice, that his Majeſty had ordered a Form of Prayer to be compoſed and publiſhed for that Purpoſe. 142.

IT was firſt ſolemnly obſerved by both Houſes of Parliament on *Saturday* the 2d of *July*. In a Collection of Sermons by Dr *Arthur Lake*, Biſhop of *Bath* and *Wells*, we find that which he preached on this Occaſion at *Weſtminſter* before his Majeſty and the Houſe of Lords.

7. A PROCLAMATION, dated at *Oatlands* the 12th of *July*, for adjourning the Parliament from *Weſtminſter* to *Oxford*, to be there held on the 1ſt of *Auguſt* following, by reaſon of the Infection of the Plague, which was ſo general, that the two Houſes had mov'd his Majeſty for a ſhort Receſs. This Motion, which was ſaid to come from the Duke of *Buckingham*, was carried againſt the Opinion of the Lord Keeper and Biſhop *Williams* (then in good Terms with the Duke) who ſaid, that the Parliament would not take it well to be forc'd Abroad at ſuch a Time of Mortality, and might perhaps vote out of Diſguſts which it was not adviſeable for his Majeſty to give. 148.

8. ANOTHER for removing the Receipt of his Majeſty's Exchequer from *Weſtminſter* to *Richmond*, for the ſame Reaſon. It is dated at *Rycot*, in *Oxfordſhire*, *July* 31. 160.

'he, upon my Faith, ſhe is a moſt ſweet, lovely Creature, and hath a Countenance which opens a Window into her Heart, where a Man may ſee all Nobleneſs and Goodneſs; and I dare venture my Head (upon the little Skill I have in Phyſiognomy) that ſhe will be extraordinarily beloved by our Nation, and deſerve to be ſo, and that the Actions of her ſelf, which are to be her own, will be excellent. Methought I diſcerned in her Countenance a little Remnant of Sadneſs, which perhaps the freſh Wound of parting from the Queen-Mother might have made. Her Attire was very plain; but I hope, that amongſt many other Bleſſings which God will have provided for us by her Means, her Example will be able to teach our Country Wit in this kind. Believe me, ſhe is full of Wit, and hath a lovely manner of expreſſing it. But I confeſs, I was ſorry with all my Heart to hear that her Courage was ſo great, as to carry her inſtantly to Sea in a poor little Boat. I dare give my Word for her, that ſhe is not afraid of her own Shadow, who could find in her Heart to put her ſelf, at the firſt Sight, upon an Element of that Danger and Diſeaſe for meer Paſtime, unleſs it were perhaps that ſhe might carry ſome Steel about her, and that there is ſome Adamant at *Dover* which may already begin to draw her that Way.'

9. ANO-

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9. ANOTHER prohibiting the keeping of *Bartholomew* and *Sturbridge* Fairs, and for reſtraining the Citizens of *London* from repairing to any Fairs in the Kingdom 'till the Plague ſhould ceaſe. It is dated at *Woodſtock*, the 4th of *Auguſt*.

184. 10. ANOTHER for the Adjournment of part of *Michaelmas* Term, by reaſon of the general Infection of the Plague in *London* and *Weſtminſter*. It is dated *Sept.* 4, at *Titchfield*.

198. 11. ANOTHER for the avoiding all Intercourſe between his Majeſty's Court and the Cities of *London* and *Weſtminſter*, &c. by reaſon that the Plague ſtill raged in thoſe Cities and Suburbs. The Court was then about removing firſt to *Windſor*, and from thence to *Hampton-Court*. The Proclamation is dated *Oct.* 7, at *Salisbury*.

206. 12. ANOTHER Proclamation for the further Adjournment of *Michaelmas* Term for the ſame Reaſon, to the Town of *Reading*; dated *Oct.* 11, at *Salisbury*.

IT was obſerved the Plague was ſo hot at one time, that in *London* only 5000 Perſons died in one Week, and for fear of Infection, many Perſons who were to pay Money, firſt put it into a Tub of Water, and the Party that was to recieve it took it out. At the time of this Adjournment it was ſo aſſwaged, that there died but 2500 in a Week. It falling to Judge *Whitelock*'s Turn to make this Adjournment, we are told in his Memoirs, that when he came from his Seat in *Buckinghamſhire* to *Hide-Park Corner*, he and his Retinue there dined on the Ground, with ſuch Proviſion as they brought with them in the Coach, and that afterwards he drove furiouſly through the Streets, which were empty of People and overgrown with Graſs, to *Weſtminſter-Hall*, where he went ſtreight to the *King's-Bench*, adjourned the Court, returned to his Coach, and drove away inſtantly out of the Town.

MR. *Grant*, in his Obſervations on our *Bills of Mortality*, ſays, that the whole Number of thoſe who died laſt Year in the ſeveral Pariſhes, amounted to 35,417.

THAT Author, in an Hiſtorical Note relating to the Origin of our printed Weekly Bills, ſays, that the Riſe of keeping theſe Accounts was taken from the Plague, inſomuch as for ought appears the ſaid Bills were firſt printed in the Year 1592, being a Time of Great Mortality, but were diſus'd from the Year 1594 to 1603, the firſt Year of King *James* I, when by reaſon of the Plague that Year, they were reſumed. From the 29th of *December* in that ſame Year, he dates the Continuance of the Weekly Bills extant at Pariſh Clerks-Hall: But he adds, that every Pariſh was not particularized in the Bills (as they are now) 'till this Year 1625.

230. 13. A WRIT directed to the Lord-Keeper, and dated the 20th of *November* at *Hampton-Court*, for adjourning *Michaelmas* Term from *Reading* to *Weſtminſter*.

CHARLES I. 255.

14. A PROCLAMATION declaring his Majeſty's Pleaſure, that a former Reſtraint enjoined to the Citizens of *London* for repairing to *Bartholemew*, *Sturbridge*, or any other Fairs, be now taken off, by reaſon the Contagion is ceaſed. It is dated *Dec.* 30, at *Hampton-Court*.

276. 15. A PROCLAMATION appointing a general and publick Thankſgiving to God, for his great Mercy in ſtaying his Hands, and aſſwaging the late fearful Viſitation of the Plague. It was to be obſerved on the 29th of *January*, in and about *London* and *Weſtminſter*, and on the 19th of *February* throughout the Kingdom; and for that Purpoſe a ſmall Book was to be compoſed by the Biſhops, and by them diſpers'd through their Dioceſe. The Proclamation is dated at *Whitehall*, *Jan.* 22, 1626.

THE ſaid Form of Prayer and Thankſgiving was drawn up by the Archbiſhop of *Canterbury*, the Biſhops of *London*, *Durham*, *Rocheſter*, and *St. Davids*: It was to be us'd in Common-Prayer on *Sundays*, *Wedneſdays*, and *Fridays*, and was printed by Authority at *London*, in *4to*, by *Bonham Norton*, &c.

725. 15. ANOTHER Proclamation dated *June* 30, 1626, at *Whitehall*, for a general Faſt to be obſerved in *London* and *Weſtminſter*, on the 5th of *July*, and throughout *England* and *Wales*, on the 2d of *Auguſt* following; in remembrance of the late fearful Viſitation of the Plague, which was ſtill ſpreading in many Parts of the Kingdom, and of the Scarcity and Famine lately threaten'd, but diverted by the Bleſſing of God, upon the Fruits of the Earth; and in conſideration of the powerful Invaſion threaten'd from Abroad.

MR. *Rapin* ſays, that the Motive of this Proclamation was by ſuch Exaggeration of the pretended Neceſſity and Danger of the King's Affairs, to juſtify the late Impoſition of Tonnage and Poundage, and the other extraordinary Methods he had taken to raiſe Money.

1012. 16. A PROCLAMATION appointing another general Faſt to be obſerved on the 5th of *April* in and about *London* and *Weſtminſter*, and on the 21ſt of the ſame Month through *England* and *Wales*. It is dated *March* 21, 1628.

1023. 17. A PROCLAMATION for deferring the Repair of Perſons to Court for Cure of the King's Evil, 'till *Michaelmas* next, for preventing any Contagion which might happen by ſuch near Acceſs, at the preſent Seaſon, to his Majeſty's Sacred Perſon. Dated at *Whitehall*, *June* 17.

Popiſh

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CHARLES I.

Popiſh Prieſts and Recuſants.

179. 1. A PROCLAMATION dated at *Woodſtock*, *Auguſt* 14, 1625, for recalling his Majeſty's Subjects from foreign Seminaries, and putting the Laws in Execution againſt Jeſuits and Popiſh Prieſts, who ſhould be found within his Dominions after *Michaelmas* following.

THIS is the Proclamation which Dr. *Kennet* obſerves, was iſſued to gratify the Deſires of the late Parliament, in which the Parents, Tutors, Governours, Guardians, *&c.* of all *Engliſh* Youth bred up in foreign Schools and Seminaries, and other Houſes of the Popiſh Religion, were commanded to recall them home; ſo that they were to return by *Chriſtmas* next; and which enjoined, That no Biſhop, Prieſt, or other Perſon, ſhould preſume to confer Eccleſiaſtical Orders, or exerciſe his Function or Juriſdiction towards any of his natural born Subjects within his Dominions.

2. THIS Proclamation ſo diſguſted the *French* Court, that on the 3d of *Novemb.* following, the Marquiſs *de Blainville*, Ambaſſador from *France* to King *Charles*, delivered a Remonſtrance againſt it, which we find in this XVIIIth Tome, of the following Tenour.

223. 'IT puts the King in mind of the Promiſe he made for the ſake of his Marriage 'to the *French* King's Siſter, That the 'Catholicks in his Kingdom ſhould enjoy 'more Security and Freedom in every thing 'reſpecting Religion, than they were to 'have done by vertue of any Articles what-'ſoever in the Marriage-Treaty with *Spain*; 'and that they were not to be moleſted 'in their Perſons or Eſtates for ſuch their 'Religion, nor obliged to take any Oath 'contrary to it.

'IT obſerves, that the Queen of *En-'gland*, who profeſſes that Religion can-'not but be concerned to ſee that his Sub-'jects of the ſame Religion have leſs Li-'berty now than they had in former Reigns. 'For theſe Reaſons it ſets forth that the 'King has ordered him to demand the 'Recall of the ſaid Proclamation, and 'that the Pecuniary and other Laws a-'gainſt the ſaid Catholicks may not be put 'in Execution, becauſe they have not 'paid the Compoſition-Money for their 'Eſtates.

'THE King of *France* being alſo in-'form'd that the *Sieur de Soubize* was re-'tired to *England* with ſeveral Ships 'belonging to his Subjects before there 'was any Appearance of the War with 'the *Hugonots*, and that ſome others, 'taken by the *Engliſh*, were detained 'in their Harbours, his Majeſty not on-'ly demanded the Reſtoration of the ſaid 'Ships, but the Expulſion of the *Sieur 'de Soubize*, whom it calls a *Rebel to 'his King, the Author of all the Trou-'bles in* France, *and the ſole* Remora '*of the Enterprizes in* Italy, the Suc-'ceſs or Ruin whereof was of Impor-'tance to the Welfare of all Chriſtendom 'in general. Finally, it concludes, that 'twill be the greateſt Pleaſure in the 'World both to his Majeſty, and the 'Queen his Mother, to hear that the 'Queen his Siſter has all the Satisfacti-'on which ſhe has juſt Reaſon to ex-'pect.

UPON this followed,

214. 3. AN *Anſwer to the ſaid Demands*, wherein the Ambaſſador is charg'd to tell his Maſter, 'That he had not fail'd in 'his Promiſe in their Favour in any one 'Point or Circumſtance; that all he de-'ſires, or intends, is to treat his *Roman 'Catholick* Subjects with all manner of 'Equity; and that for the ſake of his 'good Brother and dear Spouſe, he 'ſhews them all the Favour they could 'expect on theſe Conſiderations, or by 'vertue of any Promiſes or Articles made 'before the Marriage. But he entreats 'the Moſt Chriſtian King and his Mini-'ſters to recollect, that the moſt binding 'and punctual Terms and Expreſſions in 'thoſe Articles were propoſed on the 'Part of the Moſt Chriſtian King, only 'to give the Pope ſuch Satisfaction as 'might induce him to grant the Diſpen-'ſation for the Marriage: And that as 'for his *Britannick* Majeſty, he always 'made it a Reſerve, that his firſt and 'principal Care ſhould be the Preſervati-'on of his State, and the Peace and Se-'curity of his Kingdoms: And that 'conſequently, his Majeſty's Favour to 'his *Roman Catholick* Subjects was li-'mited and extended no farther than 'while they behav'd modeſtly and du-'tifully: But that inſtead of ſuch mo-'deſt Behaviour, they had held Con-'venticles and ſecret Aſſemblies, advanc'd 'dangerous Schemes for inducing and 'encouraging one another, and furniſh'd 'themſelves with Arms, and other Means 'to oppoſe the Proceſs and Execution of 'the Laws.

'As to theſe things, his Majeſty re-'ſerves it to himſelf to examine and re-'form them without being accountable 'to any one, and alſo to provide for 'the Security and Succeſſion of his 'Crown.

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'As to the Shipping, his Majesty promised to give Order for Justice to be done to the Subjects of *France*, and declares, that there is no Person in the World to whom he is more ready to give the desired Satisfaction; but that in an Affair so intricate and perplex'd, in which the Law of Nations, and the Law of the Land were confounded with his and his Officers Right of Admiralty, and the Usage and Maxims of crown'd Heads in the like Cases, he hopes his good Brother will not be offended if he take Advice of the Lawyers, that he may be the better able to give his Brother the true State of the Affair; and then his Majesty may be assur'd, that he will do every thing that by Law can be expected from him, and every thing that the Respect which he has for him can challenge. As for the Chapel and Church-yard, his Majesty promised to give speedy Orders for the Queen's Satisfaction.

As the Histories of this Reign make little or no mention of this Minister (M. *Blainville*) there are some Letters in the *Cabala* from whence we have collected the following Account of him, intermix'd with some Passages of Secret History not to be met with elsewhere.

By a Letter from the Earl of *Holland* at *Paris*, to King *James* I, it appears, that Monsr. *Blainville* was then a Minister at the Court of *England*, and that he had sent bitter Complaints Home of Wrongs and Violences done him here, even to the assaulting of him in his Lodging; insomuch that Madam *de Blainville* petition'd the *French* Court, that she might have Satisfaction upon the Persons of our Ministers then at *Paris*; and the Queen-Mother was so concern'd at it, that she told the Earl of *Holland*, with Tears, before all the Princes and Ladies at the *Louvre*, that if the King his Master continued to affront, and suffer such Indignities to be done to the Ambassador of the King her Son, his Master must expect that his Ambassadors should be used in like manner. The Earl, who was mov'd, told her, that his Master's Intentions were not to be balanc'd with a Person who made it his daily Business to stir up Disputes and Jars, even between his Sovereign and his Royal Consort; and that for his own Part, he never desired to be employ'd again at a Court where he found that he was of no more Weight than the unworthiest Minister that ever was employ'd, which so wrought upon the Queen that she was sorry for having express'd so much.

The Conclusion of his Letter is very remarkable.

'Sir, *said he*, the Malice of this *Blainville* is so great to your worthy Servant my Lord Duke, that he hath written a private Letter to the King, that his Grace is in a Condition of Danger to be ruin'd by the Fury and Power of the Parliament. And to confirm his Majesty in that Opinion, he hath sent all the Passages amongst them that concern my Lord Duke; adding, that there are great Factions against him at the Council-Table, and naming some Lords; by which I see he hath Intelligence with all those that he believes may contribute any thing towards the doing him Mischief. But those that know the Magnanimity and Nobleness of your Majesty's Heart, know that so noble a Vessel of Honour and Service as he is, shall never be in Danger for all the Storms that can threaten him; when it is in your Majesty's Hands not only to calm all these Tempests, but to make the Sun and Beams of your Favour to shine more clearly upon his Deservings than ever, which upon this Occasion your Courage and Virtue will not doubt to do, to the Encouragement of all deserving and excellent Servants, and to his Honour and Comfort that is the most worthy that ever Prince had, and so affectionate, that the World hath no greater Admirations than the Fortunes that the Master and Servant have run together. And certainly, our good God will ever preserve that Affection which in so many Accidents, and (one may say) Afflictions, hath preserved your Persons.—— Sir, This Boldness that I take, proceeds not from the least Doubt these foolish Rumours give me of Changes, but out of a passionate Meditation of those Accidents which your Courage and Fortune hath carried you through, blessing God for your Prosperity, *&c.*

The Earl of *Holland* wrote also to the Duke, of the daily Alarms that came out of *England* from *Blainville*, of the beating of his Servants, and of the Danger he himself had ran of being assassinated in his own House, insomuch that no Man believed he had escaped with less than five or six Wounds; 'which, *says* 'the *Earl*, has so animated this Court, 'apt, upon all Occasions, to be fir'd and 'stirr'd up, that the King hath been mo-'ved to forbid us our Entries and Liber-'ties here. And Yesterday Madam *de* 'Blainville openly petition'd the King 'to imprison us for the Wrongs and In-'juries done to her Husband, and his

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'Ambaſſador, who ſhe feared was by this 'time dead; but that had no other Ef-'fect than to be laugh'd at. I told the 'Queen of the Ambaſſador's continual 'Malice in inventing daily Injuries and 'Falſhoods of your Lordſhip, to unload 'himſelf from his Inſolencies and Faults, 'and deſired her not to entertain the Be-'lief of theſe things too haſtily, 'till we 'had News out of *England* that we 'knew would contradict all theſe malici-'ous Diſcourſes. And I muſt tell your 'Grace, that by a Friend (whom I am 'tied not to name) I was ſhewed the 'private Letter that *Blainville* wrote to 'the King, wherein he ſent him the 'whole Proceedings of the Parliament, 'and concludes they will ruin you, na-'ming great Factions againſt you, and 'as it were a Neceſſity to deſtroy you. But 'I hope he and the whole World here 'will fall, before any Misfortunes will 'fall upon ſo generous and ſo noble a 'Deſerver of his Maſter, and ſo excel-'lent a Friend and Patron to, *&c.*

BY a Letter dated the 30th of *Auguſt*, 1625, Mr. *Thomas Lorkin*, then at *Paris*, tells the Duke, that this *Blainville*, who was firſt Gentleman of the Bed-chamber to the *French* King, had receiv'd a ſudden Command ſpeedily to provide himſelf to go Extraordinary Ambaſſador to *England*. He gueſs'd that his Er-rand was to ſpy and diſcover what he can, and (according as he ſhall find Cauſe) to frame Cabals and Factions, for which, ſaid *Lorkin*, he is eſteem'd very proper, being characteriſed with the Marks of a moſt ſubtle, prying, penetrating and dan-gerous Man: Therefore *Lorkin* tells the Duke of *Buckingham*, that the Duke *de Chevreuſe*, who had been ſuſpected at the *French* Court of being more a Ser-vant to the King of *England* than to his own King and Maſter, cautions every one before-hand to keep cloſe and covert to-wards him, and to avoid Familiarity with him, though (otherwiſe) he wiſhes him a kind and honourable Entertainment.

IN a Letter to the Duke of the 17th of *September* following, *Lorkin* gives *Blainville* the Character of a hollow-hearted, mercenary, faithleſs Man, and renews his Advice to the Duke to be very circumſpect.

227. 4. A COMMISSION under the Privy-Seal to the Lord Keeper, *&c.* for putting the Laws in execution againſt *Popiſh* Re-cuſants, particularly the Law of 1 *Eliz.* for paying Twelve-pence for every *Sun-day's* Abſence from Divine Service. It is dated *Novemb.* 11, at *Reading*.

THIS Commiſſion was in compliance with the Petition that had been preſented to the King at *London* by the two Houſes of Parliament, which we mentioned in *p.* 550. The Petition indeed pray'd, that the Penalty for Abſence from Church might go ſolely to the Uſe of the Poor; but this Commiſſion directed all Forfei-tures to be applied to the Publick Service, particularly towards the Charge of Am-munition, Fortifications, and the Navy. It alſo commanded his Majeſty's learned Council to take care that all former Grants and Leaſes of Recuſants Lands, which have been made to the Recuſants Uſe or Truſt, or out of which the Recuſants do or may receive Benefit, may be avoid-ed, if by Law they are avoidable.

IT is to be noted, that none of our Hi-ſtories make mention of this Commiſſion, only *Ruſhworth* ſays, that the King or-der'd his Attorney-General to acquaint the Judges (of Circuits) that it was his Majeſty's Pleaſure they ſhould proceed againſt the Recuſants with Rigour. He had promiſed the ſame thing in his An-ſwer to the Parliament's Petition; but whether this Article had been neglected through the Fault of the Court, or of thoſe who were commiſſioned to execute that Order, it is certain that, during this Reign, ſuch kind of Orders were never punctually executed.

The Letter which the Attorney ſent to the Judges was to this Effect:

'That their Lordſhips will not omit 'to publiſh the King's gracious and reli-'gious Determination to go on really and 'conſtantly in this way, and that out of 'his Bounty and Goodneſs he hath pub-'liſhed his Reſolution under the Great 'Seal of *England*, that whatſoever Re-'venue or Benefit ſhall ariſe hereby from 'Purſes of *Popiſh* Recuſants, ſhall be 'ſet apart from his own Treaſury, and 'wholly employ'd for the Service of the 'Commonwealth, and ſhall not be diſpen-'ſed with to any of what Degree ſoever, 'nor diverted by any of the Suits of his 'Servants or Subjects.

'That their Lordſhips will be pleaſed, 'at their firſt coming into every County 'within their Circuit, to command the 'Clerk of Aſſize, and Clerk of the Peace, 'to be careful for the Indictment of '*Popiſh* Recuſants, without reſpect of 'Perſons, of what Degree of Honour or 'Office ſoever; and that they neither 'make, nor ſuffer to be made, any Omiſ-'ſion, or Miſtaking in their Indictment, 'or other Proceedings; and that the next 'Term, within ten Days of the begin-'ning of the Term, they give or ſend to 'him (*viz.* the Attorney) a Note in 'Writing, who ſtand indicted of new 'Crimes, and that they fail not to certify 'the Recuſants convicted in the *Ex-'chequer* by that time.

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'THAT at their Lordſhips firſt coming into the County they call the Juſtices of the Peace then preſent, and the Grand Jury-men, to give their Lordſhips true Information of the Recuſants of any Note or Name in that County, and that thereupon their Lordſhips will be pleaſed to take Care that the Grand Jury-men, either by Evidence or their own Knowledge, indict them which are not already indicted, before the End of the Aſſizes, and that their Lordſhips admit no Traverſe, unleſs the Perſons convicted have firſt yielded their Bodies into the Cuſtody of the Sheriff, as their Lordſhips know well all the Judges, with one Voice, reſolved the Law to be.

'THAT there be ſpecial Care taken of School-maſters and Teachers of any kind, who are *Popiſh* Recuſants, that they be preſented and proceeded againſt.

'THAT their Lordſhips give Knowledge to the Counties where they ſit, that the married Women, who are *Popiſh* Recuſants, convicted by the Law, ought to be committed to the Common Goal without Bail, unleſs their Huſbands redeem their Liberty by their conſtant Payment of 10 *l.* a Month, and that it muſt be executed.

Inner-Temple, Mar. 7, 162⅞. *Your Lordſhips ready to be commanded,*

ROB. HEATH.

166. 5. A PROCLAMATION for the more cloſe and ſtrict Confinement of *Popiſh* Recuſants convict according to Law; dated *January* 11, 1626, at *Whitehall*. This was to put the Laws in force for confining them to their Dwellings, or within five Miles thereof, unleſs upon ſpecial Licenſe firſt obtained in Caſes of neceſſity.

314. 6. A COMMISSION to the Archbiſhop of *Canterbury*, Lord-Chancellor, Lord-Treaſurer, *&c.* for baniſhing Jeſuits, Seminary-Prieſts, *&c.* Dated at *Weſtminſter*, *March* 6.

801. 7. A WARRANT for releaſing 16 *Popiſh* Prieſts impriſoned in or near *London*, at the Requeſt of the Marſhal de *Baſſompiere*, the *French* Ambaſſador, and to give him Leave to tranſport them beyond the Seas; dated *Nov.* 27.

847. A PROCLAMATION dated at *Whitehall*, *Feb.* 16, 1627, explaining his Majeſty's Intention with regard to the Execution of the Laws againſt *Jeſuits*, *Prieſts*, and *Popiſh Recuſants*.

THE King having granted Inſtructions to the Lords and others of his Council, for giving Eaſe to the ſaid *Recuſants*, who had complained, that if the Laws in Force againſt them were ſtrictly executed, they muſt become a Burden to the Places where they liv'd, and the King's Profit not at all increaſed; his Majeſty was apprehenſive that his Clemency and Moderation would be miſconſtrued, and that on the one hand, the obnoxious to thoſe Laws might flatter themſelves with the Hopes of prevailing on him to ſilence the ſaid Laws, and that on the other hand, the Orthodox would miſtruſt that his Zeal and Conſtancy in the true Religion was cooled or abated. Therefore his Majeſty made this publick Declaration, to aſſure all his Subjects that he was fully reſolved never to decline from his firſt Purpoſe and Promiſe for the due Execution of the Laws in this Caſe, and at the ſame time that he will proceed with ſuch Moderation that the whole World ſhall bear him Witneſs, that he ſeeks their Converſion and not their Ruin.

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AND whereas the Recuſants or their Friends were allowed to take Leaſes of the King's two Parts of their Lands (which they would not do in ſtrictneſs of Law) on condition of giving as great Rent as any other Perſons would, leaſt this Favour alſo ſhould be miſconſtrued to the Prejudice of his Service; his Majeſty hereby declared his Will and Pleaſure, that all ſuch Leaſes of Recuſants Lands as have been already contracted for, and not yet paſſed the Seals, ſhould be proceeded in according to thoſe Contracts, but that for all other Lands yet to be contracted for, the Recuſants themſelves, or ſome for them, ſhall within three Months make their Compoſitions with the King's Commiſſioners, for their own Lands, or elſe it ſhall be free for any other to take the ſame; and that then, and in the mean time alſo if any others ſhall make a better Offer for the King than the Recuſant, or any Perſons in his Behalf ſhall do, he ſhall be received.

9. A COMMISSION to the Archbiſhop of *Canterbury*, Lord-Keeper, Lord-Treaſurer, *&c.* for granting Leaſes of the Eſtates of Perſons convicted of *Popiſh* Recuſancy, which ſubjected them to the Forfeiture of 20 *l.* a Month, or of two thirds of their Lands, and of compounding with thoſe who had not ſufficient Eſtate, for a yearly Payment to the Crown, in lieu of ſuch Forfeitures. It is dated at *Weſtminſter*, *Feb.* 19. 851.

THERE are two others to the ſame Purpoſe, *viz.* One dated the 11th of *July* laſt, and another dated at *Canbury*, *Aug.* 30, 1627. 729. 937.

10. A COMMISSION under the Privy-Seal to the Earl of *Sunderland*, the Archbiſhop of *York*, and others of chief Quality in the North, to treat and make Compoſitions with the *Popiſh* Recuſants for Leaſes of 904.

of any of their forfeited Eſtates lying within eleven Northern Counties; which not only extended to all Forfeitures due ſince the 10th Year of King *James*, but alſo to ſuch as ſhould become due hereafter. This Commiſſion which Mr. *Rapin* obſerves, was directly contrary to the Promiſe which the King made to the Parliament at *Oxford*, and which gave the People an indifferent Opinion of his Zeal for Religion, bears Date the 23d of *June*, at *Weſtminſter*.

It recites, That his Majeſty hath received credible Information of the great Loſſes and Damages which the King's Subjects inhabiting Maritime Places, and eſpecially in the Northern Parts of this Kingdom, do ſuffer by Depredations, Attempts, and Aſſaults at Sea from foreign Enemies, whereby the Trade by Sea from thoſe Northern Parts is interrupted, and the City of *London* and other Parts of the Kingdom much endamaged for want of Coals and other Commodities uſually tranſported thither from *Newcaſtle* upon *Tyne*, and *Sunderland*. That for the Redreſs of this Evil, his Majeſty, with the Advice of his Privy-Council, hath thought fit to appropriate and convert all ſuch Debts, Sums of Money, Rents, Penalties, and Forfeitures of all Recuſants, inhabiting in the Counties of *Stafford*, *Derby*, *Cheſter*, *Lancaſter*, *Nottingham*, *York*, *Lincoln*, *Weſtmoreland*, *Cumberland*, *Northumberland*, and *Durham*, which at any time have grown due ſince the 10th Year of the late King *James*, and are not yet ſatisfy'd, or which hereafter ſhall grow due by reaſon of any Law or Statute againſt Recuſants to be employed for the Maintenance, Proviſion, Arming, Manning, Victualling, and furniſhing of 6 able Ships of War, for Guarding and Defending the Coaſts of this Realm, eſpecially from the fartheſt N. E. point of the Sea to the Mouth of the River *Thames*.

His Majeſty farther expreſſes in the ſaid Commiſſion, that his Subjects who are Owners of Coal-pits, the Caſt-men of *Newcaſtle* upon *Tyne*, Owners of Ships, and Merchants, Buyers and Sellers of *Newcaſtle* Coals, have been, and are willing to contribute and pay 6 *d.* for every Chaldron of Coals for the Uſes aforeſaid; which ſaid Sum his Majeſty declares his Acceptance of, to and for the Purpoſe aforeſaid; and his Majeſty, upon the Conſiderations before mentioned, doth by his ſaid Commiſſion give Power to the ſaid Commiſſioners, or any four or more of them, to treat and make Compoſition and Agreement with the ſaid Recuſants inhabiting within the ſaid Counties, for Leaſes of all their Manours, Lands, and Tenements, *&c.* to which the King ſhall be entituled within thoſe Counties, for any Term not exceeding 41 Years; and for all Forfeitures, Arrears of Rents, and other Debts and Penalties due ſince the 10th Year of King *James*, for their Recuſancy in not going to Church to hear Divine Service, according to the Laws and Statutes of this Realm, under ſuch Condition and Immunities as they, or any four of them ſhall ſee meet and convenient, according to ſuch Inſtructions as his Majeſty gave on the 30th of *March* laſt, or ſhall hereafter give to that Purpoſe.

AND whereas many Recuſants are, or will be found inſolvent and deſtitute of any perſonal Eſtate to anſwer the Forfeitures, the Commiſſioners were hereby impowered to compound with them for a Sum to be pay'd to the King yearly, without preſſing them to pay more than they were able, to the utter undoing of themſelves and their Families, his Majeſty *rather deſiring their Converſion than Deſtruction*.

SIR *John Saville* was, by this Commiſſion, appointed Receiver-General of all the Rents, Arrears, *&c.* due or payable to the Crown by reaſon of ſuch Recuſancy. Mr. *Alexander Davidſon* Merchant, then Mayor of *Newcaſtle*, was appointed to receive the 6 *d.* for every Chaldron of Coals exported as aforeſaid from that Port. Mr. *William Poore*, of *Farenton*-Hall in *Durham*, Receiver of the ſame Duty upon every Chaldron carry'd from *Sunderland*, and *John Richardſon*, Eſq; of *Durham*, was appointed Clerk to the Commiſſioners.

ALL that we have to add is, that in purſuance of this Commiſſion, the Recuſants did make their Compoſition upon very eaſy Terms, as was afterwards complained of in Parliament.

11. A PROCLAMATION declaring his Majeſty's Intention with regard to the aforeſaid Commiſſion; dated *June* 27, at *Whitehall*. It not only ſets forth, that the Benefit of all ſuch Forfeitures ariſing in thoſe Northern Counties ſhould be employed towards the equipping and maintaining of 6 ſtout Men of War, for the Defence and Guard of thoſe Parts, and for the ſecuring of their Ships and Merchandize from Pyrates, *&c.* in the ſame manner as the Forfeitures of Recuſants in all other Parts of the Kingdom were appropriated to the Charge of the Navy and other publick Services; but it gives notice to thoſe whom it concern'd, that the meeting of the Commiſſioners for the Northern Parts was to be at *York*; and that if any Recuſant did not accept of the Grace offered, and to be extended to them by the Commiſſioners within two Months after the Date of this Proclamation, the

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the King was resolved to take the uttermost Benefit of the Forfeitures without any Favour.

1037. 12. ANOTHER Proclamation declaring his Majesty's Royal Pleasure and Command for putting the Laws and Statutes made against Jesuits, Priests, and *Popish* Recusants in due Execution. It is dated the 3d of *August*, 1628, at *Southwick* in *Hampshire*. Whensoever they could be apprehended they were to be committed to the County-Goal, there to remain without Bail or Main-Prize 'till Trial; and if upon their Trial and Conviction there was Cause to respite the Execution of any of them, they were not to lie in the Common Goals, nor to be permitted to wander about at large, but, according to the Example of former Times, they were to be sent to the Castle of *Wisbich* *, or some other safe Prison, there to remain in strict and close Custody, and to be wholly restrained from exercising their Functions, or spreading their superstitious and dangerous Doctrine. Those who received, harbour'd or maintained such Jesuits, *&c.* were to be left to the due Course of the Law: And upon Complaint of the Misdemeanour of the inferior Officers employed under the said Commission by which the Recusants were oppressed, the King's Revenue lessened, and those who were backward in Religion encouraged to persist in their Obstinacy and Blindness, it declares that his Majesty had caused those Commissions and Instructions to be received, and in many Places altered for the better. And whereas several Persons who had contracted with the Commissioners for Leases of Recusants Lands, had not sued out their Leases, to the King's great Hindrance, they were hereby required to pass them under the Seals before the end of *Michaelmas* Term next; and all that did hereafter contract for any such Leases, were to pass them under the Seals before the end of the Term next following such Contracts, or else the same to be utterly void.

HAVING now gone through all the Acts of this Tome of the *Fœdera* relating to the Article of *Popish* Recusancy, 'tis thought proper to subjoin from *Rushworth*, the particular Lists of the Recusants, *&c.* referred to by the House of Commons, in their Petition, which we inserted in p. 571. As to which List it must be observed, that where though only the Children or the Wives happened to be Recusants, the Fathers, and the Husbands were presented for Prosecution, and liable to the Forfeitures, *&c.*

CHARLES I.

Francis, Earl of *Rutland* †, Lieutenant of the Counties of *Lincoln*, *Rutland*, *Northampton*, and *Nottingham*, a Commissioner of the Peace and of Oyer and Terminer in the County of *York*, and Justice of Oyer from *Trent* Northwards. His Lordship is presented to be a *Popish* Recusant, and to have affronted all the Commissioners of the Peace within the North-Riding of *Yorkshire*, by sending a License under his Hand and Seal to his Tenant *Thomas Fisher*, dwelling in his Lordship's Manour of *Helmsley*, in the said North-Riding of the said County of *York*, to keep an Ale-house, soon after he had by an Order made at the Quarter-Sessions been discharged from keeping an Ale-house, because he was a *Popish* convict Recusant. The said Earl is also charged to have procured a *Popish* School-master, namely *Roger Conyers*, to teach Scholars within the said Manour of *Helmsley*, who formerly had his License for that Purpose taken from him for teaching the Children of *Popish* Recusants, and because he suffered those Children to be absent themselves from the Church whilst they were his Scholars; for which the said *Conyers* was formerly complained of in Parliament.

THE Right Honourable Viscount *Dunbar*, Deputy-Justice in Oyer to the Earl of *Rutland* from *Trent* Northward, a Commissioner of Sewers, and a Deputy-Lieutenant within the East-Riding of *Yorkshire*. His Lordship is presented to be a *Popish* Recusant, and his Indictment is removed into the *King's-Bench*. His Wife, Mother, and the greatest Part of his Family are also *Popish* Recusants, and some of them convicted.

William Lord *Evre*, in Commission for the Sewers in the East-Riding, a convict *Popish* Recusant.

‡ *Henry*, Lord *Abergavenny*.

‖ *John*, Lord *Tenham*.

Edward Lord *Worton*, in the Commission of Sewers, justly suspected of Popery.

* IT was made a Prison for Priests and Jesuits, in the Reign of Queen *Elizabeth*; and *Leonard Hopes*, *Thomas Brinston*, and *Jonas Meredith*, of *St. John's* College in *Oxford*, were confin'd there several Years.

† THIS Nobleman travelled young, and had great Favours shewed him in all the Courts of *Europe*. Upon his return home, he was Knighted at the Coronation of King *James* I, and not long after created a Knight of the Garter. He was one of the Lords specially appointed to attend his Majesty in his Journey to *Scotland*; and had the Command of his Majesty's great Ships and Pinnaces which where sent to fetch Prince *Charles* out of *Spain*. The Title of Lord *Roos*, which had been long in the Family being disputed by *William Cecil*, Son and Heir to *Elizabeth*, sole Daughter to *Edward* Earl of *Rutland*, he procured a Patent the 14th of King *James* I, declaring, that in consideration of his being possessed of the Land and Barony of *Hamlake*, he should thenceforth be accepted and called Lord *Roos* of *Hamlake*, and that his Son and Heir should enjoy the same Name and Title, but he died without Issue Male.

‡ HE married *Catherine*, Daughter to *Edward* Lord *Vaux* of *Harrowden*, who was also a *Popish* Recusant.

‖ HE was the first Baron of the Family, being created *July* 9, 1616, when he was only Sir *John Roper*, for his Gratitude both to Queen *Elizabeth* and King *James* I; he being the first Man who proclaimed him King in the County of *Kent*.

FOEDERA Tom. XVIII.

Henry Lord *Morley*, Commiſſioner for Sewers in *Lancaſhire*, himſelf ſuſpected, and his Wife a Recuſant.

John Lord *Mordaunt*, Commiſſioner of the Peace, Sewers, and Subſidy in *Northamptonſhire*, who was by this King created Earl of *Peterborough*, 1628.

John Lord *St. John* of *Baſing*, Captain of *Lidley*-Caſtle in *Hampſhire*, indicted for a *Popiſh* Recuſant.

Emanuel Lord *Scroop*, Lord-Preſident of his Majeſty's Council in the *North*, Lord-Lieutenant of the County and City of *York*, and the Town of *Kingſton* upon *Hull*, preſented the laſt time, and ſtill continuing to give Suſpicion of Diſaffection in Religion,

1. By never coming to the Cathedral upon thoſe Days that former Preſidents uſed to repair thither. 2. By never receiving the Sacrament upon common Days, but publickly departing out of the Church with his Servants upon thoſe Days when the reſt of the Council, Lord-Mayor and Aldermen do receive. 3. By ſeldom or never repairing to the Faſts, but often publickly riding Abroad with his Hawks on thoſe Days. 4. By cauſing ſuch as are known to be firm in the Religion eſtabliſhed to be put out of Commiſſion, or by keeping them from executing their Places. 5. By putting diſaffected Perſons in the Commiſſion of the Council of Oyer and Terminer, Sewers, and other Places of Truſt, contrary to his Majeſty's gracious Anſwer to the late Parliament. 6. By refuſing to diſarm Lord *Eury*, whom he knew to be a convict Recuſant, though he had receiv'd Letters to that Effect from the Lords of the Council; and by refuſing to ſhew the Commiſſioners who were to be employ'd for diſarming of *Popiſh* Recuſants, the Original Letters of the Privy-Council, or to deliver them any Copies, as they deſired, and as his Predeceſſors in that Place were wont to do. 7. By giving Order to the Lord *Dunbar*, Sir *William Wetham*, and Sir *William Alford*, to view the Forts and Stores at *Kingſton* upon *Hull*, who made one *Kerton*, a convict Recuſant, and ſuſpected to be a Prieſt, their Clerk in that Service. 8. By denying to accept a Plea tender'd according to the Law by Sir *William Hilliard*, Defendant, againſt *Iſabel Simpſon*, Plaintiff, in an Action of *Trover*, that ſhe was a convict *Popiſh* Recuſant, and forcing him to pay Coſts. 9. By the great Increaſe of Recuſants ſince his Lordſhip's coming to that Government in *Jan.* 1619, it appearing by the Records of the Seſſion, that in the *Eaſt-Riding* only, there are 1670 more convicted than were before, which is conceived to be an Effect of his Favour and Countenance towards them.

William Langdale, Eſq; convicted of *Popiſh* Recuſancy.

CHARLES I.

Jordan Metham, *Henry Holm*, *Michael Partington*, Eſqrs. *George Creſwel*, *Thomas Danby*, Commiſſioners of the Sewers, and put in Commiſſion by the Procurement of the Lord *Scroop* above-mentioned, who have all *Popiſh* Recuſants to their Wives.

Ralph Bridgman a Non-Communicant.

Nicholas Girlington, whoſe Wife comes ſeldom to Church.

SIR *Marmaduke Wyvel*, Kt. and Bar. preſented the laſt Parliament, his Wife being a convict *Popiſh* Recuſant, and ſtill continuing ſo.

SIR *Thomas Metham*, Kt. Deputy-Lieutenant, put by the Lord *Scroop* into the Commiſſion of the Council of the *North*, and of Oyer and Terminer, and other Commiſſions of Truſt, never known to have receiv'd the Communion, his two only Daughters brought up to be *Papiſts*, and one of them lately married to *Thomas Doleman*, Eſq; a *Popiſh* Recuſant.

* *Anthony* Viſcount *Montagu*, a reputed *Papiſt*, in the Commiſſion of Sewers in *Suſſex*.

SIR *William Wray*, Kt. Deputy-Lieutenant, Colonel to a Regiment, his Wife a Recuſant.

SIR *Edward Muſgrave*, Sir *Thomas Lampleigh*, Juſtices of Peace and *Quorum*.

SIR *Thomas Savage*, Deputy-Lieutenant, and Juſtice of the Peace, his Wife and Children Recuſants.

SIR *Ric. Egerton*, a Non-Communicant.

Thomas Savage, Eſq; a Deputy-Lieutenant, a Recuſant, and his Wife indicted and preſented.

Will. Whitmore, Commiſſioner of the Subſidy, his Wife and Children Recuſants.

SIR *Hugh Beeſton*, Commiſſioner of the Subſidy, his Daughter and many of his Servants Recuſants.

SIR *William Maſſie*, Commiſſioner for the Subſidy, his Lady indicted for Recuſancy, and his Children *Papiſts*.

SIR *William Courtney*, Kt. Vice-Warden of the Stannery, and Deputy-Lieutenant, a *Popiſh* Recuſant.

SIR *Thomas Ridley*, Kt. Juſtice of the Peace, his Wife and eldeſt Son Recuſants.

SIR *Ralph Conyers*, Kt. Juſtice of the Peace, his Wife a *Popiſh* Recuſant.

James Lawſon, Eſq; a Juſtice of Peace, and one of the Captains of the Trained-Bands, his Children *Popiſh* Recuſants, and his Servants Non-Communicants.

SIR *John Shelley*, Kt. and Bar. and *William Scot*, Eſq; Recuſants.

John Finch, Eſq; in the Commiſſion of the Sewers, not convicted, but comes not to Church.

SIR *William Molineux*, Deputy-Lieu-

* THIS Lord's Mother was *Mary*, the Daughter of Sir *William Dormer* of *Ethorp* in *Bucks*, and his Lady the Daughter of *Thomas Sackville*, Eſq; of *Dorſet*.

tenant and Juſtice of the Peace, his Wife a Recuſant.

SIR *Richard Houghton*, Kt. Deputy-Lieutenant, his Wife and ſome of his Daughters Recuſants.

SIR *William Norris*, Captain of the General Forces, and Juſtice of the Peace, a Recuſant.

SIR *Gilbert Ireland*, Juſtice of the Peace, a Recuſant.

James Anderton, Eſq; Juſtice of Peace, and one of his Majeſty's Receivers, his Wife a Non-Communicant, his Son and Heir a great Recuſant, and himſelf ſuſpected.

Edward Rigby, Eſq; Clerk of the Crown, Juſtice of the Peace, himſelf a good Communicant, but his Wife and Daughters *Popiſh* Recuſants.

Edward Criſwell, Eſq; Juſtice of Peace, his Wife a *Popiſh* Recuſant.

John Parker, Muſter-maſter for the County, ſuſpected to be a Recuſant.

George Ireland, Eſq; Juſtice of Peace, his Wife a *Popiſh* Recuſant.

John Preſton, Eſq; Bow-bearer for his Majeſty in *Weſtmoreland*-Foreſt, a Recuſant.

Thomas Covil, Eſq; Jailor, Juſtice of the Peace and *Quorum*, his Daughter a Recuſant, married.

SIR *Cuthbert Halſal*, Juſtice of the Peace, his Wife a Recuſant.

Richard Shearburn, Eſq; Juſtice of Peace, himſelf Non-Reſident, his Wife and Son Recuſants.

SIR *George Hennage* and Sir *Francis Metcalf*, Kts. *Robert Thorold*, *Anthony Munſon* and *William Dalliſon*, Eſqrs. in Commiſſion of the Sewers, and juſtly ſuſpected for *Popiſh* Recuſants.

SIR *Henry Spiller*, Kt. in Commiſſion for *Middleſex* and *Weſtminſter*, and Deputy-Lieutenant, and *Valentine Saunders*, Eſq; one of the ſix Clerks, who are both juſtly ſuſpected to be ill-affected in Religion according to the Acts of the State.

SIR *Charles Jones*, Kt. Deputy-Lieutenant and Juſtice of the Peace, *George Milburn*, Eſq; Juſtice of Peace, and *Edward Morgan*, Eſq; their Wives are all *Popiſh* Recuſants.

William Jones, Deputy-Lieutenant and Juſtice of Peace, his Wife ſuſpected to be a *Popiſh* Recuſant.

John Vaughan, Captain of the Horſe, ſuſpected for Recuſancy.

Benedict Hall, Receiver and Steward of the Dutchy of *Lancaſter*, he and his Wife are *Popiſh* Recuſants.

SIR *Thomas Brudenel*, Kt. and Bar. Deputy-Lieutenant, a *Popiſh* Recuſant.

Cuthbert Heron, Eſq; Sheriff of *Northumberland*, Juſtice of Peace, his Wife a Recuſant.

SIR *William Selby*, jun. Kt. Juſtice of Peace, his Wife a Recuſant.

SIR *John Canning*, Kt. Juſtice of Peace, his Wife a ſuſpected Recuſant.

SIR *Ephraim Widdrington*, Kt. Juſtice of Peace, ſuſpected to be a Recuſant.

SIR *Thomas Ridall*, Kt. Juſtice of Peace, his Wife and eldeſt Son are Recuſants.

John Widdrington, Eſq; who came out of *Northumberland* before his Majeſty's Proclamation was publiſhed, is now at *London* attending the Council-Table by Command, and not yet diſmiſſed.

SIR *Robert Pierpoint*, Juſtice of Peace, his Wife a Recuſant.

SIR *Ant. Brown*, Kt. Juſtice of Peace, thought to be a Recuſant, but not Convict.

SIR *Henry Beddingfield*, Kt. Deputy-Lieutenant, and Juſtice of Oyer and Terminer, and in Commiſſion of the Sewers, Juſtice of Peace, and Captain of a Foot Company, his Wife, nor any of his Children, as is inform'd, come to the Church.

Thomas Sayer, Captain of the Horſe, his Wife comes not to Church.

SIR *William Yelverton*, Bar. and Juſtice of Peace, not ſuſpected himſelf, but his eldeſt Son and one of his Daughters are known Recuſants.

SIR *Henry Minne*, Kt. Juſtice of Peace and *Quorum*, neither he nor his Wife and Daughters can be known to have receiv'd the Communion, and they have been preſented at the Seſſions for Non-conformity.

Robert Warren, Clerk, a Juſtice of Peace, juſtly ſuſpected.

*SIR *Benj. Tichburne*, Kt. and Bar. Juſtice of Oyer and Terminer, Juſtice of Peace and Deputy-Lieutenant, and in Commiſſion for the Subſidy.

† SIR *Richard Tichburne*, Kt. Juſtice of Peace, his Wife preſented the laſt Seſſions for having abſented her ſelf from the Church for two Months.

SIR *John Gage*, Kt. and Bar. (who married a very great Fortune, *viz. Penelope*, Daughter to *Conyers Darcy*, Earl of *Rivers*) a *Popiſh* Recuſant.

SIR *John Guldeford*, Kt. and Sir *Edw. Francis*, Kt. their Ladies come not to Church.

SIR *Garret Kemp*, Kt. ſome of his Children come not to Church.

Edward Gage, Eſq; Commiſſioner of the Sewers, a Recuſant *Papiſt*.

Thomas Middlemore, Commiſſioner of the Sewers, comes not to Church.

James Rolls, *William Scot*, } Commiſſioners of Sewers, *Popiſh* Recuſants.

* HE had the Honour of Knighthood conferr'd on himſelf and his four Sons by King *James* I, for his early Zeal in proclaiming him when he was Sheriff. He had alſo a Grant of *Wincheſter* from the ſaid King to him and his Heirs for ever; and an Annuity of 100 *l.* for his own, and his Son *Richard*'s Life. He was alſo Gentleman of the Privy-Chamber, was ſeveral times honour'd with the Royal Preſence at *Tichborne*, and having repreſented his County of *Hampſhire* in Parliament, was advanced to the Dignity of a Baronet, which Title he enjoyed little more than a Year, and was ſucceeded by his eldeſt Son.

† SIR *Richard* was Knighted at the *Charter-Houſe*, *May* 11, 1603, and was in this Reign ſent Ambaſſador to the Queen of *Bohemia*.

Robert

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Robert Spiller comes not to Church.

SIR *Henry Guildford*, Commiſſioner for Piracies and Sewers, *John Thatcher*, Eſq; Commiſſioner for the Sewers, Perſons convicted, or juſtly ſuſpected.

SIR *Richard Sandford*, *Rich. Brewthwait*, and *Gawen Brewthwait*, Eſqrs. their Wives are Recuſants.

SIR *William Aubrey*, Kt. Juſtice of Peace, a Recuſant.

Rees Williams, Juſtice of Peace, his Wife a convict Recuſant, and his Children *Popiſhly* bred, as is informed.

SIR *John Coney*, Kt. Juſtice of Peace, and Deputy-Lieutenant, his Wife a Recuſant.

Morgan Voyle, Eſq; Juſtice of Peace, his Wife preſented for not coming to Church, but whether ſhe is a *Popiſh* Recuſant is not known.

John Warren, Captain of the Trained-Bands, one of his Sons ſuſpected to be *Popiſhly* affected.

Protections.

178. 1. THE King's Protection of *Arthur Beſwicks* of *Spelmonden* in *Kent*, Gent. and all others bound with him, from the Proſecution of their Creditors. It is dated at *Oxford*, *Aug.* 12, 1625.

232. 2. ANOTHER of the like Nature, granted under the Privy-Seal, only for one Year, to the Lady *Anne Molineux*; dated the 29th of *November*, at *Reading*.

IT was a Continuation of a Protection granted her by the late King for one whole Year, to enable her to make Satisfaction to her Creditors by the Sale of certain Lands, which after long and chargeable Suits in Law ſhe had then lately recovered.

684. 3. ANOTHER for protecting Sir *Henry Goodyere* of *Poleſworth* in *Warwickſhire*, for one Year, who is ſaid to have contracted great Debts by his Service and Attendance on the late and preſent Kings, in Quality of Gentleman of the Privy-Chamber in Ordinary; dated at *Weſtminſter*, *May* 9, 1626.

722. 4. ANOTHER of the like nature for protecting Sir *George Rivers*, *Richard Amhurſt*, Serjeant at Law, and *Edward Lindſey*, Eſq; who were bound with *Richard* late Earl of *Dorſet* for Payment of his Debts. It is dated *June* 29.

724. 5. ANOTHER Protection for *John Smith*, Citizen and Leatherſeller of *London*, to continue, like the former, for one whole Year; dated *June* 30.

765. 6. ANOTHER for *William Murray*, Earl of *Tullibardin*; dated *Octob.* 7.

767. 7. ANOTHER for *Bray Aylesworth*, Gent. dated *Oct.* 14.

785. 8. A GRANT of Protection for 6 Months to *Richard* Earl of *Deſmond*; dated at *Weſtminſter* the 6th of *November*.

815. 9. ANOTHER Protection to Sir *John Townſhend*, and his Sureties; dated *Jan.* 4, 1627. The Grant takes notice, that he had obtained a former Protection for a whole Year, in regard of great Sums of Money which he had laid out for the Purchaſe of ſeveral Grants from the late King, which he had been depriv'd of, and had not yet receiv'd Satisfaction; in Conſideration whereof, and of an important Affair he was then employ'd in for the King's Service, the Lords of the Privy-Council, to whom it was known, pray'd his Majeſty to renew his Protection for another Year, which was granted.

CHARLES I.

Proviſions.

74. 1. A PROCLAMATION for regulating the Price of Victuals within the Verge of the Court; dated at *Whitehall*, *May* 14, 1625.

268. 2. ANOTHER for Reſtraint of killing, dreſſing and eating of Fleſh in *Lent*, or on Fiſh-Days appointed by the Law to be hereafter ſtrictly obſerved by all People.

The Motive of making the Laws and Statutes for this Purpoſe, is ſaid to be the Sparing and Increaſe of Fleſh-Victuals, and the Maintenance of the Navy, by the Encouragement of Fiſhermen to go to Sea for the taking of Fiſh.

THIS Proclamation, which is dated at *Whitehall*, 14 *Jan.* 1626, requires the Mayors, Juſtices of Peace, and all other Magiſtrates, to ſend for the Servants of all Publick Houſes, and examine them upon Oath what Fleſh is, or hath been dreſſed, kill'd, ſold, or eat at their Houſes during *Lent*-Seaſon, or other Days prohibited by Law, and if they refuſed ſuch Oath, they were to be committed to Priſon.

THEIR Maſters, who liv'd in *London* and *Weſtminſter*, were, at the beginning of *Lent*, to enter into Recognizances of 100 *l.* each, beſides 30 *l.* a-piece for their Sureties, not to dreſs any Fleſh, or ſuffer it to be eaten at their Houſes in *Lent*, or at other times prohibited. And Perſons were to be appointed to watch at the Gates, and to intercept any Fleſh brought out of the Country. The dreſſing of Suppers for any Perſon whatſoever at any Publick Houſe upon *Friday* Nights, either in *Lent* or out of *Lent*, was alſo forbid by this Proclamation. Licences for eating Fleſh at ſuch prohibited Times were to be granted very ſparingly, and only in Caſes of Neceſſity. The Butchers, Innholders, Victuallers, Vintners, Alehouſe-keepers, Cooks, *&c.* in the Country, were to enter into Recognizances with Sureties every Year before *Lent*, for the Obſervation of the Premiſſes, *viz.* the Principals in 10 *l.* and the two Sureties in 5 *l.* a-piece, on Pain of entring into another Recognizance with Sureties, *viz.* the Principals in 20 *l.* and their two Sureties in 10 *l.* each to ſell no more Beer, Ale, Wine, Proviſions, *&c.* and to be committed to Priſon till they conſent to become bound as aforeſaid.

812. 3. ANOTHER of the ſame Kind; dated *Jan.* 25, 1627, at *Hampton Court*.

4. ANO-

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961. 1015. 4. Another dated *February* 4, 1628, at *Whitehall.*

5. A Commiſſion to the Lord-Steward and to the Treaſurer and Comptroller of the Houſhold, to treat and compound with the County of *Suffolk*, for ſerving the King's Houſhold with Proviſions therein ſpecified, according to a compoſition made with Queen *Elizabeth*. *'Tis dated at* Weſtminſter, April 26.

Releaſes.

261. 1. A Releaſe and Diſcharge of *George* Duke of *Buckingham* for all Sums of Money which he ever received from the late and preſent King. *Dated the 4th of* January 1626, *at* Weſtminſter *.

733. 2. A Releaſe and Diſcharge of *John* Earl of *Anandale* (who, in the Reign of King *James*, when he was *John Murray* Eſq; had been Keeper of the Privy-Purſe) for all the Money, Jewels, *&c.* that had paſſed thro' his hands. *'Tis dated* July 13.

Revenue.

214. 1. A Commiſſion under the Privy-Seal, directed to the Lord High-Treaſurer and to the Chancellor and Under-Treaſurer of the Exchequer, to take Surrenders of Indentures and Eſtates of Perſons having Leaſes or Grants for Terms of Years or Lives, of any Lands, Tenements and Hereditaments, *&c.* belonging to the King, and alſo to leaſe ſuch Eſtates to any Perſons for 21 Years or under, or for Lives, on the payment of certain Fines. *'Tis dated at* New Sarum *the 20th of* October, 1625.

674. 2. A Warrant to the Lord-Keeper for paſſing a Farm or Leaſe of Cuſtoms and Subſidies to Sir *John Wolſtenholme*, Sir *Maurice Abbot*, *Henry Garwaie* and *Abraham Jacob* Eſqs; *Given under the Signet at* Whitehall, April 14, 1626.

737. '3. A Commiſſion by the King and 'Council to the Officers of the Revenue, to 'levy the uſual Cuſtoms, Subſidies and Im-'poſts upon Goods and Merchandize, tho' 'not ſettled by Authority of either of the 'two laſt Parliaments.' *'Tis dated* July 26, *at* Weſtminſter. As the King could not get Money of his Parliaments, but on ſuch terms as he did not care to comply with, he thought himſelf authorized to ſupply his wants this way.

740. '4. A Proclamation declaring his Ma-'jeſty's Reſolution to aſcertain his Revenues, 'by granting his Lands held as well by 'Copy as otherwiſe, in Fee-Farm. *Dated at* Nonſuch, Auguſt 16. This Project for raiſing Money was diſliked, becauſe it tended to impoveriſh the ſtated Revenue of the Crown by raiſing preſent Fines.

755. 5. A Commiſſion to the Earl of *Marlborough* Lord High-Treaſurer, the Duke of *Bucks* Lord High-Admiral, *&c.* to ſell divers of the King's Lands in Fee-farm, or to let for terms of Years or Lives. *Dated at* Weſtminſter, *the 15th of* September.

6. Another Commiſſion of the like Nature, dated *October* 23. CHARLES I.

771. 786. 7. A Declaration of the King's Intention to grant any of the Honours, Manors, *&c.* of the Crown to ſuch Perſons as the Commiſſioners nominated for that purpoſe, ſhould bargain for the ſame; dated *Novem.* 6.

790. 8. A Commiſſion to Sir *John Walter* Knt. Chief-Baron of the Exchequer, and others, to make conveyance of the King's Honours, Manors, *&c.* *Dated the 8th of* Novemb.

806. 9. A Commiſſion to the Earl of *Marlborough*, Lord High-Treaſurer, *&c.* to conſider of ſeveral Points for augmenting the Revenue. *Dated* December 5.

THE chief Points that they were to take into conſideration, were, 1. What Foreſts, Chaces and Parks were fit to be diſinforeſted and diſpark'd. 2. What Penſions and Payments were proper to be reſtrain'd. 3. How reſpite of Homage might hereafter be ordered for the increaſe of the King's Profit, and the eaſe of the Subject. 4. What Tenures were fit to be alter'd by doubling of the Rents, and paying of Fines. 5. Whether it will not be fit to reduce the King's Lands now in leaſe for Lives or Years, or held by Copy, into Fee-Farm for an increaſe of Rent to the Crown, and for preſent Money to be paid to the Crown for Fines for the ſame, and in what manner. 6. What Officers and Offices might with convenience be leſſen'd.

943. 10. A Commiſſion under the Privy-Seal to the Lord-Treaſurer, *&c.* declaring his Majeſty's aſſent to Contracts they had made for leaſing out certain of the King's Lands, and granting others in Fee-Farm, and authorizing them to direct Warrants to the Leſſees in Truſt of the Lands aſſured to them for the King's Uſe when he was Prince of *Wales*, to make ſuch farther Surrenders or Aſſignments as ſhould be neceſſary. *Dated at* Weſtminſter *Oct.* 14, 1627.

952. 11. A Commiſſion to *James* Earl of *Marlborough*, Lord High-Treaſurer, Sir *Richard Weſton* Knt. Chancellor and Under-Treaſurer of the Exchequer, and to Sir *Humphry May*, Chancellor of the Dutchy of *Lancaſter*, to bargain for, grant, demiſe or lett the King's Honours, Manors, *&c.* *Dated the firſt of* December.

1053. There's another of the ſame kind, *Dated* Sept. 20, 1628.

1031. '12. A Commiſſion to Sir *Ralph Hop-'ton*, Sir *John Horner*, Sir *Henry Berk-'ley*, Sir *Robert Phelips*, Sir *Edward 'Rodney*, *Thomas Windham* Eſq; *Edward 'Popham* Eſq; and other Gentlemen of the 'County of *Somerſet*, to enable them to 'execute the late King's purpoſe for di-'viding, draining, incloſing and improving '*King's Sedgmore* in the ſaid County. 'Tis dated July 18, 1628. *at* Weſtmin-'ſter.' It takes notice, that in the Reign of King *James*, the Earls of *Pembroke* and *Northampton*, Sir *John Davies*, Sir *John Stawell*, Sir *John Strangewaies*, Sir

* This was about the time that the Duke was impeached in the Houſe of Commons.

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Sir *Thomas Thinn*, Sir *George Horſey*, Sir *Edward Hext*, Sir *Peter Vanlore*, Sir *John Hannam*, Knights, together with *John Mallet*, *Richard Warr*, *Alexander Dyer*, *Thomas Muttlebury*, *Walter Long* and *Andrew Whittington*, Eſquires, being Lords of the Manors bordering on the ſaid Moor, and claiming Common of Paſture thereon for themſelves and their Tenants, petition'd the ſaid King to accept 4000 Acres of the ſaid Moor in lieu of his own Right to the ſame, as an acknowledgement for his Royal Intention to divide, drain and improve the ſaid Moor; and that *Bernard Johnſon* and *John Phelps*, two skilful Engineers, were ſent to ſurvey it.

Rochel.

256. 1. *Inſtructions for* Henry *Earl of* Holland *Captain of the Guard, and Sir* Dudley Carleton *Vice-Chamberlain of the King's Houſhold, when they were ſent Ambaſſadors Extraordinary to the moſt Chriſtian King.* Dated at *Hamptou-Court* Decemb. 30, 1625.

They were to preſs the moſt Chriſtian King to give Peace to his faithful Proteſtant Subjects, being a great Body of Nobles, Captains, Soldiers, Citizens and People, numbers of Souls, Women and Children, who with all ſubmiſſion and humility implore his Favour, Grace and Mercy to enjoy the Religion they have been brought up in, under the Protection granted them by the Placaerts, Edicts and Confirmations of his good, great, wiſe and happy Progenitors of glorious Memory, who had alſo reap'd notable Services and Fidelity from thoſe of the Reformed Religion, to whom the more freely and ſpeedily his Majeſty ſhall give Peace, and with how much the greater ſurety, within the limits of what hath been formerly granted to them, the more will be their Obligation, and the greater Fruit and Effect will his Majeſty draw from their Services, becauſe when their Fears and Jealouſies are ſettled and compoſed, they will be free to apply themſelves with all gratitude to ſuch dutiful Services as his Majeſty ſhall have cauſe to command them; and his Majeſty would alſo have his Mind, his Arms, and his Treaſure more at liberty to purſue his glorious purpoſes.

THE Ambaſſadors were inſtructed above all things to mark the King's Proceedings with his Proteſtant Subjects, and the Courſe he takes againſt *Rochel*, and to take care by Delays and Entertainments that the Town be not ſo block'd up, but that it may be afterwards relieved. They were to take exact Information of the State of the Town as to Men, Ammunition, Proviſions, ſecurity from Faction, fears of Corruption, or framing of Parties; alſo what Forces by Land the Reformed were able to muſter, either to raiſe the Siege, or diſtreſs the Beſiegers; and to know what they have to offer to his *Britannick* Majeſty, to engage him in a War for their Defence. CHARLES I.

ON the other hand, if the Ambaſſadors found the King of *France* inclinable to give Peace to his Proteſtant Subjects, comprehending *Rochel* and its Inhabitants, they were to employ all their Power and Mediation with the Reformed to induce them to accept it on Terms of Security. They were alſo to give aſſurance to the Proteſtants, of his Majeſty's Regard for them, their Cauſe, their Peace, and their Security; and that his Majeſty was reſolved, and ready to apply his Mediation and communicate his Aſſiſtance, as their Neceſſities ſhould require. They were to repreſent, that if the King of *France* ſhould proceed againſt them with Violence, any Aſſiſtance they ſhould receive from King *Charles* might involve him in a War with *France*, *Spain*, and the whole *Roman* Catholick League: therefore they were to enquire of the Reformed what Forces and Shipping they could in ſuch caſe provide, and what aſſurance they could give that the ſame ſhould be conſtantly employ'd to his Uſe and by his Directions. Finally, they were to conſult with the Reformed as to the Expediency of repreſenting to him, by a Compariſon of the preſent Times with the Works of the League in the Reigns of *Henry* III. and IV. how dangerous it will be for the King to extirpate the Reformed.

891. 2. A Commiſſion appointing the Duke of *Bucks* Admiral of the Fleet, and Commander in Chief of the Land-Forces that were to be embark'd for the Recovery of the *Palatinate*, and to be conducted and employ'd according to ſuch private Inſtructions as he was to receive under the King's Sign Manual. *'Tis Dated the 14th of* May, 1627, *and gave him a power of puniſhing by Martial Law, or of advancing to Knighthood ſuch Perſons as he thought fit.*

901. 3. THERE'S a ſpecial Commiſſion impowering the Duke to puniſh by Martial Law. *Dated* June 1, 1627, *at* Weſtminſter.

935. 4. A Proclamation empowering the Merchants who are Natives of *England* or *Ireland* to export Corn and other Proviſions for Supply of the Navy under Command of the Duke of *Bucks* at the Iſle of *Rhee*, or to the Town of *Rochel*. *'Tis dated* Auguſt 18, *at* Bagſhot.

939. 5. A Commiſſion to *Charles* Viſcount *Wilmot*, for billeting, diſpoſing, and ordering ſome Companies of Soldiers and Mariners impreſs'd, to be ſent as a Supply to the Fleet at the Iſle of *Rhee*, and which were to rendezvous in and about *Plymouth*. *'Tis dated at Canbury* Sept. 20, 1627. Many of them ran away from their Conductors; whereupon, ſays *Whitelocke*, it was reſolved by all the Judges, that ſuch Deſertion was Felony, by the Statute of 7 *H.* VII. *c.* 1. and 3 *H.* VIII. *c.* 5.

6. A

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6. A Commiſſion to Capt. *Henry Woodhouſe*, who was to take the Charge and Government of 2000 Soldiers who were to be at *Plymouth* on the firſt of *Novemb.* and to be billeted in that and the adjacent Towns, empowering him and others mentioned in the Commiſſion to puniſh all Offences of the Soldiers by Martial Law. *Dated at* Weſtminſter, November 8.

THE like Commiſſions were granted to the Magiſtrates of other Towns and Counties.

1043. 7. A Commiſſion conſtituting *Robert* Earl of *Lindſey*, Admiral, Captain-General and Governour of the Fleet fitted out for *Rochel*. *Dated at* Canbury, Sept. 2, 1628, juſt ten days after the Aſſaſſination of the Duke of *Bucks* at *Portſmouth*.

Sea-Coaſts.

719. 1. *A Proclamation commanding the People on the Sea-Coaſt not to deſert their Habitations for fear of the threatned Invaſion.* Dated at *Whitehall, July* 10, 1626.

IT muſt be obſerved, that at this time, a heavy Charge was laid upon the ſeveral Ports and Maritime Counties to furniſh and fit out a certain number of Ships. The County and Ports of *Dorſet* and the City of *London*, which alone was required to furniſh twenty Men of War, preſented Petitions to the Council-Table, alledging that it was an Impoſition without a Precedent, and pleading at leaſt for an Abatement: But the Council gave a general Anſwer, That Precedents in former times were Obedience, and not Direction; and that Pleadings againſt a neceſſary Command did but obſtruct the publick Service, and were therefore by no means to be admitted. The Terror of this Burden made many of the Inhabitants remove higher into the Country, which withdrawing render'd the Load the more inſupportable by thoſe that ſtaid behind; and therefore this Proclamation was iſſued, requiring ſuch as were abſent to return, leſt the deſerting of the Coaſts, Ports and Sea-Towns, ſhould expoſe thoſe Places to become a Prey, and invite the Enemy to an Invaſion.

1038. 2. *A Commiſſion and Inſtructions to* Theophilus *Earl of* Suffolk, *Lord-Warden of the* Cinque-Ports, *to examine all Perſons offering to paſs beyond Sea.* Dated *Sept.* 2, 1628, at *Canbury*.

Probably this was iſſued on account of what had happened to *George* Duke of *Bucks*, Lord High-Admiral, who was ſtabb'd by *Felton* at *Portſmouth*, on the 23d of the preceding Month. This is the more likely, becauſe by the Terms of the Proclamation, the Lord Warden was to impriſon all that he ſhould ſuſpect to be dangerous Perſons, or fit to be made Inſtruments of deſperate Attempts.

WE cannot paſs over a Letter which the Vice-Chancellor of *Cambridge* wrote upon this occaſion to the King, lamenting the Loſs of his Majeſty's moſt loyal Servant, their Patron and Chancellor, by that atal Blow, 'Which, *ſaid he*, hath ſo 'ſtunn'd our Univerſity, that (like a Body 'without a Soul) ſhe ſtirs not, till your 'Majeſty's Directions breathe Life again, in 'the Choice of another.'

CHARLES I.

Seals.

1. Three ſeveral Commiſſions iſſued by the King at *Weſtminſter*, the 28th of *March* 1625, to the Lord-Keeper, *&c.* authorizing the Uſe of the Great-Seal, Privy-Seal, and Signet, till new ones could be prepared. 1. 3.

2. Another of the ſame nature for *Ireland*; dated the 2d of *April*. 11.

3. There's a Proclamation of the ſame Date with the three Commiſſions, ſignifying his Majeſty's pleaſure, that all Men in Office of Government, whether in *England* ro *Ireland*, at the Deceaſe of the late King, ſhould continue in their Places till his Majeſty's farther Direction; becauſe by the Death of King *James* I. which happen'd the Day before, their Powers ceaſed. 4.

Star-Chamber.

1. *A Note of all Cauſes cognizable by this Court, and of the Manner of their Proceedings.* 192.

According to a Statute of the 3d of *Henry* VII. they were to hear and determine upon all Riots and unlawful Aſſemblies, all unlawful Retainders and Maintenances, Imbraceries of Jurors, Misbehaviour of Sheriffs in making of Pannels and falſe Returns, and taking of Money by Jurors, the Perjury of Jurors and Witneſſes, Forging of Deeds, Writings, Bills, Letters, or privy Tokens to ſlander or deceive any Man, Extortions of Sheriffs or other Officers, *&c.*

THE Lord-Chancellor or Lord-Keeper, the Lord Treaſurer, and Lord Privy-Seal, or two of them, one Spiritual, and one Temporal Lord of the Privy-Council; the two Chief Juſtices, or two other Juſtices in their abſence, ſate to hear and determine all ſuch Cauſes; and all other Lords of the Privy-Council, and the reſt of the Judges of both the Benches, ſometimes ſate with them.

THE Curious are referred to the Act it ſelf for their Methods of Proceeding.

2. *A Note of the Fees due to the Clerk of the Court.* 194.

3. *The Forms of the Warrants for Proceſs.* 194.

4. *The Forms of all manner of Proceſs made out of this Court, ſuch as Subpœnas, Attachments, Commiſſions of Rebellion, Dedimus's, Superſedeas's, Certiorari's,* &c. 195 to 198.

THE Rigours practiſed by the Star-Chamber Court, particularly in this Reign, were ſuch, that a farther account of it may not

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not be unacceptable to the Reader, especially considering that our Vouchers are those eminent Historians, *Francis* Lord *Verulam*, Sir *Thomas Smith*, and Bishop *Nicholson*.

THE Authority of this Court subsisted anciently by the common Laws of the Realm, and was afterwards confirm'd in certain Cases by Act of Parliament in the Reign of *Henry* VII.

THIS Court, *says Lord* Verulam, is one of the sagest and noblest Institutions of the Kingdom. 'Tis compounded of good Elements; for it consists of four kinds of Persons, Counsellors, Peers, Prelates, and Chief Judges. It discerneth also principally of four kinds of Causes, Forces, Frauds Crimes various of Stellionate, and the Inchoations or middle Acts towards capital or heinous Crimes not actually committed. But the thing which was principally aimed at by the Act confirming this Court, was Force, and the two chief Supports of Force, Combination of Multitudes, and Maintenance or Headship of great Persons.

Sir *Thomas Smith* tells us, that this Court commonly sate on *Wednesdays* and *Fridays* in Term-time, and the next day after the Term ended, from nine o'Clock till eleven, in a Place called the *Star-Chamber*, either because 'tis full of Windows, or because at first the Roof was adorn'd with gilded Stars *.

UPON the certifying of any Riot, the Party complain'd against (of whatsoever degree he be) must appear in the *Star-Chamber*, and if he does not give a good account of himself, he shall be committed to the Fleet-Prison, where he shall be kept in such sort as the Judges of the Court shall appoint, and lie there till he is weary of the long Restraint and great Expences; when after the Suit of his Friends, he will be glad to be order'd by Reason. Sometimes, according to the nature of his Crime, he pays a great Fine to the Prince, besides great Costs and Damages to the Party aggrieved; and yet the matter whereof he attempted such Riot is referr'd to the Common-Law. For the purpose of this Court is to bridle such stout Noblemen or Gentlemen, who would offer wrong by Force to People, and cannot be content to demand or defend Right by due Course of Law.

THIS Court, as is already observed, began long before the Reign of *Henry* VII. but had lain dormant for a while, till Cardinal *Wolsey*, when Chancellor of *England*, augmented the Authority of it; for which reason, *says our Author*, some thought the Cardinal first devised it. *He adds*, That it was at this time absolutely necessary for him to take that Course for repressing the insolence of the Nobility and Gentry of the North of *England*, who being far from the King, and the Seat of Justice, were generally at war with one another, banding themselves with their Tenants and Servants, to do or revenge Injuries one against another. CHARLES I.

THIS was so insupportable to King *Henry* VIII. that he sent for them one after another to Court, and referred them to the *Star-Chamber*; so that after being made sensible of their Misdemeanor, and being well disciplin'd by Words, and imprisonment in the *Fleet*, which exhausted both their Purse and Courage, they began to be orderly, and to understand that they had a Prince who would rule his Subjects by his Law, to which he expected Obedience: After this, *Sir* Thomas Smith *says*, the Court of *Star-Chamber* was in more estimation.

THE Officers of this Court, according to his Account, were a Clerk, three Attorneys, and an Examiner. The Clerk kept the Records, Rules, Entries, Orders and Decrees of the Court. The Attorneys were to draw up the Complaints and Answers of the Plaintiff and Defendant, and to methodise the same fit to be heard by the Lords. The Examiner took the Depositions of the Witnesses on both sides.

THE Order of proceeding to Judgement was by assent of Voices; to the majority of which, Sentence was referred.

THE common Punishments were Imprisonment, Pillory, or Fine; and many times both Fine and Imprisonment.

THE Process was a *Subpœna*, which was in the manner of a Libel or Precept; an Attachment, a Proclamation of Rebellion, and a Commission of Rebellion; which Proclamation and Commission were issued when the Party was stubborn, or had been guilty of Contempt for not coming in by the former Process.

THE Messengers of the Court of *Star-Chamber*, were the Warden of the *Fleet*, or the Serjeants at Arms.

THE Crimes generally laid before them, were the taking away of Maids under Age, against the Will of their Parents or Guardians; all notable Forgeries; counterfeiting Letters or Privy-Tokens; slandering of Nobles, and seditious News: All notable Riots and unlawful Assemblies; and all the Titles of Riots in *Rastal's* Abridgement; all notable Deceits, and all kind of Cousenage, *&c.*

Bishop *Nicholson* says, It were in vain to look for any Records of the Court of *Star-Chamber* higher than the third Year of *Henry* VII. if the Statute of the third of his Reign, *cap.* 7. which declares the Powers of its Judges, were (as some have thought) the first Original and Foundation of their Jurisdiction: But in *Chambers's* Case †, it was the unanimous Opinion of the whole Court of King's-Bench, That it was not erected by that Statute, but was

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* In the Statute of 25 *Henry* VIII. cap. 1. 'tis called the *Starred* Chamber.
† *Croke's* Rep. Term. *Mich.* 5 *Car.* I.

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a Court many Years before, and one of the moſt High and Honourable Courts of Juſtice. Returns of Writs to the King *in Camera*, (which is commonly expounded * *Star-Chamber*) are as old as the 28th of *Edward* III. And it appears (from a Caſe in one of the Lord *Dyer's* MSS) that both the Chief-Juſtices ſate in that Court, and that they fined Delinquents very deep, in the Reign of *Henry* VI. It took Cogniſance of Riots, Extortions, Oppreſſions, and other grievous Offences; but meddled not with Crimes liable to the pains of Death. It is ſaid to have but few Seſſions; and that for theſe Reaſons: 1. Becauſe thoſe Enormities that were chiefly therein cognizable, were rare. 2. *Ne Dignitas hujus Curiæ vileſcerit.* 3. That the Council might not neglect the publick Affairs of State in their too frequent Attendance on private Cauſes. Their Proceedings were by Informations, Bills, Anſwers, Replications, Interrogatories, *&c.* All which were filed up; and the Sentences and Decrees were ingroſſed in a fair Book, with the Names of the Lords and others who were preſent, and gave their Voices.

Titles to Eſtates.

45. 1. A Commiſſion under the Privy-Seal to the Lord-Keeper, Lord-Treaſurer, and to the Duke of *Bucks*, and others, to compound for defective Titles to Eſtates. *Dated the 9th of* May 1625, *at* Weſtminſter.

650 to 657. 2. Commiſſions to enquire what Lands were held of the Crown by Perſons deceaſed in the firſt Year of the King.

739. 3. A Commiſſion under the Privy-Seal to Sir *John Savile*, &c. to diſcover what Lands and Tenements within the *Weſt-Riding* of *Yorkſhire* are held in Chief, and by Knights Service, or in Socage in Chief. *'Tis dated* July 29, 1626, *at* Weſtminſter.

Tobacco.

19. 1. A Proclamation prohibiting the Importation and Uſe of all Tobacco which is not of the proper growth of the Colonies of *Virginia* and the *Summer-Iſlands*: And for tranſporting all other foreign Tobacco out of the King's Dominions Cuſtom-free, before the 4th day of *May* next. *'Tis dated at* Whitehall *the 9th of* April 1625.

'Twas enforced by another of *May* 13.

73. 831. 2. A Commiſſion to Sir *John Wolſtenholm* and others, for ſeizing all *Spaniſh* and other foreign Tobacco. *Dated* Jan. 31, 1627. *at* Weſtminſter.

848. 3. 'A Proclamation concerning Tobacco 'which gave leave for importing *Spaniſh* 'or other foreign Tobacco, not being the 'growth of our Plantations, provided the 'quantity ſo imported did not exceed '30,000 lb. weight in any one Year.' The Reaſon aſſign'd for this Licence was, becauſe the Subjects at that time thought there was ſo little difference betwixt *Spaniſh* or foreign Tobacco, and that of our own Plantations in *America*, that they could hardly be induced to forſake the *Spaniſh* Tobacco totally. *This Proclamation is dated at* Whitehall, Febr. 17.

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886. 4. A Proclamation for ſealing of Tobacco, dated at *Whitehall*, *March* 30. This was to diſtinguiſh that of the growth of our own Plantations from *Spaniſh* or other foreign Tobacco.

920. '5. Another not only commanding the 'plucking up and deſtruction of Tobacco 'planted in *England*, *Ireland* and *Wales*, 'and the Iſles thereto belonging, and pro'hibiting the Importation and Sale of *Spa'niſh* and other foreign Tobacco; but for 'reſtraining the planting and importation 'of Tobacco from the *American* Colonies.' *Dated at* Windſor *the 9th of* Auguſt. This Proclamation takes notice of the inordinate Deſire that then prevailed of taking Tobacco; and that the Planters, *&c.* in the *American* Colonies gave themſelves over to the planting of Tobacco for the ſake of a preſent return of Profit, and neglected the improvement of ſolid Commodities fit for the eſtabliſhing of Colonies; therefore his Majeſty commanded that no Tobacco at all ſhould be imported into his Dominions from *Virginia*, the *Summer* Iſlands, or any other Colonies without his ſpecial Licence under the Great Seal; and that upon the importation thereof, the ſame be delivered for the King's Uſe to Commiſſioners to be appointed by his Majeſty under the Great Seal, at certain Prices to be agreed on between the Owners and the ſaid Commiſſioners; or elſe to be exported again, and ſold elſewhere, on pain of Forfeiture thereof to the King. And no Perſon whatſoever was to buy Tobacco of any Perſon but thoſe Commiſſioners, on the ſame Penalty.

Treaties.

793. 1. A Commiſſion under the Great Seal to Captain *John Harriſon* to treat with the Kings, Princes, and other Governours of the Parts of *Barbary*, and Town of *Sallee*, for the Redemption and Exchange of Captives, and ſettling Commerce. Sign'd with the King's own Hand at *Weſtminſter*, the 10th of *November*, 1626.

807. 2. Another Commiſſion directed to the Captain for the ſame purpoſe. Dated *December* 5.

896. '3. Another to Sir *Robert Anſtruther*, 'to treat of a Peace in *Germany*, and con'cerning the Affairs of the Elector *Pala'tine*.' 'Tis dated at *Weſtminſter*, *April* 12, 1627, and ſign'd with the King's own hand. It appears that the Emperor had ordered a Congreſs of Electors and other *German* Princes, to be held for this purpoſe at *Nuremberg*.

* Inſtit. Lib. 4. à p. 60 ad 66.

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4. A Commiſſion to the Lord High-Treaſurer, *&c.* to treat with Sir *Adrian Pawe* Knt. and another *Dutch* Ambaſſador, ſent over to propoſe and conclude divers Matters of great Importance. Dated as above, the laſt Day of *February* 1628.

Wardrobe.

769. 1. A Commiſſion for enquiring into the State of the King's Wardrobe, *Dated* Oct. 18, 1626. 'Tis directed under the Privy-Seal, to *James* Earl of *Marlborough*, Lord High-Treaſurer, *&c.*

1046. 2. Another of the ſame kind to his Succeſſor *Richard* Lord *Weſton*, &c. Dated at *Weſtminſter*, *Sept.* 3. 1628.

Woollen Manufacture.

81. 1. A ſpecial Commiſſion under the Privy-Seal, appointing ſeveral Lords of the Council and others, a ſtanding Committee to inquire into and redreſs the decay'd ſtate of the Woollen Manufacture, by contriving Ways and Means to raiſe the Price of Wools, to prevent the Exportation of *Engliſh* Wool, Fullers-Earth and Wood-Aſhes; to promote the Importation of Wool from *Ireland* and *Scotland*, and ſo to order the Manufacture that it may recover the ancient Price it bore in foreign Parts, and which by ill and deceitful Making, Dying, and Dreſſing, was of late Years ſunk both in Value and Vent. They were alſo to inquire into the Neceſſity for Wool-Jobbers, the Cauſe of the Dearneſs of Dyes, and the Scarcity of Money; the Expediency of Joint-Stocks and Companies of Merchants, and to take care of the Balance of Trade and the Courſe of Exchange; the encouragement of the Herring-Fiſhing upon our Seas and Coaſts; to guard againſt the Importation of Merchandiſe in foreign Bottoms, and to promote the uſual Returns of Corn, rough Hemp and Flax from the *Eaſtland* Countries. They were alſo to conſider how to encourage the ſowing of Hemp and Flax at home, and how the Trade to the *Eaſt-Indies* might be carried on to the Profit of the Nation without carrying out its Coin and Treaſure. 'Twas dated at *Weſtminſter*, *May* 19, 1625.

We now enter into the XIXth Tome *of the* FOEDERA, *being the laſt that is hitherto publiſhed of that ineſtimable Collection, (to uſe the Words of the Compiler in his Dedication of it to his preſent Majeſty) which contains ſo vaſt and rich a Fund of uſeful and inſtructive Learning, in all Tranſactions, whether Foreign or Domeſtick, that no other Nation ever did, nor indeed is able to produce the like: A Collection drawn from the pure and unadulterate Fountain of his Majeſty's* Sacra Scrinia, *which give the firmeſt Sanction to its Veracity, and the ſureſt Proof to its Authority.*

CHARLES I. A°. 1629.

Tom. XIX. *Private Conſultations about the enſuing Parliament.*

THE Parliament which was to have met on the 20th of *October*, was by Proclamation on the firſt of that Month prorogued to the 20th of *January*, during which it was reſolved in Council, to juſtify the proceedings againſt the Merchants with reſpect to Tonnage and Poundage, at the next Meeting, and to diſſolve the Parliament, if they did not paſs the Bill. And thoſe of the Council that were Members of the Houſe of Commons, were directed what to ſay, if the Houſe ſhould fall upon any of the King's Miniſters.

ON the ſaid 20th of *January*, the Parliament met, and one of the firſt things they took into conſideration, was the Violation of the Subject's Liberty and Property ſince the laſt Seſſion, by the Levies of Tonnage and Poundage, contrary to the Petition of Right. Whereupon Sir *Robert Philips* made this Speech *.

Sir Robert Philips's *Speech on the Violation of the Subjects Liberties and Properties.*

'BY this Information, you ſee how unfortunate theſe Times are, and how full time 'it was for this Aſſembly to meet to ſerve 'his Majeſty, and to ſerve their Country; 'and I am confident that coming hither 'with fullneſs of Affection to our King 'and Country, all will conduce to a happy 'Concluſion, and the King's Honour. Indeed our own great and weighty Affairs 'wound deep: Caſt your Eyes which way 'you pleaſe, you ſhall ſee Violations on 'all ſides. Look on the Liberty of the 'Subject; look on the Privilege of this 'Houſe; let any ſay if ever he ſaw or 'read the like Violations by inferior Miniſters, that over-do their command. 'They knew the Party ** was a Parliament 'Man; nay, they ſay, *If all the Parliament were in you, this we would do, and juſtify it.* If we ſuffer the Privilege 'of Parliament, and Liberty of Subjects, 'to be thus violated for fear of complaint, 'we give a Wound to the Happineſs of the 'Kingdom. The Courſe of Juſtice is interrupted, and an Order in the Exchequer 'made for the ſtay of the Goods; and ſince 'there is a ſeizure upon the approach of 'Parliament, of Goods amounting to 5000*l.* 'for a pretended Duty of 200*l.* Cuſtom, 'tis time to look about us.

'IN the firſt Year of King *James*, by 'reaſon of the Sickneſs that then was, the 'Parliament was prorogued, and there were 'ſome ſo bold as to take this Tonnage 'and Poundage, when we queſtioned the 'Men that demanded it. Let us proceed 'with affection of Duty, and make up 'Breaches: Let a Committee be appointed 'for examination of theſe Proceedings.'

THE

* This Gentleman was Knight of the Shire for the County of *Somerſet*, as his Father had been before him; and Mr. *Arthur Collins*, in his *Baronettage*, ſays, That he was created a Knight at the ſame time with his Father, by King *James*, on the 23d of *July*, 1603, previous to his Coronation.

** This was Mr. *Rolls* the Merchant; whoſe particular Caſe (which we touch'd on, *p.* 676) was now before the Houſe.

FOEDERA Tom. XIX.

CHARLES I. A°. 1629.

The King's Meſſage to the Commons.

THE Buſineſs was accordingly referred to a Committee, and the Officers of the Cuſtoms, who had ſeized the Goods of *Rolls*, and the other Merchants, were ordered to be ſent for; but while the Debate was warm upon it, the King ſent a Meſſage to the Houſe, deſiring them to deſiſt till next day in the Afternoon, at which time he would ſpeak with them in the Banquetting-Houſe at *Whitehall*. The Lords having alſo received Orders to be there, the King made the following Speech to both Houſes:

My Lords and Gentlemen,

And Speech to both Houſes.

'THE Care I have to remove all Obſtacles that may hinder the good Correſpondency between me and this Parliament, is 'the Cauſe I have called you together 'at this time; the particular Occaſion 'being a Complaint made in the Lower 'Houſe. And for you, my Lords, I am 'glad to take this, and all other Occaſions, 'whereby you may clearly underſtand 'both my Words and Actions: For as you 'are neareſt in degree, ſo you are the 'fitteſt Witneſſes unto Kings.

'THE Complaint I ſpeak of is, for ſtaying Mens Goods that deny Tonnage and 'Poundage. This may have an eaſy and 'ſhort Concluſion, if my Words and Actions be rightly underſtood: For by paſſing the Bill as my Anceſtors have had it, 'my by-paſt Actions will be included, and 'my future Proceedings authoriſed; which 'certainly would not have been ſtuck on, 'if Men had not imagined that I had taken 'theſe Duties as appertaining to my hereditary Prerogative; in which they are 'much deceived; for it ever was, and is 'ſtill my Meaning, by the Gift of my People to enjoy it: And my Intention in my 'Speech, at the ending of the laſt Seſſion, 'concerning this Point, was not to challenge Tonnage and Poundage as of Right, 'but *de bene eſſe*, ſhewing you the Neceſſity, not the Right by which I was to 'take it, until you had granted it to me; 'aſſuring myſelf, according to your general Profeſſions, you wanted Time, not 'Will to give it to me.

'WHEREFORE now, having opportunity, I expect that, without loſs of 'time, you make good your Profeſſions, 'and ſo by paſſing of a Bill, put an end 'to all the Queſtions ariſing from this Subject; eſpecially ſince I have cleared the 'only Scruple that can trouble you in this 'Buſineſs.

'TO conclude, Let us not be jealous of 'one another's Actions: For if I had been 'eaſily moved at every occaſion *, the Order you made on *Wedneſday* laſt, might 'have made me ſtartle, there being ſome 'ſhew to ſuſpect that you had given yourſelves the Liberty to be the Inquiſitors 'after Complaints, (the Words of your Order being ſomewhat too largely penn'd;) 'but looking into your Actions, I find you 'only here Complainers, not ſeeking Complaints: For I am certain you neither 'pretend nor deſire the Liberty to be Inquiſitors of Mens Actions, before particular Complaint be made.

'THIS I have ſpoken, to ſhew you how 'ſlow I am to believe harſhly of your Proceedings; likewiſe to aſſure you, that the 'Houſes Reſolutions, not particular Mens 'Speeches, ſhall make me judge well or 'ill; not doubting, but according to my 'example, you will be deaf to ill Reports 'concerning me, till my Words and Actions 'ſpeak for themſelves; that ſo this Seſſion 'beginning with Confidence one towards another, it may end with a perfect good Underſtanding between us: Which God grant.'

King's Meſſage for the ſpeedy taking off of Tonnage and Poundage.

Monday the 26th of *January*, Mr. Secretary *Cook* delivered a Meſſage to the Houſe of Commons from the King, to deſire that the Bill for Tonnage and Poundage might be taken into Conſideration without loſs of Time. But the Houſe, tho' they reſented it that the King ſhould impoſe a Bill upon them, which ought naturally to ariſe from themſelves, imagining at leaſt that his Majeſty had not a Power to preſcribe a Time to them, forbore however to ſpeak their Minds freely, and reſolving to husband their Time, did further impower the Committee to examine the Violation of Liberty and Property ſince the laſt Seſſion; and thinking it proper to ſuſpend the Bill for a while, fell upon other Grievances, and in the firſt place thoſe relating to Religion; particularly the Increaſe of *Arminians*: upon which occaſion Mr. *Rouſe* ſpoke to this purpoſe †:

But the Commons reſolve to proceed on Matters of Religion.

Mr.

* It does not appear from any Hiſtory what this Order could be, unleſs it was that made by the Houſe the preceding Day (which by all accounts was *Tueſday*,) to ſend for the Cuſtom-houſe Officers who had ſeiz'd the Merchants Goods: for the Houſe had not ſate from *June* laſt, till that day.

† The Author of this Speech, who made ſo great a Figure in the Parliaments during this Reign, and the Uſurpation, was *Francis Rouſe*, younger Son of Sir *Anthony Rouſe* of *Cornwall*. He was born about 1579, and at twelve Years of Age became a Commoner of *Broadgates-Hall* in *Oxford*, which is ſince converted into *Pembroke-College*. Being eſteemed a Man of Parts, ſays the Author of *Athenæ Oxonienſes*, and ſolely devoted to the Puritanical Party, he was generally choſe by the Men of *Truro* to repreſent them in Parliament. In 1643, he was choſe one of the Aſſembly of Divines, and by Authority of Parliament made Provoſt of *Eaton* College; and in 1653, choſe Speaker of the Houſe of Commons, on condition that he ſhould continue but a Month in the Chair; and in *December* following, he was nominated one of *Oliver's* Council. He wrote ſeveral Tracts, for which we refer to *A. Wood*, the above-mentioned Writer, particularly one of the Anſwers to Dr. *Mountague's* Appeal; and tranſlated *David's* Pſalms into *Engliſh* Metre. He died at *Acton* near this City, on the 7th of *January* 165⅔, and was buried in *Eaton* College Church, near to the Entrance of that Chapel formerly built by *Roger Lupton*, one of the Provoſts. He was very exemplary in Works of Charity whilſt living, and at his Death he left 60*l. per Annum* for the Maintenance of three Students of low Fortune at *Broadgates-Hall*, aforeſaid, who were either to be taken out of his Kindred, or from two of the Upper Claſſes of *Eaton* School.

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CHARLES I. A°. 1629.

Mr. Rouse's Speech on that head.

Mr. Speaker,

'WE have of late entered into Consideration of the Petition of Right, and the Violation of it, and upon good reason; for it concerns your Goods, Liberties and Laws; but there is a Right of higher Nature that preserves for us far greater Things, Eternal Life, our Souls, yea our God himself; a Religion derived to us from the King of Kings, confirmed upon us by the King of this Kingdom, enacted by Laws in this place, streaming down to us in the Blood of Martyrs, witnessed from Heaven by Miracles, even miraculous Deliverances; and this Right in the Name of this Nation I this day require and claim, that there may be a deep and serious Consideration of the Violation of it: I desire it may be considered what new Paintings are laid on the old Face of the Whore of *Babylon*, to make her shew more lovely, and to draw so many Suitors to her. I desire that it may be considered how the See of *Rome* doth eat into our Religion, and fret into the Banks and Walls of it, the Laws and Statutes of this Realm, especially since those Laws have been made in a manner by themselves, even by their own Treasons and bloody Designs: And since that Popery is a confused Heap of Errors, casting down Kings before Popes, the Precepts of God before the Traditions of Men, (living and reasonable Men) before dead and senseless Stocks and Stones: I desire that we may consider the Increase of Arminianism, an Error that makes the Grace of God lackey it after the Will of Man, that makes the Sheep to keep the Shepherd, and makes a mortal Seed of an immortal God. Yea, I desire that we may look into the very Belly and Bowels of this *Trojan* Horse, to see if there be not Men in it ready to open the Gates to *Romish* Tyranny and *Spanish* Monarchy; for an Arminian is the Spawn of a Papist, and if there come the Warmth of Favour upon him, you shall see him turn into one of those Frogs that rise out of the bottomless Pit; and if you mark it well, you shall see an Arminian reaching out his hand to a Papist; a Papist to a Jesuit; a Jesuit gives one hand to the Pope, another to the King of *Spain*; and these Men having kindled a Fire in our Neighbour Country, have now brought over some of it hither to set this Kingdom also on a flame. Yea, let us further search and consider whether these be not the Men that break in upon the Goods and Liberties of this Common-wealth; for by this means they make way for the taking away of our Religion: It was an old Trick of the Devil, when he meant to take away *Job*'s Religion, he begun at his Goods, saying, *Lay thy Hand on all he hath, and he will curse thee to thy Face.* Either they think thereby to set a Distaste between Prince and People, or else to find some other way of Supply, to avoid or break Parliaments, that so they may break in upon our Religion, and bring in their Errors. But let us do as *Job* did, who being constant against Temptation, held fast his Religion, and his Goods were restored to him with advantage; so if we hold fast God and our Religion, these things shall be added unto us: Let us now consider the Times past, how this Nation flourished in Honour and Abundance when Religion flourished amongst us: But as Religion decayed, so the Honour and Strength of this Nation decayed also: When the Soul of a Common-wealth is dead, the Body cannot survive it. If a Man meet a Dog alone, the Dog is fearful, though never so fierce by nature; but if that Dog have his Master by him, he will set upon that Man from whence he fled before. This shews, that lower Natures being backed with the higher, increase in Courage and Strength; and certainly Man being backed with Omnipotency, is a kind of Omnipotency. All things are possible to him that believeth; and where all things are possible, there is a kind of Omnipotency. Wherefore let us now by the unanimous Consent and Resolution of us all, make a Vow and Covenant, henceforth to hold fast, I say, to hold fast our God and our Religion; and then may we from henceforth certainly expect Prosperity on this Kingdom and Nation: And to this Covenant let every Man say Amen.'

A Report from the Committee for Religion.

THE 27th of *January*, a Report was made to the House from the Committee for Religion, that a Remonstrance upon that Subject, drawn up last Session, had since that time, by the Command of the King, been delivered by the Clerk to some Persons whom his Majesty had sent for it, and that for want of it the Committee could not proceed. Upon this Mr. Secretary *Cook* delivered a Message from his Majesty, *That notwithstanding the Remonstrance concerning Religion was called for, he was pleased* (to take away all Question) *to deliver it back to them; hoping nevertheless that they will proceed with the Bill for Tonnage and Poundage, and give Precedency to that Business, and so put an end to a further Dispute between some of his Subjects,* (meaning the Merchants, and the Customers who had seized their Goods for Tonnage and Poundage,) *or else he shall think his Speech, which was with good Applause accepted, had not that good Effect which he expected.* But it being observed by some of the Members, That if Popery and Arminianism join hand and hand, it would by degrees bring in *Spanish* Tyranny; under which our Laws and Liberties must cease;

The Remonstrance on that Subject sent back by the King.

Precedency again given to Religion before Tonnage and Poundage.

FOEDERA Tom. XIX.

ceaſe; that it was high time to enquire what Perſons had been advanced to Eccleſiaſtical Preferments, ſince the laſt Seſſion, and to whom Pardons had been granted; that Religion concerned the King as well as the Subjects, and that the Work of the Lord muſt not be done negligently, the Houſe reſolved it ſelf into a Committee, and gave Religion the Precedency of Tonnage and Poundage. And in the Committee, Mr. *Pym* took notice of an old Diſeaſe, *viz.* *Popery*, and a new one, *viz.* *Arminianiſm*. As to the former, he moved for an Enquiry into, 1. The Ceſſation of the execution of the Laws againſt Papiſts. 2. Into the Employment and Countenance of Papiſts. 3. Into the Violation of the Law, by continually bringing in ſuperſtitious Ceremonies, eſpecially at *Durham* *, by Dr. *Coſins*, a Prebendary, as Angels, Saints, Crucifixes, Altars, and Candles on *Candlemaſs-day* burnt in the Church after the Popiſh manner. And as to *Arminianiſm*, he concluded thus; 'That whereas 'by the Articles ſet forth 1652, and by the 'Catechiſm ſet forth in King *Edward* the 'Sixth's Days, and by the Writings of *Martin Bucer* and *Peter Martyr*, who were 'employed in making our Articles; and 'by the conſtant Profeſſions, ſealed by the 'Blood of ſo many Martyrs, as *Cranmer*, '*Ridley*, and others; and by the 36 Arti'cles in Queen *Elizabeth*'s time; and by the 'Articles agreed upon at *Lambeth*, as the 'Doctrine of the Church of *England*, which 'King *James* ſent to *Dort* and to *Ireland*, 'and were avowed by us and our State; 'his Majeſty hath expreſſed himſelf in pre- 'ſerving Unity in Religion eſtabliſhed, tho' 'his Royal Intention, notwithſtanding, hath 'been perverted by ſome to ſuppreſs the 'Truth: Let us ſhew wherein theſe late 'Opinions are contrary to thoſe ſettled 'Truths, and what Men have been ſince 'preferr'd, that have profeſs'd theſe Here'ſies; what Pardons they have had for 'falſe Doctrine; what prohibiting of Books 'and Writings againſt their Doctrine, and 'permitting of ſuch Books as have been 'for them? Let us inquire after the Abet'ters; let us inquire alſo after the Pardons 'granted of late to ſome of theſe, and Pre'ſumption of ſome that dare preach the 'contrary to Truth before his Majeſty. It 'belongs to the Duty of a Parliament to 'eſtabliſh true Religion, and to puniſh 'falſe; we muſt know what Parliaments 'have done formerly in Religion. Our Par'liaments have confirmed general Councils. 'In the time of King *Henry* VIII. the Earl 'of *Eſſex* was condemned for countenan'cing Books of Hereſy: As for the Con'vocation, it is but a Provincial Synod of '*Canterbury*, and cannot bind the whole 'Kingdom. As for *York*, that is diſtant, 'and cannot do any thing to bind us or 'the Laws; and as for the High Commiſ'ſion, it was derived from Parliament.'

CHARLES I. A°. 1629.

Mr. Pym's Speech about Religion.

And particularly Arminianiſm.

BUT the Inquiry he mov'd for was interrupted by a freſh Meſſage, delivered by Secretary *Cook*, from the King, requiring the Houſe to give the Precedence to the Bill of Tonnage and Poundage, whereby his Majeſty declared, *he intended not to interrupt*

Another Meſſage from the King about Tonnage and Poundage.

* This was Dr. *John Coſins*, a Native of *Norwich*, who was educated in *Caius* College *Cambridge*, preferred to be a Prebendary of *Durham*, then Archdeacon of the *Eaſt-Riding* of *Yorkſhire*, upon the Reſignation of *Richard Remington*, whoſe Daughter he married; next Rector of the Church of *Branſpath*, in the Biſhoprick of *Durham*; then Maſter of *Peter*'s College in *Cambridge*; next Vice-Chancellor of that Univerſity, and then Dean of *Peterborough*; and at laſt having been Chaplain in Ordinary, both to King *Charles* I. and King *Charles* II. he was, upon the Reſtoration of the latter, advanced to the Biſhoprick of *Durham*. He died in *Pall-mall*, *January* 15, 1672, about the Age of 77, and was buried the 29th of *April*, at *Biſhop's-Aukland* in his Dioceſe, after having beſtowed much Wealth on pious and publick Uſes; particularly 5 *l.* a Year for ever to the Poor of *Peterborough*, payable out of 100 *l.* which he left with the Dean and Chapter. He was alſo a Benefactor to *Biſhop's-Aukland*, where he founded and endowed an Hoſpital for two Men, and as many Women, after he had, at vaſt Expence, repaired and beautified the Palace, (which Sir *Arthur Haſlerig* had almoſt reduced to Ruins) and enriched it with a good Library of Books, and a ſtately Chapel.

The Author of that called the *True Secret Hiſtory of the Kings and Queens of* England, ſaid to be written by a *Perſon of Honour*, tells us, that at the Aſſizes held this Year at *Durham*, a Bill was found againſt this Divine by the Grand Jury, (though Proceedings were ſtopped) for introducing and practiſing ſeveral Innovations and Corruptions in the Cathedral, for unſound Doctrines, and for impugning the King's Supremacy; particularly by his preaching there upon the Parable of the Tares, and ſaying, 'That the Reformers of our Church when 'they took away the Maſs, took away or marred all Religion, and the whole Service of God; that they called 'it a *Reformation*, but that it was a *Deformation*; and that the Maſs was not ſo taken away, but that the Pre'ſence of Chriſt ſtill remained; and that if the Reformation were otherwiſe, it was not a *Reformation*, but a '*deformed Religion*.' He was alſo charged with ſaying, 'that in Queen *Elizabeth*'s time, when Popery was put 'out, the *Reformation* was a *Deformation*, and that inſtead of bringing in *Order*, they brought in *Ordure*: That he 'perſuaded a Papiſt to come to Church, by ſaying, *That the Body of Chriſt was ſubſtantially and really in the 'Sacrament*; and that he ſaid at a publick Dinner, *That the King was not the ſupreme Head of the Church of* 'England, *nor could be ſo called*.'

interrupt them as to Religion, provided they did not intrench upon that which did not belong to them. But by this 'twas plain, as Mr. *Rapin* obſerves, that he took away with one Hand, what he gave with the other, ſince it was his Opinion that the Commons had nothing to do with Religion. The Courtiers however ſeconded the Meſſage, particularly Sir *Thomas Edmonds*, one of his Majeſty's Domeſticks, who reproached the Members with neglect of Duty, preſſed them to a Compliance, and urged them to conſider *how dangerous it was to alienate his Majeſty's Heart from Parliaments.* To which Mr. *Corriton* made this Anſwer: 'When Men ſpeak here of '*neglect of Duty to his Majeſty*, let them 'know we know no ſuch thing, nor what 'they mean; and I ſee not how we do 'neglect the ſame. I ſee it is in all our 'Hearts to expedite the Bill of Tonnage 'and Poundage in due time. Our Buſineſs 'is ſtill put back by theſe Meſſages, and 'the Buſineſs in hand is of God: His Ma'jeſty's Affairs are certainly amiſs, and e'very one ſees it, and woe be to us, if 'we preſent them not to his Majeſty.'

Seconded by Sir Tho. Edmonds.

Mr. Corriton's *Anſwer.*

AFTER this the Houſe reſolved to ſend an Anſwer to the King, that theſe Meſſages are inconvenient, and breed Debates and Loſs of Time; *and did further reſolve*, that Tonnage and Poundage ariſing naturally from this Houſe, they would in fit time take ſuch a Courſe therein, as they hoped would be to his Majeſty's Satisfaction and Honour, but that at preſent they would proceed in matters of Religion.

Reſolution of the Houſe.

* SIR *John Elliot* ſpoke upon this occaſion, as follows; 'I have always ob'ſerved, *ſaid he*, that in the Proceedings 'of this Houſe, our beſt advantage is Or'der; and I was very glad when that no'ble Gentleman my Countryman gave oc'caſion to ſtate our Proceedings, for I fear 'it would have carried us into a Sea of 'Confuſion and Diſorder. And having now 'occaſion to preſent my Thoughts in this 'great and weighty Buſineſs of Religion, 'I ſhall be bold to ſpeak a few Words.

Sir John Elliot's *Speech on Religion.*

'THERE is a Jealouſy conceived, as 'if we meant to diſpute on Matters of Faith. 'It is not in the Parliament to make a new 'Religion, nor I hope ſhall it be in any to 'alter the Body of Truth which we now 'profeſs. I muſt confeſs amongſt all thoſe 'Fears we have contracted, there ariſeth 'to me not one of the leaſt Dangers in the 'Declaration that is made and publiſhed 'in his Majeſty's Name, concerning diſ'puting and preaching: Let not this my 'Saying bear the leaſt Suſpicion or Jealouſy 'of his Majeſty, for if there be any Miſ'priſion or Error, I hope it is in thoſe Mi'niſters about him, which not only he, but 'all Princes are ſubject to; and Princes 'no doubt are ſubject to Miſinformations, 'and many Actions may be intitled to their 'Names, when it is not done by themſelves. '*Antiochus*, King of *Aſia*, ſent his Letters 'and Miſſives to ſeveral Provinces, that if 'they received any Diſpatches in his Name 'not agreeable to Juſtice, *Ignoto ſe literas 'eſſe ſcriptas, ideoque iis non parerent*; 'and the reaſon of it is given by *Gratian*, 'becauſe that oſtentimes by the Importu'nity of Miniſters, *Principes ſæpe conſtrin'guntur ut non concedenda concedant*; and 'as it was in that Age, ſo it may be in 'this. And now to the Particular in the 'Declaration; we ſee what is ſaid of Po'pery and Arminianiſm. Our Faith and 'Religion is in danger by it; for like an 'Inundation it doth break in at once upon 'us. It is ſaid, if there be any difference 'of Opinion concerning the ſeaſonable In'terpretation of the Thirty-nine Articles, 'the Biſhops and the Clergy in the Con'vocation have power to decide it, and to 'order which way they pleaſe; and for 'ought I know, Popery and Arminianiſm 'may be introduced by them, and then it 'muſt be received by all. A ſtrange thing, 'that the Power of Religion ſhould be left 'to the Perſons of theſe Men. I honour 'their Profeſſion. There are among our 'Biſhops ſuch as are fit to be made Ex'amples for all Ages, who ſhine in Virtue, 'and are firm for our Religion; but the 'contrary Faction I like not. I remem'ber a Character I have ſeen in a Diary 'of

* This Gentleman, ſo famous for his Speeches in Parliament, was a Native of *Cornwall*. In *Michaelmas* Term 1607, when he was about 15 Years of Age, he became a Gentleman-Commoner of *Exeter* College in *Oxford*; but after he had been there about three Years, he went, it ſeems, without any Degree, to one of the Inns of Court, where he was made a Barriſter. *May* 10, 1618, he was knighted by King *James* at *Whitehall*; and ever after, as long as he lived, was choſe to ſerve in Parliament, either as Knight of the Shire, or as Burgeſs of ſome *Corniſh* Borough; but his brave Oppoſition to the Incroachments of riſing Favourites brought him ſeveral times into trouble; particularly in 1626, when he was committed, as has been already obſerved, to the Tower and the Gatehouſe: to the firſt, for his Speech, by way of Epilogue, to the Impeachment of the Duke of *Buckingham*; Sir *Dudley Diggs*, who ſpoke the Prologue, being his Fellow-Priſoner; and to the laſt, for refuſing to part with Money upon the Loan. And a little before the Diſſolution of this Parliament, we ſhall find, that for a Speech of his againſt ſome particular Perſons, he, with ſome other Members, was again committed to the Tower, and had an Information exhibited againſt him in the King's Bench, for a Sower of Diſcord, Sedition, *&c.* againſt the King's Nobles, Prelates, *&c.* in Parliament.

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'of *Edward* VI. that young Prince of famous Memory, where he doth expreſs the 'Condition of the Biſhops of that time under his own Hand-writing, *That ſome for 'Sloth, ſome for Age, ſome for Ignorance, 'ſome for Luxury, and ſome for Popery, 'were unfit for Diſcipline and Government.* We ſee there are ſome among our 'Biſhops who are not orthodox nor ſound 'in Religion as they ſhould be; witneſs 'the two Biſhops complained of † the laſt 'Meeting of the Parliament; I apprehend, 'that ſhould we be in their power, we may 'be in danger to have our Religion overthrown. Some of theſe are Maſters of 'Ceremonies, and they labour to introduce 'new Ceremonies into the Church; yet 'ſome Ceremonies are uſeful. Give me 'leave to join, that I hold it neceſſary and 'commendable, that at the Repetition of 'the Creed we ſhould ſtand up, to teſtify 'the Reſolution of our Hearts, that we 'will defend the Religion which we profeſs; 'and in ſome Churches it is added, they 'did not only ſtand upright with their Bodies, but with their Swords drawn. Let 'us go to the ground of our Religion, and 'lay down a Rule on which all others may 'reſt; then when that is done, it will be 'time to take into conſideration the Breakers 'and Offenders of that Rule.'

THIS Speech being ended, the Commons after ſome Debate upon ſuch a Power of determining the Senſe of the thirty-nine Articles, were work'd up into ſuch a Ferment, that, in order to prevent the Dangers they were afraid of, by the Introduction of Popery or Arminianiſm, they entered into the following ſolemn Proteſtation or Vow:

Commons Vow.

'WE the Commons in Parliament aſ'ſembled, do Claim, Proteſt, and Avow 'for Truth, the Senſe of the Articles of 'Religion, which were eſtabliſhed by Par'liament in the 13th Year of our late Queen 'Elizabeth, which by the publick Act of 'the Church of *England*, and by the ge'neral and current Expoſitions of the Wri'ters of our Church, have been delivered 'unto us. And we reject the Senſe of the 'Jeſuits and Arminians, and all others, 'wherein they differ from us.'

Both Houſes petition the King for a Faſt.

THE Fears and Jealouſies about Religion were ſo much in the heads of the leading Men of the Houſe of Commons, that in order to make the People believe it was actually in very great danger, they deſired the Concurrence of the Lords, to petition the King for a Faſt, which, with ſome difficulty they obtained; and on the 30th of *January* an Addreſs to that purpoſe was preſented to the King by both Houſes, denoting the Jealouſies and Diſtractions at home, and the Miſeries of the Reformed Churches abroad, to be apparent Signs of God's Diſpleaſure, and praying that a Day of publick Faſting and Prayer might be appointed by his Majeſty, to ſeek the Favour of Almighty God.

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THE King plainly perceived the Drift of this Petition; and though he did not think fit to reject it, yet he anſwered, That the Cuſtom of *Faſting* every Seſſion was but lately begun; that he granted it for this time, though he did not ſee the Neceſſity of it; that he did not intend to grant a Faſt for the future, except on extraordinary occaſions; and that as for the Reformed Churches abroad, *Fighting* would do them more good than *Faſting*.

King's Anſwer.

SOON after this, the Commons preſented a Declaration to the King, to apologize for their giving Matters of Religion preference before the Bill of Tonnage and Poundage, which he had ſo often preſſed by Speeches and Meſſages. They therein deſired to be excuſed, becauſe of the extreme Dangers of Religion, and the indiſpenſable Neceſſity of ſecuring it from Popery and Arminianiſm, the Profeſſor of the one being an open Enemy, and the Maintainer of the other a ſubtle and more dangerous Underminer of the eſtabliſhed Religion; and they concluded with Thanks to the King for his Promiſes to maintain Religion, which they prefer above their Lives, and all earthly things whatever; thereby reproaching him tacitly for not performing them, and at the ſame time courting him that their future Proceedings may be the more acceptable.

Commons Apology to the King for preferring Religion to Tonnage and Poundage.

THE King anſwered this Declaration not fully and particularly, but by ſome ſhort Remarks. He told them, *he thought it ſtrange that they ſhould have an ill Opinion of him with reſpect to Religion.* He aſſured them, *that he would never ſtop his Ears to any Complaints upon that Subject, provided that in* Form and Matter the Commons *did not tranſgreſs their Limits.* And he concluded with theſe Words, 'I muſt ſtill be inſtant with you, 'that you proceed with Tonnage and Poun'dage with diligence, (not looking to be de'nied in ſo juſt a deſire) and you muſt not 'think it ſtrange, if I, finding you ſlack, 'give you ſuch further quickning as I ſhall 'find cauſe.'

The King's Anſwer.

THE

† Theſe Suſpicions, ſays *Rapin*, fell chiefly upon *Laud* and *Neile*, who being the King's Counſellors for Matters of Religion, governed almoſt all the other Biſhops.

Debates about the King's Declaration concerning Disputes about Religion.

THE 4th of *February*, the House continued their Debates about Matters of Religion, and particularly about the Proclamation or Declaration to prohibit Disputes upon that Article. It was alledged, that the same was a Snare to entrap the Orthodox, or as some said, to suppress the Puritans, and to give more liberty to the Arminians; and that the Persons who had advised the King to it were *Laud* and *Mountague*. They also complained of a late Pardon granted by the King, under the Great Seal, which, though intended only for Bishop *Mountague*, according to the Warrant for drawing it, yet the Attorney-General had put in three other Ecclesiasticks, the most suspected of any in *England*, viz. Dr. *Cosins*, Dr. *Sibthorp*, and Dr. *Manwaring*; insomuch, that Sir *Robert Philips* said in a Speech, *If ever King of* England *was abused in his Mercy, it is our King. What Persons are pardoned? Even the greatest Enemies to the Church and State, that were standing under the Judgment of the Parliament, and they are pardoned between Parliaments.*

Pardons of Mountague, Sibthorp, Manwaring, *&c.*

THEY were not only pardoned, but in contempt of the Parliament, promoted to good Bishopricks, or other good Benefices. Is it possible to justify the King's Complaisance for those who advised him to protect so openly, nay to prefer Men so odious to the Parliament, since he could not be ignorant how much he rendered himself suspected by such a Conduct? At least, it cannot be denied, that he afforded his Enemies a Handle against him. But besides that it was the Temper of the King and Court to look upon the Parliament, and especially the Commons, with extreme Contempt, the King could deny nothing to Dr. *Laud*, who was his Prime Counsellor in Ecclesiastical Affairs.

Mr. Rolls called out of the Parliament-House, and served with a Subpœna.

ON the 10th of *February*, whilst the House was in Debate touching Matters of Religion, the Warehouse of Mr. *Rolls* Merchant, and then a Member sitting in the House, was lock'd up by a Pursuivant, and himself called out, and served with a Subpœna *.

Debate upon it.

THIS occasioned smart Debates in the House, where some said they were made the Subject of Scorn and Contempt; others took it as a Bone thrown in to divert and interrupt them in the Prosecution of the Religious Grievances; and they desired the Messenger might be sent for and examined, by what Procurement this Subpœna was taken out.

SIR *Humphry May*, Chancellor of the Duchy, and one of the Privy-Council, assured the House, that it proceeded neither from the King nor Council, and therefore desired it might be searched to the bottom. The Attorney-General wrote a Letter to Mr. *Rolls*, that the serving a Subpœna upon him was a mistake, and pray'd that a favourable Construction might be put upon it; but it appeared upon a Report from the Committee of Tonnage and Poundage, that the Attorney, notwithstanding his Letter, did give Order for the Process against Mr. *Rolls*; and that in the Bill preferr'd in the Exchequer, it was expressed, that the Merchants did plot, practise, and combine against the Peace of the Kingdom.

A Committee on Tonnage and Poundage.

THE 12th of *February*, the House being formed into a Committee on the Bill of Tonnage and Poundage, and several Merchants having petitioned that their Goods were not only seized, but Informations preferr'd against them in the Star-Chamber, they sent for the Officers of the Customs to know upon what account they had seized the Merchants Effects, and carried them to the King's Storehouse. They replied, it was for refusing to pay Tonnage and Poundage, and other Duties. But because of the Information already preferred against the Merchants in the Exchequer and Star-Chamber, the Commons resolved not to proceed with the Bill of Tonnage and Poundage, till the Goods were restored to the Owners; and Mr. *Noy* expressed himself in these Words:

Mr. Noy's Speech.

'WE cannot safely give, unless we be 'in possession, and the Proceedings in the 'Exchequer nullified, as also the Informa-'tion in the Star-Chamber, and the An-'nexion to the *Petition of Right*; for it 'will not be a Gift, but a Confirmation; 'neither will I give, without the Removal 'of those Interruptions, and a Declaration 'in the Bill, that the King hath no right, 'but by our free Gift: if it will not be 'accepted, as it is fit for us to give, we 'cannot help; if it be the King's already, 'we do not give it.'

A Message to the Barons of the Exchequer, and their Answer.

UPON this the House ordered, that the Barons of the Exchequer be sent to, to make void their Injunction concerning the staying of the Merchants Goods: The Barons returned Answer, that they did not by their Injunctions determine, or any way touch upon the Right of Tonnage and Poundage; neither

* Mr. *Rapin* says, that the Parliament only sent for Mr. *Rolls* out, to order him not to touch what was lock'd up; which appears from *Rushworth* to be a mistake.

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neither did they by their Orders bar the Owners from ſuing for their Goods in a Courſe of Law; but whereas the Merchants endeavoured to take their Goods out of the King's Poſſeſſion by Writs of Replevin, which was no lawful Courſe in the King's Caſe, nor agreeable to his Royal Prerogative, therefore the Court of Exchequer did ſtay thoſe Suits, and fully declare, that the Owners, if they thought themſelves wrong'd, might take ſuch Remedy as the Law allows.

Not ſatisfactory.

THIS Anſwer, which was not to the purpoſe, not being ſatisfactory to the Commons, a Motion was made to conſider of their Proceedings, and whether ever a Court of Exchequer held this Courſe before, for ſtaying of Replevins; and whether this hath been done by Prerogative of the King in his Court of Exchequer.

The Report of the Committee concerning the Pardons granted to Manwaring, Mountague, Sibthorp, &c.

THE ſame day a Report was made from the Committee, to inquire into the Pardons granted ſince the laſt Seſſion to certain Perſons queſtioned in Parliament; that upon Examination of *Heath*, the Attorney-General, *&c.* they found that Dr. *Sibthorp*, and Mr. *Coſins* did ſollicite their own Pardons, and that they ſaid the Biſhop of *Wincheſter* ſhould get the King's Hand to them. It alſo appeared to the Committee, that the Biſhop of *Wincheſter* did promiſe the procuring of Mr. *Mountague*'s Pardon; that Dr. *Manwaring* ſollicited his own Pardon, and that the Biſhop of *Wincheſter* got the King's Hand to it. Mr. *Oliver Cromwell*, who was one of this Committee, informed the Houſe what countenance the ſaid Biſhop gave to ſome Perſons, (whom he mentioned by Name) who preached flat Popery; and how by this Biſhop's means Dr. *Manwaring*, (who, by Cenſure of the laſt Parliament, was diſabled from ever holding any Eccleſiaſtical Dignity in the Church, and who confeſſed the Juſtice of that Cenſure) was now advanced to a rich Living. *If theſe be the Steps to Church-Preferment*, ſaid he, *what may we expect?*

Mr. Cromwell againſt the Biſhop of Wincheſter.

Complaint of the not licenſing Books againſt Popery and Arminianiſm.

TO confirm the Suſpicions of the Commons againſt *Laud*, a Petition was ſet on foot by the Artifice, or at leaſt the Countenance of this Committee, from the Printers and Bookſellers in *London*, complaining of the Reſtraint of Books written againſt Popery and Arminianiſm, whilſt a Licenſe was never refuſed to ſuch as were compoſed in favour of Popiſh or Arminian Doctrines. They even inſtanced in certain Books againſt Popery, which were denied to be licenſed, and in ſeveral Printers and Bookſellers who had been ſent for by Purſuivants for printing Books againſt Popery; and they affirmed this was all done by the ſole means of the Biſhop of *London*, or his Chaplains, to whom alone the Examination and Licenſing of Books was committed.

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Who were the ſole Licenſers of Books.

Mr. Selden about Printing.

Mr. *Selden* took notice upon this occaſion, that there was no Law to prevent the Printing of any Books in *England*, only a Decree in the Star-Chamber; and he moved that a Law might be made concerning Printing, otherwiſe, *ſaid he*, a Man might be fined, impriſoned, and his Goods may be taken from him by virtue of the ſaid Decree; which is a great Invaſion upon the Liberty of the Subject.

Another Committee about the Merchants.

THE Houſe of Commons being inform'd, that an Information was preferred in the Star-Chamber againſt *Richard Chambers* and others, they referred the ſame to a Committee to examine the Truth of their Proceedings, and whether they ought not to have Privilege of Parliament, in regard they had then a Petition in Parliament, to protect them againſt the ſaid Proceedings; and Sir *William Aſton*, Sheriff of *London*, being examined before the Committee concerning Matters about the Cuſtomers, and not giving that clear Anſwer which he ought, and as the Houſe conceived he might have done, was therefore committed to the Tower of *London*. And a Queſtion being then put in the Houſe, whether the Houſe had at any time before committed a Sheriff of *London* to Priſon; Mr. *Selden* made anſwer, That he could not call to mind a Precedent of ſending one Sheriff of *London* to Priſon, but he well remembered a Precedent of ſending both the Sheriffs of *London* to the Tower; and he inſtanced the Caſe.

Sheriff of London *committed to the Tower by the Commons.*

Debates about Increaſe of Popery.

February 13, the Parliament took into conſideration the great Increaſe of Popery; and it was moved to examine the releaſing of the Jeſuits that were arraigned at *Newgate*, whereof only one was condemned, though they were ten in number, and all of them Prieſts, who had a College about *Clerkenwell*. Theſe Men, *ſaid ſome of the Members*, could not attempt theſe Acts of Boldneſs, if they had not great Countenance.

College of Jeſuits at Clerkenwell, *&c.*

HEREUPON Secretary *Cook* declared, That a Miniſter of State having notice of theſe Prieſts, and their intended College, acquainted his Majeſty with it, who referred it to the ſpecial Care of the Lords of the Council, by whom thoſe ten Perſons

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were examined, ſent to *Newgate*, and ordered to be proſecuted by the Attorney-General. He added, that this College was firſt at *Edmonton*, then at *Camberwell*, and removed thence to *Clerkenwell*. Upon this it was ordered, that next day every Member of the Houſe ſhould declare what he knew of Letters, and other means uſed, for the ſtaying of Proceedings againſt Recuſants; and Meſſengers were ſent to the Attorney, to examine him touching that matter.

Examinations about their Proſecution.

Mr. *Long*, a Juſtice of Peace, was likewiſe ſent for and examined; who ſaid, that by Mr. Secretary *Cook*'s Appointment he apprehended thoſe Perſons, and took their Examinations, but that he heard they were releaſed out of *Newgate* by order from Mr. Attorney; that Mr. *Middlemore*, a general Solicitor for the Papiſts, hired this Houſe, and that there are divers Books of Receipts and Diſburſements to the Value of above 300 *l.* a Year in the Hands of Mr. Secretary *Cook*, with the Names of certain Recuſants who allowed towards the Maintenance of this College.

SIR *Robert Philips* complained, that 500 at a time have been ſeen coming from Maſs in *Somerſet* Houſe; and that there are 940 *Engliſh*, *Scots*, and *Iriſh* in Religious Houſes in the *Netherlands*, maintained by the Papiſts of *England*.

IT was further reported from the Committee, That the Prieſt taken at *Clerkenwell*, and condemned, was to be reprieved by a Warrant from the King, ſignified by a Privy-Counſellor; and another Warrant was produced by the Keeper of *Newgate*, under the Hand of the King's Attorney-General, to releaſe the other nine Prieſts: To which Mr. Secretary *Cook* replied, That *the King being merciful in caſe of Blood, gave direction for reprieving the condemn'd Prieſt.* But the Houſe not willing to let this paſs, appointed ſome of the Members to go to the Lord Chief-Juſtice, and the other Judges that were preſent at the Trial, to know why the Papers and Evidences which Mr. *Long* had to produce, were not made uſe of.

Their Pardons.

THE Anſwer which Sir *Robert Heath* gave to the Committee, was as follows:

Attorney-General's Anſwer concerning their Proſecution.

'I did receive (*ſaid the Attorney*) an 'Order from the Council-Board, touching 'ſome Perſons conceived to be Prieſts, pur- 'ſuant to which I cauſed them to be ſent 'for from their ſeveral Priſons, and committed all to *Newgate*; and having di- 'rected Indictments to be drawn againſt 'them as Prieſts, I ſent for and took the 'Informations of Witneſſes; and by ad- 'vice of Mr. Secretary *Cook*, deſired Mr. '*Long*, who was formerly acquainted with 'that Buſineſs, to take ſpecial Care of it 'at the Seſſions; though if I had con- 'ceived that I was directed by the Order 'to go thither myſelf, I ſhould not have 'declined the Service.

'I never heard of any Lands convey'd 'to the Uſe of thoſe Perſons, or of any 'Foundation there, and what mention was 'made of it in ſome of the Papers de- 'livered to me by Mr. Secretary, was ſo 'general, that I know not how to inquire 'of it; but according to the ſpecial Or- 'der of the Board, I took care to intitle 'the King to the Goods, purſuant to an 'Inquiſition found and returned by a Com- 'miſſion granted to Gentlemen of very good 'Quality; for which Commiſſion I have a 'Warrant to the Treaſurer's Remembran- 'cer of the Exchequer.

'I had Warrant from his Majeſty to 'bail them; but for the manner of that, I 'muſt crave leave to acquaint the King 'therewith, before I anſwer any farther.

'I underſtood that three of them were 'indicted for Treaſon; and I directed Mr. '*Long*, that if the Indictments ſhould not 'be found for Treaſon, yet to tender them, 'and all the reſt, the Oath of Allegiance, 'to bring them within the King's Mercy 'upon a Premunire, if they ſhould refuſe 'the Oath; which Oath I underſtood was 'miniſter'd to them accordingly at that 'Seſſion, and that the Indictment was 'found againſt one of them only to be 'a Prieſt, and that the others were quit. 'Therefore receiving an expreſs Command 'from the King for bailing them, I did 'conceive they were bailable, which other- 'wiſe I would not have done. The Bonds 'I took and keep them myſelf; for the 'Surety, I refer myſelf to the Bond, and 'underſtand that ſome of them were 'Houſe-keepers in the Town. I gave 'Directions for Indictments to be drawn 'againſt them, but no ſpecial Directions 'whether they ſhould be drawn againſt '*Jeſuits* or *Prieſts*, which I left to the Care 'of Mr. *Long*, and did not then conceive 'there was any difference in the Subſtance 'of the Indictment for Treaſon between 'Prieſts and Jeſuits.

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'I can give no ſpecial Reaſon why I 'rather bound them to appear at the Coun-'cil-Table, than at the Seſſions, but only 'this, becauſe I received my firſt Directions 'from the Council-Board.'

THE Attorney's Anſwer not being ſatiſfactory, and being again ſent to for a clearer Anſwer, he ſaid, 'As for the Warrant I 'received for the Diſcharge of the Pri-'ſoners, and the Bond I took upon their 'Deliverance, which has a Dependance 'upon that Warrant, and whereof ye re-'quire an account, I have attended his 'Majeſty, but have no leave to ſhow them; 'and the Bonds being taken but in *De-'cember* laſt, I conceive it proper for my 'place to keep them with me; but ſhall 'be ready to deliver them when I ſhall 'receive a Command to that purpoſe.'

Officers of the Cuſtoms again examined.

THE 19th of *February*, which was the Day after the Faſt, the Officers of the Cuſtoms being again ſent for to anſwer the Point of Privilege, in taking the Goods of Mr. *Rolls*, a Member of the Houſe, one of them ſaid, *That he took his Goods by virtue of a Commiſſion under the Great Seal, and other Warrants: That he knew Mr.* Rolls *demanded his Privilege; but he underſtood that his Privilege extended only to his Perſon, and not to his Goods.* And he further ſaid, *He took thoſe Goods for Duties that were due in the time of King* James; *and that his Majeſty had ſent for him, and commanded him to make no other Anſwer.*

ANOTHER of the Officers ſaid, that he knew Mr. *Rolls* to be a Parliament-Man, and that he told him, *he did not find any Parliament-Man exempted in their Commiſſion.* And as for the Words charged on him, that he ſhould ſay *, *If all the Body of the Houſe were in him, he would not deliver the Goods*; he anſwered, *if he ſaid he would not, it was, becauſe he could not.*

Mr. Selden *in a Paſſion.*

UPON this Mr. *Selden* ſaid, *If there be any Man near the King that doth miſrepreſent our Actions, let the Curſe light on them, not on us; and believe it, 'tis high time to vindicate ourſelves in this Caſe, elſe it is in vain for us to ſit here.*

The Houſe in a Committee.

THEN for the greater Freedom of Debate, the Houſe formed itſelf into a Committee, and ordered that no Member go out without leave while it ſate.

Mr. Noy.

Mr. *Noy* was of Opinion, That the Cuſtomers had neither Commiſſion nor Command to ſeize; and that therefore the Houſe may, without doubt, proceed ſafely to the Queſtion, that its Privilege is broke by the Cuſtomers, without relation to any Commiſſion or Command from the King: Which Motion was ſeconded by Mr. *Nathaniel Rich.*

CHARLES I. A°. 1629.

THE 22d of *February*, when the ſame Affair was upon the Carpet, ſome of the Members were for a bare Reſtitution of the Goods taken, others for impleading thoſe who took them as Delinquents. In the mean time, Mr. Secretary *Cook* brought this Meſſage from the King, grounded upon an Order made the Day preceding in full Council; 'That it concerns his Majeſty, 'in a high Degree of Juſtice and Honour, 'that Truth be not concealed; which is, that 'what the Cuſtomers did, was by his own 'direct Order and Command at the Coun-'cil-Board, himſelf being preſent: And 'though his Majeſty takes it well, that 'the Houſe have ſever'd his Intereſt from 'the Intereſt of the Cuſtomers, yet this 'will not clear his Majeſty's Honour, if 'the ſaid Cuſtomers ſhould ſuffer for his 'ſake.'

Meſſage from the King about the Cuſtomers.

THE King's Commiſſion to the Lord-Treaſurer and Barons of the Exchequer, and to the Cuſtomers of the Ports, was to this effect.

C. R.

'WHEREAS the Lords of the Council, 'taking into conſideration our Revenue, 'and finding that Tonnage and Poundage 'is a principal Revenue of our Crown, and 'has been continued for theſe many Years; 'have therefore ordered all thoſe Duties of 'Subſidy, Cuſtom and Impoſt, as they were 'in the 21ſt of King *James*, and as they 'ſhall be appointed by us under our Seal, 'to be levied: Know ye, that we, by the 'Advice of our Lords, declare our Will, 'that all thoſe Duties be levied and col-'lected as they were in the time of our 'Father, and in ſuch manner as we ſhall 'appoint; and if any Perſon refuſe to 'pay, then our Will is, That the Lord-'Treaſurer ſhall commit to Priſon ſuch 'ſo refuſing, till they conform themſelves. 'And we give full Power to all our 'Officers from time to time, to give 'Aſſiſtance to the Farmers of the ſame, 'as fully as when they were collected by 'Authority of Parliament.'

King's Commiſſion to the Cuſtomers, &c.

A Report being made from the grand Committee, after ſeveral hot Speeches *pro* and *con*, that they had taken into conſideration the Violation of the Liberty of

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* Vide p. 676. of this Hiſtory.

Resolve of the Committee about Mr. Rolls.

the Houſe by the Cuſtomers, and had reſolved, that Mr. *Rolls* ought to have Privilege both of Perſon and Goods; but that the Command of the King is ſo great, that they leave it to the Houſe.

Debates.

THEY then enter'd into the conſideration of the King's laſt Meſſage; upon which, ſome took occaſion to ſay, That theſe interruptions proceeded from certain Prelates, and others, Abettors of the Popiſh Party, who fear to be diſcovered, and would provoke to a Breach. To which Sir *Humphry May* reply'd, *We have Oil and Vinegar before us*; if you go to puniſh the Cuſtomers, *as Delinquents, there is Vinegar in the Wound: Think rather of ſome courſe to have reſtitution.* Others ſaid, *Delinquency cannot be named, but preſently a Breach muſt be intimated. When we do that which is juſt, let there be no fear nor memory of Breaches, and let us go upon the Delinquency of the Men.*

Sir Humphry May.

Sir John Elliot's *Speech againſt particular Perſons.*

HEREUPON, Sir *John Elliot* made a ſtinging Speech, wherein he named Dr. *Neal* the Biſhop of *Wincheſter*, and the Great Lord-Treaſurer (*Weſton*,) *In whoſe Perſon*, ſaid he, *all Evil is contracted*; *I find him acting and building on thoſe grounds laid by his Maſter the great Duke; and his Spirit is moving to theſe Interruptions, and they for fear break Parliaments, leſt Parliaments ſhould break them. I find him the Head of all the great Party; the * Papiſts, all Jeſuits and Prieſts, derive from him their Shelter and Protection*, &c.

His Remonſtrance.

Sir *John* offer'd a Remonſtrance to be delivered to the King; which the Speaker and Clerk refuſing, he read it himſelf to this effect: 'That they had conſidered on a Bill for Tonnage and Poundage; but were over-preſs'd with other 'Buſineſs, and that ſo perplex'd, as would 'require more time to diſcharge, than 'they could then ſpare. And leſt his 'Majeſty ſhould hereafter, as he had 'done heretofore, incline to evil Spirits, 'or be abuſed to believe that he might 'juſtly receive the Subſidies of Tonnage 'and Poundage; they humbly declare it 'to be againſt the fundamental Law of 'the Nation, and contrary to the King's 'late Anſwer to the *Petition of Right*. 'And therefore they crave, that his Majeſty would for the future, forbear ſuch 'Taxes, and not take it ill if his Subjects 'refuſe what is commanded by arbitrary 'and unwarrantable Power.'

Speaker refuſes to put the Queſtion.

Sir *John Finch* the Speaker was moved to put the Queſtion, *Whether it ſhould be preferred to the King*: but he refuſed; and ſaid, *the King commanded him otherwiſe.*

Mr. Selden's Speech upon it.

Then ſaid Mr. *Selden*, *Dare not you*, Mr. Speaker, *put the Queſtion when we command you? If you will not put it, we muſt ſit ſtill; thus we ſhall never be able to do any thing. They that come after you may ſay, They have the King's command not to do it. We ſit here by the command of the King under the Great Seal; and you are, by his Majeſty ſitting in the Royal Chair, before both Houſes, appointed for our Speaker; and now you refuſe to perform your Office.*

Two Adjournments; the one voluntary, the other commanded.

As ſuch a Declaration of ſuch a Command could not but throw the Houſe into a ſurprize and diſturbance, they adjourn'd to the 25th of *February*; and then by his Majeſty's Order, both Houſes were adjourned to the 2d of *March*.

THE Commons meeting on that Day, Mr. *Strode* ſaid, 'Let the Remonſtrance 'be read, that we may not be turn'd off 'like ſcatter'd Sheep, and ſent home, as 'we were laſt Seſſion, with a ſcorn put 'upon us in print.'

Speaker again refuſes to put the Queſtion.

THE Speaker being again urged to put the Queſtion, he declin'd it; and ſaid, he had a command from the King to † adjourn the Houſe till the 10th of *March*, and put no Queſtion.

THE Speaker was preſs'd to it again and again; but he could make no other Anſwer, than that his Majeſty had expreſſly commanded him to riſe as ſoon as he had delivered the Meſſage of Adjournment. Accordingly he roſe to leave the Chair; but Mr. *Denzil Hollis* and Mr. *Benjamin Valentine* drew him back, and held him in it by force, while the Door was ordered to be lock'd, and the Key given to Sir *Miles Hobart*. Sir *Thomas Edmonds* and other Privy-Counſellors then in the Houſe, endeavoured to free the Speaker; but Mr. *Hollis* cry'd, *He ſhall ſit till it pleaſes us to riſe.* Upon which the Speaker, with Tears in his Eyes, cry'd, *I do not ſay I will not, but I dare not.* He deſired, *they would not command his Ruin, in regard he had been their faithful Servant; but he durſt not ſin againſt the expreſs command of his Sovereign.* Mr. *Selden* reply'd, *I ever loved*

He is held in the Chair by force.

* Lord *Weſton* died a Papiſt, tho' as an Occaſional Conformiſt he uſed to go to Church with the other Courtiers.

† 'Tis very well obſerv'd by Mr. *Coke* in his *Detection*, that in a former Seſſion of this Parliament, Sir *Edward Coke* ſaid, *The King makes a Prorogation, but the Houſe adjourns itſelf.* That the Houſe never read a Commiſſion of Adjournment; but ſay, *the Houſe adjourns itſelf*; yet here the Speaker verbally ſays, *I am commanded by the King to adjourn the Houſe till the* 10*th of* March.

loved your Perſon, but I cannot chuſe but condemn you now, that you being a Servant of the Houſe, ſhould refuſe their Commands; which Obſtinacy will be a Precedent to Poſterity if it ſhould go unpuniſhed. He therefore wiſh'd him to proceed; which he ſtill refuſed, and burſt out again into Tears. Sir *Peter Hayman*, a Countryman of his, ſaid, *I am ſorry you are my Kinſman, for you are the Diſgrace of your Country, and a Blot of a noble Family. Poſterity will remember you with Scorn and Diſdain. For my part, ſince you will not be perſuaded to do your Duty, I think it fit you ſhould be called to the Bar, and a new Speaker choſe.*

THE Houſe perceiving *Finch*'s inflexibility, and foreſeeing that the next Act would be a Diſſolution, and that this was the only Opportunity they ſhould have of bearing their Teſtimony againſt the Miniſtry, the following Proteſtation was drawn up by Sir *John Elliot*, which, at the Requeſt of Sir *Peter Hayman*, was read by Mr. *Hollis*, and approved by the Majority; tho' not without great tumult and confuſion, and ſome few blows *.

Commons final Proteſtation while the Speaker was held in his Chair.

1. Whoſoever ſhall bring in Innovation of Religion, or by favour or countenance ſeem to extend or introduce *Popery* or *Arminianiſm*, or other Opinion diſagreeing from the Truth and Orthodox Church, ſhall be reputed a capital Enemy to this Kingdom and Commonwealth †.

2. Whoſoever ſhall counſel or adviſe the taking or levying the Subſidies of Tonnage or Poundage, not being granted by Parliament, or ſhall be an Actor or Inſtrument therein, ſhall be likewiſe reputed an Innovator in the Government, and a capital Enemy to the Kingdom and Commonweath.

3. If any Merchant or Perſon whatſoever ſhall voluntarily yield or pay the ſaid Subſidies of Tonnage and Poundage, not being granted by Parliament, he ſhall likewiſe be reputed a Betrayer of the Liberties of *England*, and an Enemy to the ſame.

To each of theſe the Houſe gave a loud Applauſe.

WHEREUPON the King ſent for the Serjeant of the Houſe of Commons (*Edward Grimſton*) but he was lock'd in with the Members; then he ſent *Maxwell* the Uſher of the Black-Rod, with a Meſſage; but he was refuſed admittance till the ſaid Votes were read; during which, the King, *in great Indignation*, ſays Mr. *Echard*, *ſent for the Captain of his Guards.* And then in much confuſion, the Houſe, after having ſate thus two Hours, was adjourned to the 10th of *March*, according as had been intimated from the King. Mean time, as his Majeſty expected no Supply of Money from this ſecond Seſſion, he was very glad of having, as he thought, a plauſible pretence to diſſolve the Parliament; and that very Day, *viz. March* 2. a Proclamation was drawn up, but not publiſhed till after the 10th, by which his Majeſty declared the Parliament diſſolved ‡.

Another Adjournment, and Proclamation for its Diſſolution.

THE next day, *viz. March* 3, (** according to *Ruſhworth*) Warrants were directed from the Council to *Denzil Holles* Eſq; Sir *Miles Hobart*, Sir *John Elliot*, Sir *Henry Hammond*, Sir *John Corbet*, Sir *John Heveningham*, Sir *John Barrington*, Sir

Members ſummon'd before the Council.

* It was ſet forth in an Information exhibited in the Star-Chamber againſt Sir *John Elliot*, that Mr. *William Coriton* ſtruck Mr. *Winterton*.

† Dr. *Kennet* obſerves, that this was ſomewhat owing to the many Innovations in the Cathedral of *Durham*, and to the unmerciful Proſecution of the Reverend Mr. *Peter Smart*, one of the Prebendaries, who preached againſt them; and afterwards *proved before the Parliament*, that being juſtly offended with their Innovations in the Communion-Table, Font, Candles, Pictures, Images, Copes, Singing, Veſtments, Geſtures, Prayers, Doctrines and Speeches of Dr *Coſins* (already mentioned) and other Alterations unlawfully uſed and practiſed in the ſaid Cathedral, he oppoſed the ſame, and in diſcharge of his Duty, did upon the 27th of *July*, 1628, in a Sermon preached in the Cathedral, wherein there was nothing ſcandalous nor diſagreeable to the Word of God, or the Doctrine and Diſcipline of the Church of *England*, reprove thoſe Innovations and Innovators, and exhorted the People to keep themſelves from the Infections of them; that during the ſaid Sermon, the ſaid Dr. *Coſins* demeaned himſelf turbulently; and when it was ended, he and others ſent a Warrant for Mr. *Smart* in the Name of an Attachment under the High-Commiſſion Seal for that Province, by two Purſuivants, to convene him before them; whereupon he appeared, and delivered up to them the imperfect Notes of his Sermon, which were ſealed up, and he ordered to attend the next day: That he was for the ſame proſecuted for ſix Months together, by the Dean and Prebendaries of *Durham*, where he was cenſured by two Acts of Sequeſtration, and one of Suſpenſion: that then he was unlawfully tranſmitted to *London*, to anſwer for the ſame Cauſe before the High-Commiſſion, and thence ſent back to the High-Commiſſion at *York*, where he was fined 500 *l.* committed to Priſon, detained under great Bonds, excommunicated, ſequeſter'd from all his Eccleſiaſtical Livings, and degraded *ab omni gradu & dignitate Cleritali*, becauſe he did not recant, and pay coſts; by colour of which Degradation, his Prebend and Parſonage were both taken from him, and he kept in Priſon; by which heavy and unjuſt Oppreſſions, his Life was ſeveral times endangered, and he and his Children loſt and ſpent above 14000 *l.* of real Eſtate, whereby they were utterly undone.

‡ Beſides the Hiſtory of this Parliament by Sir *Thomas Crew*, in 8*vo*, the Curious may find a true Relation of every day's Proceedings in the laſt Seſſion, in MSS. *Harley* 62. A 11. and another Abſtract of *Proceedings* in the ſame among the MSS. Collections left to *Lambeth* Library by Archbiſhop *Tenniſon*, in *Folio*.

A modern Hiſtorian ſays, that Biſhop *Williams*, who foreſaw the diſmal Effects of ſuch arbitrary Counſels and Actions, importuned the Lord *Weſton* to tell his Majeſty, *That he ſhould be glad to ſee the Parliament meet again for all this; and that there might be a Conference between the two Houſes to debate about Differences, and that he hoped the Lords would check, if not cenſure the Commons, who were ſo very rude.* The Author commends the Biſhop's Advice, but at the ſame time charges him with flattering the Court, by inſinuating, contrary to his own Judgment, that the Lords would be induced to cenſure the Commons for aſſerting their Rights.

** Mr. *Whitelocke* ſays, theſe Warrants were dated the 5th inſtant, and Mr. *Sanderſon* makes it the 18th; but Mr. *Ruſhworth*'s Account ſeems to be the moſt certain.

FOEDERA Tom. XIX.

CHARLES I.

A°. 1629.

Sir *Peter Hayman*, *John Selden*, *William Coriton*, *Walter Long*, *William Strode* and *Benjamin Valentine*, Esqs; commanding their personal Appearance on the morrow.

Warrants and a Proclamation issued for others.

Hollis's *Examination and Answer.* Sanderson's *History*, p. 135.

Mr. *Hollis*, (who was Son to the Earl of *Clare*) being asked, *Why* (on the Day of Dissolution) *he placed himself by the Chair above several of the Privy-Council?* he said, 'That he had seated himself 'there at other times, and took it to be his 'Due there as well as any place whatsoever, '(unless at the Council Board) to sit above 'those Privy-Counsellors: That he came 'into the House with as much Zeal as any 'other to serve his Majesty; yet finding 'his Majesty offended, he humbly desir'd 'to be the Subject rather of his Mercy than 'his Power.'

THE Lord Treasurer reply'd, *You mean rather of his Majesty's Mercy than his Justice.*

I say (answer'd *Hollis*) *of his Majesty's Power, my Lord.*

Hobart's *Excuse.*

Hobart, whose Offence was locking the Parliament-Door, and putting the Key in his Pocket, was excused; because it was by command of the House. But Sir *Edward Peyton* says, he was remember'd for it on another occasion; for that one *Richard Plumley*, an ordinary Officer, pretending a Quarrel with Sir *Miles*, took an advantage of him, pull'd him out of his Coach, and beat him so that he died; for which *Plumley* was so far from being punished, that he was made Admiral of the *Irish* Seas, and knighted; when in strict Justice he should have been arraigned at the Bar for his Life.

Other Members Plea.

ALL the other Gentlemen were question'd for reproving the Speaker, and not permitting him to perform the King's commands; to which they pleaded *Privilege of Parliament.*

Elliot's *Answer.*

BUT *Elliot*, who was charged for Words he spoke in Parliament, and for producing the last Remonstrance, returned an Answer that was more peremptory; 'That what-'soever was said or done by him in that 'Place, and at that Time, was in the ca-'pacity of a publick Man, and a Member 'of the House; and that he was, and ever 'will be ready to give an account of his 'Sayings and Doings there, whensoever he 'should be called unto it by that House, 'where he conceives he is only to be 'questioned; and in the mean time, he 'being now but a *private Man*, would 'not trouble himself to remember what he 'said or did there as a *publick Person*.'

Four Members committed to the Tower.

* *Hollis*, *Elliot*, *Coriton* and *Valentine* were committed close Prisoners to the *Tower*, others to the *Fleet* and the *Gate-house*; and Warrants were issued for sealing up of the Studies of *Hollis*, *Elliot*, *Selden*, *Long* and *Strode*; and a Proclamation for apprehending the two latter. 'Tis observable, that as the Parliament was not yet actually dissolved, these Gentlemen were still Members of Parliament.

THE 10th of *March*, the Day whereto the Parliament was adjourned, which was just six days after the commitment of the Members, the King went to the Upper House, (the Peers being in their Robes, and a few of the Commons below the Bar, neither the Speaker, nor the House being call'd) where being seated on the Throne in his Royal Robes, and the Crown on his Head, he made his Court to the Lords in the following Speech.

My Lords,

King's Speech to the Lords at the Dissolution of the Parliament.

'I never came here on so unpleasant an 'Occasion, it being the Dissolution of a 'Parliament; therefore Men may have 'some cause to wonder why I should not 'rather chuse to do this by Commission, 'it being rather a general Maxim of Kings 'to leave harsh Commands to their Mini-'sters, themselves only executing pleasing 'things; yet considering that Justice as 'well consists in Reward and Praise of 'Virtue, as punishing of Vice, I thought it 'necessary to come here to-day, and to 'declare to you and all the World, that it 'was merely the undutiful and seditious 'Carriage in the Lower House that hath 'made the Dissolution of this Parliament; 'and you, *my Lords*, are so far from be-'ing any Causers of it, that I take as much 'comfort in your dutiful Demeanor, as I 'am justly distasted with their Proceedings: 'yet to avoid their mistakings, let me tell 'you, that it is so far from me to adjudge 'all the House alike guilty, that I know 'that there are many there as dutiful Sub-'jects as any in the World; it being *but 'some few Vipers among them* that did 'cast this Mist of Undutifulness over most 'of their Eyes: Yet, to say truth, there 'was a good number there that could not 'be infected with this Contagion; inso-'much that some did express their Duties 'in speaking, which was the general fault 'of the House the last Day.

'To conclude, as those *Vipers must look 'for their Reward of Punishment*, so you, '*my Lords*, must justly expect from me 'that Favour and Protection that a good 'King oweth to his loving and faithful 'Nobility.

'AND now, my Lord-Keeper, do what 'I have commanded you.'

THEN the Lord-Keeper said, *My Lords and Gentlemen of the House of Commons*, (tho',

* There is a manifest Error here in *Rapin's General History*, in *p.* 217, of the Translation in 8*vo*, VOL. X. where just after he has given an Account that these four Gentlemen were committed close Prisoners to the *Tower*, it is said, that a Proclamation was issued for apprehending *them*; but it is probable that he meant Mr. *Long* and Mr. *Strode*.

(tho', as is already obſerved, the Commons were not called) *the King's Majeſty doth diſſolve this Parliament.*

THE Diſcontents of the common People upon this Diſſolution were heightned againſt the powerful Men at Court, and the King's moſt intimate Counſellors; particularly againſt Biſhop *Laud* and the Lord-Treaſurer *Weſton*, who were accuſed of putting the King upon theſe violent Proceedings. For in a few days after, two Libels were found againſt them in the Dean of *Paul's* Yard. That againſt the Biſhop, (and the other was as bad) was to this effect; Laud, *look to thy ſelf, be aſſured thy Life is ſought; as thou art the Fountain of Wickedneſs, repent of thy monſtrous Sins before thou be taken out of the World; and aſſure thy ſelf, neither God nor the World can endure ſuch a vile Counſellor or Whiſperer to live.* That the Biſhop join'd heartily in the Advice for Diſſolving the Parliament, ſeems probable from his own Obſervation in his Diary, that this Parliament *ſought his Ruin*, and it was no doubt his Judgment that they ſought the *Ruin of the Church.*

Libels caſt abroad.

THE King reſolving to proceed in the Star-Chamber againſt the impriſoned Members, all the Judges met by his Order on the 25th of *April*, at *Serjeants-Inn*, to whom he propoſed the following Opinions, leſt he ſhould be accuſed of proceeding too arbitrarily.

Queſtions propoſed by the King to the Judges, concerning the impriſoned Members.

'1. Whether the Statute of 4 *H.* VIII. 'concerning *Richard Strode*, was a parti-'cular Act of a Parliament, and extended 'only to him and to thoſe Perſons that had 'join'd with him to prefer a Bill to the 'Houſe of Commons concerning Tinners?

Anſw. Altho' the Act be private, and extendeth to them alone, yet it was no more than all other Parliament-Men by the Privilege of the Houſe ought to have, *viz.* Freedom of Speech concerning Matters debated in Parliament by a parliamentary Courſe.

'2. Whether if any Subject hath re-'ceived probable Information of any Trea-'ſon, or treacherous Attempt or Intention 'againſt the King or State, that Subject 'ought not to make known to the King, or 'his Majeſty's Commiſſioners, when there-'unto required, what Information he hath 'received, and the grounds thereof; to the 'end that the King being truly informed, 'may prevent the Danger? And if the ſaid 'Subject ſhall in ſuch caſe refuſe to be ex-'amined, or to anſwer the Queſtions which 'ſhall be demanded of him for farther In-'quiry and Diſcovery of the Truth, whe-'ther it be not a high Contempt in him, 'puniſhable in the Star-Chamber, as an 'Offence againſt the general Juſtice and 'Government of the Kingdom?

Anſw. 'Tis an Offence puniſhable as aforeſaid, ſo that this does not concern himſelf, but another, nor draw him to danger of Treaſon or Contempt by his Anſwer.

'3. *Whether it be a good Anſwer or 'Excuſe, being thus interrogated, to ſay,* 'that he was a Parliament-Man when he 'received this Information, and that he 'ſpake thereof in the Parliament-Houſe; 'and therefore the Parliament being now 'ended, he refuſed to anſwer to any 'ſuch Queſtions but in the Parliament-'Houſe?

Anſw. The Judges did not venture to decide this Queſtion publickly; but gave this private Anſwer to the Attorney-General, That this Excuſe being in nature of a Plea, and an Error in Judgment, was not puniſhable, until he were over-ruled in an orderly manner, to make another anſwer; and whether the Party were brought in *Ore tenus*, or by Information, he was not for this Plea to be puniſhed.

'4. Whether a Parliament Man com-'mitting an Offence againſt the King or 'Council, not in a Parliament way, might, 'after the Parliament ended, be puniſhed or 'not?

Anſw. All the Judges, *unâ voce*, anſwered, he might, if he be not puniſhed for it in Parliament; for the Parliament ſhall not give Privilege to any *contra morem Parliamentarium*, to exceed the Bounds and Limits of his Place and Duty. And all agreed, that regularly he cannot be compell'd out of Parliament to anſwer things done in Parliament in a Parliamentary Courſe; but it is otherwiſe where things are done exorbitantly: for thoſe are not the Acts of a Court.

'5. Whether if one Parliament Man 'alone ſhall reſolve, or two or three ſhall 'covertly conſpire to raiſe falſe Slanders 'and Rumours againſt the Lords of the 'Council and Judges, not with intent to 'queſtion them in a legal Courſe, or in a 'Parliamentary way, but to blaſt them, 'and to bring them to the hatred of the 'People, and the Government in Con-'tempt, be puniſhable in the Star-Cham-'ber after the Parliament is ended?

Anſw. The Judges reſolve, That the ſame was puniſhable out of Parliament, as an Offence exorbitant committed in Parliament, beyond the Office and beſides the Duty of a Parliament-Man.

'6. Whether if a Man in Parliament by 'way of digreſſion, and not upon any oc-'caſion ariſing concerning the ſame in 'Parliament, ſhall ſay, *The Lords of the 'Council and the Judges* * *had agreed to 'trample upon the Liberty of the Subject 'and the Privileges of Parliament*, he 'were puniſhable or not?'

The Judges deſired to be excuſed from making an Anſwer to this Queſtion, becauſe it concern'd themſelves in particular.

'7.

* In an Information exhibited in the King's-Bench in Trinity-Term this Year, againſt Sir *John Elliot* and others, he was charged with that Expreſſion in the Houſe, to raiſe Sedition between the King, the Nobles, and the Commons.

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CHARLES I. A°. 1629.

'7. Whether if a Parliament Man being called *Ore tenus* before the Court of Star-Chamber, and charged that he did not ſubmit himſelf to Examination for ſuch things as did concern the King and Government, and were affirmed to be done by a third Perſon, and not by himſelf; whether, if he confeſs his hand to ſuch Refuſal, and make his Excuſe, and plead, becauſe he had Privilege of Parliament, *the Court will not over-rule this Plea as erroneous, and that he ought to make a further Anſwer?*

Anſw. It is the juſteſt way for the King and the Party not to proceed *Ore tenus*, becauſe it being a Point in Law, 'tis fit to hear Counſel before it be over-ruled; and upon an *Ore tenus*, by the Rules of the Star-Chamber, Counſel ought not to be admitted; and that it would not be for the Honour of the King, nor the Safety of the Subject to proceed in that manner.

Rapin's *Remarks on the Queſtions.*

THE Artifice of theſe Queſtions will be ſeen, 1. In the King's propoſing them in a general manner, as if they had not related to any particular Perſon's Caſe. 2. In his aſcribing to one, two, or three Members of the Houſe, what was done by a great Majority. 3. In ſuppoſing Offences, Outrages, Treaſons againſt himſelf or Council, and in deciding Queſtions of Law before the Facts were ſtated.

Whitelock's.

Judge *Whitelock* often highly complain'd againſt this way of ſending to the Judges for their Opinions beforehand; and ſaid, *That if Biſhop* Laud *went on in his way, he would kindle a Flame in the Nation.*

UPON the ſtrength of theſe Opinions however, the King confirmed his Reſolution of bringing the impriſoned Members to Submiſſion, or Penalties for their late Behaviour in St. *Stephen*'s Chapel: And on the 7th of *May*, Sir *Robert Heath* the Attorney-General, by ſpecial Order from the King, preferr'd an Information againſt them in the Star-Chamber, aggravating their Miſdemeanors in the late Parliament; which the Reader may find in *Ruſhworth* at large.

Information againſt the impriſoned Members, in the Star-Chamber.

They bring their Habeas Corpus.

IN *Trinity* Term, Mr. *Selden*, *Hollis*; *Strode*, and *Valentine* were brought to the King's Bench-Bar by ſeveral *Habeas Corpora*, and the Cauſe of their Commitment returned; one on a Warrant from the Council, another on a Warrant from the King *for Sedition and Contempt*; and the Argument was, whether it was a good Return.

Judges perplexed about it.

THE Judges of this Court were perplexed about the *Habeas Corpus*, and wrote a Letter to the King in humble but in ſtrong Terms, *That by their Oaths they were to bail the Priſoners, but thought fit before they did it, or publiſh'd their Opinions therein, to inform his Majeſty thereof; and humbly to adviſe him (as had been done by his noble Progenitors in like caſe,) to ſend a Direction to his Juſtices of his Bench, to bail the Priſoners.* But the Lord-Keeper (*Coventry*) would not own to Juſtice *Whitelock*, who was ſent to him from the reſt of his Brethren about this Buſineſs, that he ſhew'd the Judges Letter to the King; but diſſembled the matter, and told him, that he and his Brethren muſt attend his Majeſty at *Greenwich* on ſuch a day.

ACCORDINGLY the Judges of the Court aforeſaid, attended the King, who was not pleaſed with their Determination; but commanded them not to deliver any Opinion in this Caſe without conſulting the reſt of the Judges, who delay'd the Buſineſs, and would hear Arguments on the Caſe as well as the Judges of the King's Bench had done; and ſo the Buſineſs was put off to the end of the Term. The Court of King's Bench being then ready to deliver their Opinions, the Priſoners, inſtead of being brought to the Bar according to the Rule and Cuſtom of the Court, were by expreſs command removed to other Priſons; ſo that by being thus ſhifted from one Priſon to another, they could not be bailed, delivered, or remanded, but continued in Reſtraint all the long Vacation. And on the laſt day of this Term, a Letter came to the Judges from the King, that this was done, *becauſe of their former inſolent Carriage at the Bar:* Which Inſolence, according to a Remark of Mr. *Rapin*, was only their applying to the Judges for Bail, rather than to his Majeſty for Pardon.

UPON the approach of next Term, the Judges of the King's Bench being then in the Country, were ſent to by the Lord-Keeper to be at Serjeants-Inn by *Michaelmas*-Day. They came accordingly; and Sir *Nicholas Hyde* the Lord Chief-Juſtice, and Juſtice *Whitelock*, were ſent for next day to the King at *Hampton-Court*, who adviſed with them about the impriſoned Members, and was contented they ſhould be bailed, tho' ſuch was their obſtinacy, that they would not ſo much as expreſs *their Sorrow*, in a Petition to him, *that he was offended with them.* He alſo ſignified his purpoſe to wave his Proceſs in the Star-Chamber, and to proceed againſt them by common Law in the King's-Bench.

King adviſes with the Judges about them.

THE firſt Day of *Michaelmas* Term, Mr. *Maſon* moved for the Priſoners to have the Reſolution of the Court. All the Judges declared with one voice, that they were contented the Priſoners ſhould be bailed, but that they *muſt find Sureties for their good Behaviour.* Mr. *Selden*, with whom all the other Priſoners agreed in Opinion, anſwered, That their Sureties for the Bail were ready, but not for the good Behaviour; and therefore they pray'd, that their Bail might be accepted without their being urged to the other; and that for theſe Reaſons.

Motion to bail the Priſoners.

Mr. Selden's Arguments againſt finding Sureties.

1. THAT

Mr. Selden's *Arguments againſt finding Sureties.*

1. THAT during the long Dependance of their Caſe in Court (they having been thirty Weeks in Priſon) it was never deſired in all the Arguments for and againſt the Priſoners, that they ſhould be bound to their good Behaviour, the ſole Point in queſtion being, whether they were bailable?

2. BECAUSE the finding of Sureties for good Behaviour is ſeldom urg'd upon Returns of Felonies or Treaſons, and it is but an Implication on the Return, that we are guilty of thoſe Matters which are objected.

3. WE demand to be bail'd in Point of Right; and if it be not a Right, we don't demand it; but the finding of Sureties for the good Behaviour, is meerly a Point of Diſcretion, and we cannot aſſent to it without great Offence to the Parliament, where theſe Matters, which are ſurmiſed by Return, were acted: And by the Statute of 4 *Hen.* VIII, all Puniſhments of ſuch nature are made void and of no Effect.

THE Attorney-General, a fit Inſtrument for thoſe Times (ſays *Whitelock* in his Memoirs) ſaid, That by Command of the King he had an Information ready in his Hand to deliver in the Court againſt them. And Chief-Juſtice *Hide* ſaid, *If now you refuſe to find Sureties for the good Behaviour, and be for that Cauſe remanded, perhaps we ſhall not afterwards grant a* Habeas Corpus *for you, inaſmuch as we are made acquainted with the Cauſe of your Impriſonment.*

ASHLEY, the King's Serjeant, who had married the Daughter and Heir of Mr. *Holles*, one of the Priſoners, offer'd to be Bail for him, but it was not accepted, becauſe the Priſoner himſelf refuſed to be bound with him: And Mr. *Long*, who had actually found Sureties in the Chief-Juſtice's Chamber, declared in Court, that they ſhould continue no longer, inaſmuch as they were bound in 2000 *l.* and that the *good Behaviour* was a tickliſh Point. Therefore he was committed to the *Marſhal*, and all the other Priſoners were remanded to the *Tower*, becauſe they would not find Sureties for their good Behaviour. *Whitelock* ſays, it was intimated to them from good Hands, that if they would petition the King, they might be diſcharg'd; but they refus'd, and were therefore detained, and that ſome of the Priſoners moving the *King's-Bench* for more Freedom in their Impriſonment, could not obtain it.

Information exhibited againſt them in the King's-Bench.

ACCORDING as the Attorney-General had declared but juſt before, an Information was exhibited by him in this *Michaelmas*-Term againſt Mr. *Selden*, *Hollis*, and *Valentine*, and Sir *John Elliot*, ſetting forth the ſame Matters in effect as were in the Information in the *Star-Chamber*. All the Defendants, as to their Actions in Parliament, were charg'd with a Conſpiracy to ſow *Diſcord*, *Ill-will*, *Murmurs* and *Seditions* between the King, the great Ones, and the People. They were accus'd of having done it *falſo*, *ſeditioſe*, & *malitioſe*, and of having forced the Speaker to keep in his Chair *vi & armis*. The Defendants put in a Plea to the Juriſdiction of the Court, becauſe *the Offences are ſaid to have been committed in Parliament, and ought not to be puniſh'd in this or any other Court, except the Parliament.* The King's Attorney-General mov'd the Court to over-rule the Plea, though he did not demur to it, but the Court would not, and gave a Day to join in Demurrer in that Term, and the firſt Day of the next Term the Record to be read, and the Point argued within a Day after at the Bar.

Juriſdiction of that Court.

IN *Hillary*-Term the Information, and the Point of the Juriſdiction of the Court, came to be argued by the Council for the King and the Priſoners, and all the Judges ſeverally declared their Opinions, *That in this Caſe the* King's-Bench *hath Juriſdiction of the Cauſe, although theſe Offences were committed in Parliament, and that the impriſon'd Members ought to anſwer.* The Defendants were ruled to plead farther, but they refuſed to put in any other Plea. Whereupon Judgment was given againſt them the laſt Day of Term, upon a *Nihil dicit*, That they ſhould be impriſoned during the King's Pleaſure (Sir *John Elliot* in the *Tower*, and the reſt in other Priſons) and not deliver'd 'till they had made a Submiſſion, and Acknowledgment of their Offences, and given Security for their good Behaviour: And that Sir *John Elliot*, whom they reckon'd as the greateſt Offender, and the Ring-leader, ſhould be fined to the King 2000 *l* Mr. *Holles* 1000 Marks, and Mr. *Valentine*, becauſe he was of leſs Ability than the reſt, 500 *l.* In like manner all the reſt of the Gentlemen were proceeded againſt, and Fines impoſed upon them, which when paid, the Offenders were ſet at Liberty.

Judges Opinion.

Their Sentence on the Priſoners.

MR. *Acherley*, Author of the *Britiſh Conſtitution*, ſays, that their Impriſonment was accompanied with ſome arbitrary Severities; and that theſe Gentlemen were not only denied Pen, Ink and Paper, but their Wives were denied to viſit them in their Sickneſſes; and that Sir *John Elliot*, after many Years Confinement, ſunk and dy'd under the Oppreſſion. In Conſideration of his Sufferings for oppoſing the Illegality of theſe Times,

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the Houſe of Commons in 1640 voted 5000 *l.* for his Children.

Mr. Long's particular Charge in the Star-Chamber.

MR. *Long*'s Charge being different from the other Members, we ſhall juſt take notice of it in this Place. This Gentleman, who was *Walter Long*, Eſq; of *Wiltſhire*, being made Sheriff of the County a little before the calling of the laſt Parliament, was however elected a Member for *Bath*, which Service he preferr'd to his Office in the County. As long as the Parliament ſat they let him alone; but after the Diſſolution, *viz.* in the very Term laſt mentioned, an Information was preferr'd againſt him in the *Star-Chamber*, for that he being High-Sheriff of *Wilts*, and ſworn, according to Law, to abide within his Bailiwick, did contrary to his Oath ſuffer himſelf to be choſe a Citizen of *Bath* to ſerve in the laſt Parliament, and did attend at *Weſtminſter* in Parliament without his Majeſty's Licence. And after hearing Council upon his Demurrer and Plea, the whole Court agreed in a Sentence againſt him in theſe, or the like Words: 'For which 'ſaid ſeveral great Offences, in Breach 'of his ſaid Oath, Neglect of the Truſt 'and Duty of his Office, and the great 'and high Contempt of his Majeſty, and 'to the end that by this Example the 'Sheriffs of all other Counties may be 'deterr'd from committing the like Of-'fences hereafter, and may take notice, 'that their Perſonal Reſidence and At-'tendance is required within their Bailiff-'wicks, during the Time of their Sheriff-'wick, the Court has therefore adjug'd, 'that he ſhall be committed to the *Tow-'er* during his Majeſty's Pleaſure, pay '2000 Marks Fine to his Majeſty's Uſe, 'and make a Submiſſion and Acknow-'ledgment of his Offence in the Court of '*Star-Chamber*, and to his Majeſty, be-'fore his Enlargement.

Judgment on him.

ABOUT this time one *Atkinſon* being ow'd a great Sum of Money by one of the King's Servants, ſued him for his Debt, but the Earl of *Montgomery*, Lord-Chamberlain, ſent the Creditor to Goal for ſuing him without his Leave. *Atkinſon* brought his *Habeas Corpus*, and was diſcharg'd; but the Earl reſenting it, he again committed him the very ſame Day, in Contempt of the Court, and, ſays *Whitelock*, *to the Admiration of all wiſe Men.* Three of the Judges, *viz.* our Hiſtorian's Father, *Jones* and *Croke*, granted a Warrant for a new *Habeas Corpus*, after *Hyde*, the Chief-Juſtice, had refuſed it; but before the Return of it, the Earl of *Montgomery*, upon wiſer Thoughts, diſcharg'd *Atkinſon* from Priſon.

Caſe of Atkinſon.

AT the ſame time that an Information was exhibited againſt the Members in the *Star-Chamber*, the Attorney-General preferr'd that already mentioned, againſt Mr. *Richard Chambers* a Merchant, wherein he firſt ſet forth the King's gracious Government, the great Privileges of the Merchants in Trading by paying moderate Duties, and that the raiſing and publiſhing of falſe and undutiful Speeches, tending to the Diſhoncur of the King or the State, or to the Diſcouragement or Diſcontentment of the Subject, or to breed Diſcord and Variance between his Majeſty and his good People, are Offences of dangerous Conſequence, prohibited by Law, and condemn'd under ſeveral Penalties and Puniſhments; but that, nevertheleſs, the ſaid *Richard Chambers* on the 28th of *September* laſt, being, among other Merchants, called to the Council-Board at *Hampton-Court*, about a Complaint in reference to the Cuſtoms, did then and there, in an inſolent manner, in the Preſence or Hearing of the Lords and others of his Majeſty's Privy-Council then ſitting in Council, utter theſe undutiful, ſeditious, and falſe Words, *That Merchants have more Encouragement in* Turky, *and are in no Part of the World ſo ſcrew'd and wrung as in* England. By which Words he the ſaid *Richard Chambers*, as the Information ſets forth, did endeavour to alienate the good Affection of his Majeſty's Subjects from his Majeſty, and to bring a Slander upon his juſt Government: For which the King's Attorney pray'd Proceſs againſt him.

CHARLES I. *Anno* 1629.

Information in the Star-Chamber *againſt Mr.* Chambers *a Merchant.*

To this Mr. *Chambers* made Anſwer, That having a Caſe of ſilk Grogram brought from *Briſtol* by a Carrier to *London*, of the Value of 400 *l.* the ſame was, by ſome inferior Officers attending on the Cuſtom-Houſe, ſeiz'd without the Defendant's Conſent, notwithſtanding he offer'd Security to pay ſuch Cuſtoms as ſhould be due by Law; and that he hath been otherwiſe griev'd and damnified by the injurious Dealing of the under Officers of the Cuſtom-houſe, the Particulars of which he mentioned; and that being called before the Lords of the Council, he confeſſeth, that out of the great Senſe which he had of the Injuries done him by the ſaid inferior Officers, he did utter theſe Words, *That the Merchants in* England *were more wrung and ſcrew'd than in Foreign Parts*; which Words were only ſpoke in Preſence of the Privy-Council, and not ſpoke Abroad to ſtir up any Diſcord among the People, nor ſpoke with any diſloyal Thought, but only to introduce his juſt Complaint againſt the Wrongs and Injuries he had ſuſtain'd by the inferior Officers; and that as ſoon as he had heard a hard

His Anſwer.

Con-

Conſtruction was given of his Words, he endeavour'd, by Petition to the Lords of the Council, humbly to explain his Meaning, that he had not the leaſt evil Thought to his Majeſty's Government; yet was not permitted to be heard, but preſently ſent away Priſoner to the *Marſhalſea*; and when he was there a Priſoner he did again endeavour, by Petition, to give Satisfaction to the Lords of the Council; but they would not be pleaſed to accept of his faithful Explanation, which he now makes to this honourable Court upon his Oath; and doth profeſs from the bottom of his Heart, *That his Speeches only aim'd at the Abuſes of the inferior Officers, who in many things dealt moſt cruelly with him and other Merchants.*

Sentence paſſed on him.

NOTWITHSTANDING the Defendant had confeſſed his Words as aforeſaid, two of the Clerks of the Privy-Council were examined, who prov'd the Words as laid in the Information. And when the Cauſe came to be heard in the *Star-Chamber*, the Court were of Opinion that the Words ſpoken were a comparing his Majeſty's Government with that of the *Turks*, with an Intent to make the People believe that his Majeſty's happy Government may be term'd *Turkiſh* Tyranny, and therefore the Court fined the ſaid Mr. *Chambers* in the Sum of 2000 *l.* to his Majeſty's Uſe, and to ſtand committed to the Priſon of the *Fleet*, and to make Submiſſion for his great Offence both at the Council-Board, in the Court of *Star-Chamber*, and at the *Royal-Exchange*

His Submiſſion tender'd and refuſed.

THERE was a variety of Opinions in the Court about the Fine, and it is obſervable that the Lord-Treaſurer *Weſton*, Dr. *Laud*, Biſhop of *London*, and Dr. *Neal*, Biſhop of *Wincheſter*, would have had the Fine laid at 3000 *l.* The Court drew up a Submiſſion for him, by which he was to acknowledge his Inſolence, Contempt, Sedition, Falſhood, and Malice, and the Juſtice of his Sentence; but when it was deliver'd for his Peruſal by the Warden of the *Fleet*, he underwrote it thus;

> *All the aboveſaid Contents and Submiſſion*, I Richard Chambers *do utterly abhor and deteſt, as moſt unjuſt and falſe; and never 'till Death, will acknowledge any Part thereof.*

His Plea and Petition to the Barons of the Exchequer refuſed.

THE Fine was eſtreated, in *Trinity* Term, into the *Exchequer*, where he pleaded *Magna Charta*, and other Statutes againſt the Fine, as impoſed *by the King and Council, and not by legal Judgment of his Peers, nor ſaving his Merchandize, nor for any Offence mentioned in the ſaid Statutes*; and with this Plea he annexed a Petition to the Barons of the *Exchequer*, but they would not ſuffer his Plea to be filed. And in *Michaelmas*-Term following Mr. *Chambers* was brought by a *Habeas Corpus* out of the *Fleet*, and pray'd Deliverance, the rather for that the Statute of 3 *Hen.* VII, which is the Foundation of the Court of *Star-Chamber*, doth not authorize any Puniſhment *for Words only*. But all the Court informed him, that the Court of *Star-Chamber* was not erected by the Statute of 3 *Hen.* VII, but was a Court many Years before, and one of the moſt high and honourable Courts of Juſtice; and that to deliver one who was committed by the Decree of one of the Courts of Juſtice, was not the Uſage of this Court, and therefore he was remanded; and after ſix Years Impriſonment in the *Fleet*, for not ſubmitting to that Sentence and Fine, beſides the Detainer of his Goods, to the Value of above 7000 *l.* by the Officers of the Cuſtoms for the pretended Duties; after nine Months further Impriſonment in *Newgate*, in the Year 1637, for withſtanding Ship-Money, and after twelve Years tedious waiting for Satisfaction for his Loſſes from the long Parliament, he at laſt died in Want, in the Year 1658, being about the Age of Seventy, and having a Wife and nine Children. As for the reſt of the Priſoners above-mentioned, ſome of them died in Cuſtody, but others indeed who liv'd to 1640, had an ample Reward both of Thanks and Money.

A Summary of his Sufferings.

THE Reader no doubt is fully convinced by the foregoing Sheets, that the Murmurs and Clamours of the People againſt Loans, Tonnage and Poundage, the Encouragement of Popery, and other oppreſſive Injuries and Grievances of that Time, nor the late Aſſaſſination of the Premier Miniſter and Confident, to whom theſe were charg'd, in concert with Biſhop *Laud*, had made no manner of Change in the Diſpoſition of the King and his Miniſtry, with regard to his Subjects Rights and Liberties, and that a Reſolution was form'd to ſpare neither Members of Parliament, nor Lawyers, nor Merchants, that offer'd to ſtand up in Defence of the Birth-rights of *Engliſhmen*, and the Laws of the Land. And if ever it was neceſſary to have printed *Magna Charta* *, and to have ſet it up in

* THE Editors of the *Fœdera* having omitted this great *Baſis* and *Bulwark* of the Liberties of *Engliſhmen*, *viz.* the MAGNA CHARTA, ſign'd by King *John* near *Stanes*, it was intended to have ſupply'd that Omiſſion by printing it at the End of this Work. But it is the leſs neceſſary now, becauſe we already ſee in the Libraries

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in every Town-Hall in *England*, we may venture to ſay, *that was the Time.*

HAVING been thus particular to give a View of the Matters controverted between this King and his Parliament; what the Power was which his Majeſty aſpired to, and what the Rights which the Lords and Commons contended for, we will now return from the Courts of Law to the Cabinet.

THE King's Conduct as well in diſſolving the Parliament, as in what was done afterwards, had ſo embitter'd and enflam'd the Minds of the People, and ſo ſtrong were the Tendencies to Sedition, that in order to prevent worſe Complaints, his Majeſty publiſhed the following *Declaration*, which we inſert at length from *Ruſhworth*, that we may not be accuſed of having either paſs'd over in Silence, or too much abridg'd what might ſerve to juſtify the King.

The King's Declaration to all his loving Subjects, of the Cauſes which mov'd him to diſſolve the laſt Parliament.

The King's Reaſons for diſſolving the laſt Parliament.

HOWSOEVER Princes are not bound to give an Account of their Actions but to God alone, yet for the Satisfaction of the Minds and Affections of our loving Subjects, we have thought good to ſet down thus much by way of Declaration, that we may appear to the World in the Truth and Sincerity of our Actions, and not in thoſe Colours, in which we know ſome turbulent and ill-affected Spirits (to maſk and diſguiſe their wicked Intentions, dangerous to the State) would repreſent us to the publick View.

WE aſſembled our Parliament the 17th Day of *March*, in the third Year of our Reign, for the Safety of Religion, for ſecuring our Kingdoms and Subjects at Home, and our Friends and Allies Abroad. And therefore at the firſt ſitting down of it, we declared the miſerable afflicted Eſtate of thoſe of the Reformed Religion in *Germany*, *France*, and other Parts of *Chriſtendom*; the diſtreſſed Condition of our deareſt Uncle the King of *Denmark*, chaſed out of a great Part of his Dominions; the Strength of that Party which was then united againſt us; that (beſides the Pope, and the Houſe of *Auſtria*, and their ancient Confederates) the *French* King profeſſed the rooting out of the Proteſtant Religion; that of the Princes and States of our Party, ſome were over-run, others diverted, and ſome diſabled to give Aſſiſtance. For which, and other important Motives, we propounded a ſpeedy Supply of Treaſure, anſwerable to the Neceſſity of the Cauſe.

THESE things in the Beginning were well reſented by the Houſe of Commons, and with ſo much Alacrity and Readineſs, that they agreed to grant a liberal Aid: But before it was brought to any Perfection, they were ſo diverted by a Multitude of Queſtions rais'd amongſt them touching their Liberties and Privileges, and by other long Diſputes, that the Bill did not paſs in a long time; and by that Delay our Affairs were put into far worſe Caſes than at the firſt; our Foreign Actions then in Hand being thereby diſgraced and ruined for want of timely Help.

IN this, as we are not willing to derogate from the Merit and good Intentions of thoſe wiſe and moderate Men of that Houſe (to whoſe Forwardneſs we attribute it that it was propounded and reſolved ſo ſoon) ſo we muſt needs ſay, that the Delay of paſſing it when it was reſolved, occaſioned by cauſeleſs Jealouſies, ſtirr'd up by Men of another Temper, did much leſſen both the Reputation and Reality of that Supply. And their Spirit infuſed into many of the Commiſſioners and Aſſeſſors in the Country, hath return'd up the Subſidy in ſuch a ſcanty Proportion as is infinitely ſhort not only of our great Occaſions, but of the Precedents of former Subſidies, and of the Intentions of all well affected Men in that Houſe.

IN thoſe large Diſputes, as we permitted many of our high Prerogatives to be debated, which in the worſt times of our Predeceſſors had never been queſtioned without Puniſhments or ſharp Reproof, ſo we did endeavour to have ſhortened thoſe Debates, for winning of Time, which would have much advantaged our great Affairs both at Home and Abroad. And therefore both by Speeches and Meſſages we did often declare our gracious and clear Reſolution to maintain not only the Parliament, but all our People, in their ancient and juſt Liberties, without either Violation or Diminution; and in the End, for their full Satisfaction and Security, did, by an Anſwer fram'd in the Form by themſelves deſired, to their Parliamentary Petition, confirm their ancient and juſt Liberties and Rights, which we reſolve, with all Conſtancy and Juſtice to maintain.

Libraries of Numbers of Gentlemen a curious and exact Copy of it, on a handſome Broadſide, lately engrav'd by Mr. *Pine* from the Original in the *Cotton*-Library, with Permiſſion of the Right Honourable the Lord-Chancellor *King*, the (late) Lord Chief-Juſtice *Raymond*, the Speaker of the preſent Houſe of Commons, and other Truſtees of that Library, examined by the proper Officers who have the Care of the Records, and finely ornamented with the Arms of the twenty-five Barons who were appointed to decide any Diſpute that ſhould ariſe between the King and his Subjects.

THIS Parliament, however, beſides the ſettling our neceſſary Supplies, and their own Liberties, they waſted much Time in their Proceedings (blaſting our Government, as we are unwilling to remember) yet we ſuffered them to ſit until themſelves deſired us to appoint a Time for their Receſs, not naming either Adjournment or Prorogation.

WHEREUPON, by Advice of our Council, we reſolved to prorogue, and make a Seſſion; and to that end prefix'd a Day, by which they might (as was meet in ſo long a ſitting) finiſh ſome profitable and good Laws; and withal gave Order for a gracious Pardon to all our Subjects; which, according to the Uſe of former Parliaments, paſſed the higher Houſe, and was ſent down to the Commons. All which being graciouſly intended by us, was ill entertained by ſome diſaffected Perſons of that Houſe, who, by their Artifices, in a ſhort time raiſed ſo much Heat and Diſtemper in the Houſe, for no other viſible Cauſe, but becauſe we had declared, our Reſolution to prorogue, as our Council adviſed, and not to adjourn, as ſome of that Houſe (after our Reſolution declar'd, and not before) did manifeſt themſelves to affect, that ſeldom hath greater Paſſion been ſeen in that Houſe upon the greateſt Occaſions: And ſome Glances in the Houſe, but upon Rumours Abroad, were ſpread, That by the Anſwer to the Petition, we had given away not only our Impoſitions upon Goods exported and imported, but the Tonnage and Poundage (whereas in the Debate and Hammering of that Petition, there was no ſuch Speech or Mention in either Houſe concerning theſe Impoſitions, but concerning Taxes and other Charges within the Land; much leſs was there any Thought thereby to debar us of Tonnage and Poundage, which both before and after the Anſwer to that Petition, the Houſe of Commons in all their Speeches and Treaties did profeſs they were willing to grant.) And at the ſame time many other Miſinterpretations were raiſed of that Petition and Anſwer by Men not well diſtinguiſhing between well order'd Liberty and Licentiouſneſs; as if by our Anſwer to that Petition we had let looſe the Reins of our Government. And in this Diſtemper the Houſe of Commons laying aſide the Pardon (a thing never done in any former Parliament) and other Buſineſs fit to have been concluded in that Seſſion, ſome of them went about to frame and contrive a Remonſtrance againſt our receiving of Tonnage and Poundage; which was ſo far proceeded in the Night before the prefixed time for concluding the Seſſion, and ſo haſten'd by the Contrivers thereof, that they meant to have put it to the Vote of the Houſe the next Morning, before we ſhould prorogue that Seſſion. And therefore finding our gracious Favours in the Seſſion afforded to our People, ſo ill requited, and ſuch ſiniſter Strains made upon our Anſwer to that Petition, to the Diminution of our Profit, and (which was more) to the Danger of our Government, we reſolved to prevent the finiſhing of that Remonſtrance, and other dangerous Intentions of ſome ill-affected Perſons, by ending the Seſſion the next Morning, ſome few Hours ſooner than was expected, and by our own Mouth to declare to both Houſes the Cauſe thereof; and for hindering the ſpreading of thoſe ſiniſter Interpretations of that Petition and Anſwer, to give ſome neceſſary Directions for ſettling and quieting our Government until another Meeting; which we performed accordingly the 26th of *June* laſt.

His Majeſty's Reaſons for Tonnage and Poundage.

THE Seſſion thus ended, and the Parliament riſen, that intended Remonſtrance gave us Occaſion to look into the Buſineſs of Tonnage and Poundage. And therefore, tho' our Neceſſities pleaded ſtrongly for us, yet we were not apt to ſtrain that Point too far, but reſolved to guide ourſelf by the Practice of former Ages, and Examples of our moſt noble Predeceſſors; thinking thoſe Counſels beſt warranted which the Wiſdom of former Ages, concurring with the preſent Occaſions, did approve; and therefore gave Order for a diligent Search of Records; upon which it was found, That although in the Parliament holden in the firſt Year of the Reign of King *Edward* IV, the Subſidy of Tonnage and Poundage was not granted unto that King, but was firſt granted unto him by Parliament in the third Year of his Reign, yet the ſame was accounted and anſwered to that King from the firſt Day of his Reign, all the firſt and ſecond Years of his Reign, and until it was granted by Parliament; and that in the ſucceeding Times of King *Richard* III, King *Henry* VII, King *Henry* VIII, King *Edward* VI, Queen *Mary*, and Queen *Elizabeth*, the Subſidy of Tonnage and Poundage was not only enjoy'd by every of thoſe Kings and Queens, from the Death of each of them deceaſing, until it was granted by Parliament unto the Succeſſor; but in all thoſe Times (being for the moſt part peaceable, and not burthen'd with like Charges and Neceſſities as theſe modern Times) the Parliament did moſt readily and chearfully, in the beginning of every of thoſe Reigns, grant the ſame as a thing moſt neceſſary for the guarding of the Seas, the Safety and Defence of the Realm, and ſupporting of the Royal Dignity. And in the Time of our Royal Father of bleſſed

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Memory, he enjoy'd the ſame a full Year, wanting very few Days, before his Parliament began; and above a Year before the Act of Parliament for the Grant of it was paſſed. And yet when the Parliament was aſſembled, it was granted without Difficulty. And in our own Time we quietly receiv'd the ſame three Years and more, expecting with Patience, in ſeveral Parliaments, the like Grant thereof, as had been made to ſo many of our Predeceſſors; the Houſe of Commons ſtill profeſſing, that Multitudes of other Buſineſſes, and not want of Willingneſs on their part, had cauſed the ſettling thereof to be ſo long deferred. And therefore finding ſo much Reaſon and Neceſſity for the receiving of the ordinary Duties in the Cuſtom-houſe, to concur with the Practice of ſuch a Succeſſion of Kings and Queens famous for Wiſdom, Juſtice, and Government; and nothing to the contrary but that intended Remonſtrance, hatch'd out of the paſſionate Brains of a few particular Perſons; we thought it was ſo far from the Wiſdom and Duty of a Houſe of Parliament, as we could not think that any moderate and diſcreet Man (upon compoſed Thoughts, ſetting aſide Paſſion and Diſtemper) could be againſt receiving of Tonnage and Poundage; eſpecially ſince we do, and ſtill muſt purſue thoſe Ends, and undergo that Charge for which it was firſt granted to the Crown; it having been ſo long and conſtantly continued to our Predeceſſors, as that in four ſeveral Acts of Parliament for the granting thereof to King *Edward* VI, Queen *Mary*, Queen *Elizabeth*, and our bleſſed Father, it is in expreſs Terms mentioned to have been had and enjoy'd by the ſeveral Kings named in thoſe Acts, Time out of Mind, by Authority of Parliament. And therefore upon theſe Reaſons we held it agreeable to our Kingly Honour, and neceſſary for the Safety and Good of our Kingdom to continue the Receipt thereof, as ſo many of our Predeceſſors had done. Wherefore when a few Merchants (being at firſt but one or two) fomented, as it is well known by thoſe evil Spirits that would have hatch'd that undutiful Remonſtrance, began to oppoſe the Payment of our accuſtomed Duties in the Cuſtom-houſe, we gave Order to the Officers of our Cuſtoms to go on, notwithſtanding that Oppoſition, in receiving of the uſual Duties, and cauſed thoſe that refuſed to be warned, to attend at the Council-Board, that by the Wiſdom and Authority of our Council they might be reduced to Obedience and Duty; where ſome of them, without Reverence or Reſpect to the Honour and Dignity of that Preſence, behav'd themſelves with ſuch Boldneſs and Inſolency of Speech as was not to be endured by a far meaner Aſſembly, much leſs to be countenanc'd by a Houſe of Parliament againſt the Body of our Privy-Council.

CHARLES I. *Anno* 1629.

His Declaration about Montagu's Book.

AND as in this we did what in Reaſon and Honour was fit for the preſent, ſo our Thoughts were daily intentive upon the reaſſembling our Parliament, with full Intention on our part to take away all ill Underſtanding between Us and our People; whoſe Loves, as we deſired to continue and preſerve, ſo we uſed our beſt Endeavours to prepare and facilitate the Way to it. And to this End, having taken a ſtrict and exact Survey of our Government, both in the Church and Commonwealth, and what things were moſt fit and neceſſary to be reformed, we found in the firſt Place that much Exception had been taken at a Book entituled, *Appello Cæſarem*, or an Appeal to *Cæſar*, and publiſhed in the Year 1625 by *Richard Montagu*, then B. D. and now Biſhop of *Chicheſter*; and becauſe it did open the Way to thoſe Schiſms and Diviſions which have ſince enſued in the Church, we did, for Remedy and Redreſs thereof, and for the Satisfaction of the Conſciences of our good People, not only by our publick Proclamation call in that Book, which miniſtred Matter of Offence, but to prevent the like Danger for hereafter, reprinted the Articles of Religion eſtabliſhed in the Time of Queen *Elizabeth* of famous Memory; and by a Declaration before thoſe Articles, we did tie and reſtrain thoſe Opinions to the Senſe of thoſe Articles, that nothing might be left for private Fancies and Innovations. For, we call God to record, before whom we ſtand, that it is, and always hath been our Heart's Deſire, to be found worthy of that Title, which we account the moſt glorious in all our Crown, *Defender of the Faith*. Neither ſhall we ever give way to the authoriſing of any thing whereby any Innovation may ſteal or creep into the Church, but to preſerve that Unity of Doctrine and Diſcipline eſtabliſhed in the Time of Queen *Elizabeth*, whereby the Church of *England* hath ſtood and flouriſhed ever ſince.

Prieſts and Popiſh Recuſants.

AND as we were careful to make up all Breaches and Rents in Religion at home, ſo did we by our Proclamation and Commandment for the Execution of Laws againſt *Prieſts*, and *Popiſh* Recuſants, fortify all Ways and Approaches againſt that foreign Enemy; which if it have not ſucceeded according to our Intention, we muſt lay the Fault where it is, in the ſubordinate Officers and Miniſters in the Country, by whoſe Remiſsneſs Jeſuits and Prieſts eſcape without Apprehenſion, and Recuſants, from thoſe Convictions and Penalties

nalties which the Law and our Commandment would have inflicted on them. For we do profeſs, that as it is our Duty, ſo ſhall it be our Care to command and direct well; but it is the Part of others to perform the miniſterial Office. And when we have done our Office, we ſhall account ourſelf, and all charitable Men will account us innocent, both to God and Men. And thoſe that are negligent we will eſteem as culpable both to God and Us; and therefore will expect, that hereafter they give us a better Account.

The King's Declaration as to the Liberties of the Subject.

AND as we have been careful for the ſettling of Religion, and quieting the Church, ſo were we not unmindful of the Preſervation of the juſt and ancient Liberties of our Subjects, which we ſecured to them by our gracious Anſwer to the Petition in Parliament, having not ſince that time, done any Act whereby to infringe them. But our Care is, and hereafter ſhall be, to keep them entire and inviolable, as we would do our own Right and Sovereignty, having for that Purpoſe enrolled the Petition and Anſwer in our Courts of Juſtice.

and the Supply.

NEXT to the Care of Religion, and our Subjects Rights, We did our beſt for the provident and well ordering of that Aid and that Supply which was granted us the laſt Seſſion, whereof no part hath been waſtefully ſpent, nor put to any other Uſe than thoſe for which it was deſired and granted; as upon Payment of our Fleet and Army; wherein our Care hath been ſuch as we choſe rather to diſcontent our deareſt Friends and Allies, and our neareſt Servants, than to leave our Soldiers and Mariners unſatisfied, whereby any Vexation or Diſquiet might ariſe to our People. We have alſo, with part of thoſe Monies, began our Supply, our Magazines, and Stores of Munition, and to put our Navy into a conſtant Form and Order. Our Fleet likewiſe is fitting, and almoſt in a readineſs, whereby the narrow Seas may be guarded, Commerce maintained, and our Kingdom ſecured from all foreign Attempts. Theſe Acts of ours might have made this Impreſſion in all good Minds, that we were careful to direct our Counſels, and diſpoſe our Actions, as might moſt conduce to the Maintenance of Religion, Honour of our Government, and Safety of our People. But with miſchievous Men, once ill-affected, *ſeu benè ſeu malè facta premunt*; and whatſoever ſeem'd once amiſs, is ever remember'd; but good Endeavours are never regarded.

Now all theſe things, that were the chief Complaints the laſt Seſſion, being by our Princely Care ſo ſeriouſly reformed, the Parliament reaſſembled the 20th of *January* laſt. We expected, according to the Candour and Sincerity of our own Thoughts, that Men would have framed themſelves, for the effecting a right Underſtanding between Us and our People. But ſome few malevolent Perſons, like Empericks and lewd Artiſts, did ſtrive to make a new Work, and to have ſome Diſeaſe on foot, to keep themſelves in requeſt, and to be employed and entertained in the Cure. And yet to manifeſt how much Offences have been diminiſhed, the Committees for Grievances, Committees for Courts of Juſtice, and Committees for Trade, have ſince the ſitting down of the Parliament received few Complaints, and thoſe ſuch as they themſelves have not thought to be of that Moment or Importance with which our Ears ſhould be acquainted.

His Complaint of the Conduct of the Members at the Opening of the laſt Seſſion.

No ſooner therefore was the Parliament ſet down, but theſe ill-affected Men began to ſow and diſperſe their Jealouſies, by caſting out ſome Glances and doubtful Speeches, as if the Subject had not been ſo clearly and well dealt with, touching their Liberties, and touching the Petition anſwered the laſt Parliament. This being a plauſible Theme thought on for an ill Purpoſe, eaſily took hold on the Minds of many that knew not the Practice. And thereupon, the ſecond Day of the Parliament, a Committee was appointed to ſearch, whether the Petition and our Anſwer thereunto were enrolled in the Parliament Roll, and in the Courts of *Weſtminſter*, and in what manner the ſame was done. And a Day alſo was then appointed, on which the Houſe being reſolved into a Committee, ſhould take into Conſideration thoſe things wherein the Liberty of the Subject had been invaded againſt the Petition of Right. This, tho' it produced no other Effect of Moment or Importance, yet was ſufficient to raiſe a Jealouſy againſt our Proceedings, in ſuch as were not well acquainted with the Sincerity and Clearneſs of them. There followed another of no leſs Skill; for although our Proceeding before the Parliament, about Matters of Religion, might have ſatisfied any moderate Men of our zealous Care thereof (as we are ſure it did the moſt) yet as bad Stomachs turn the beſt things into their own nature, for want of good Digeſtion; ſo theſe diſtempered Perſons have done the like of our good Intents, by a bad and ſiniſter Interpretation. For when they did obſerve that many honeſt and religious Men did complain of thoſe Dangers that did threaten the Houſe, they likewiſe took the ſame Word in their Mouth, and their Cry likewiſe was, *Templum Domini, Templum Domini*, when the true Care of the Church never came into their Hearts: And what the one did out of Zeal unto Religion, the other took up as a plauſible Theme, to deprave our Government,

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Government, as if We, our Clergy and Council, were either senseless or careless of Religion; and this wicked Practice hath been to make us seem to walk before our People as if we halted before God.

Their Imposition of Tonnage and Poundage.

HAVING by these Artifices made a jealous Impression in the Hearts of many, and a Day being appointed to treat of the Grant of Tonnage and Poundage at the Time prefixed, all express great Willingness to grant it. But a new Strain is found out, that it could not be done without great Peril to the Right of the Subject, unless we should disclaim any Right therein, but by Grant in Parliament; and should cause all those Goods to be restored, which upon Commandment from us, or our Council, were stayed by our Officers until those Duties were paid, and consequently should put ourselves out of the Possession of Tonnage and Poundage before they were granted; for else it was pretended, the Subject stood not in fit Case to grant it. A Fancy and Cavil raised of Purpose to trouble the Business, it being evident that all the Kings aforenamed did receive that Duty, and were in actual Possession of it before, and at the very Time when it was granted to them by Parliament; and although We, to remove all Difficulties did from our own Mouth, in those clear and open Terms that might have satisfied any moderate and well disposed Minds declare, that it was our Meaning, by the Gift of our People, to enjoy it; and that We did not challenge it of Right, but took it *de benè esse*, shewing thereby not the Right, but the Necessity by which we were to take it (wherein we descended for their Satisfaction, so far beneath ourself, as we are confident never any of our Predecessors did the like, nor was the like ever expected or required of them) yet for all this, the Bill of Tonnage and Poundage was laid aside, upon pretence they must first clear the Right of the Subject therein; under colour whereof they entertain the Complaints not only of *John Rolles*, a Member of their House, but also of *Richard Chambers*, *John Fowks*, and *Bartholomew Gilman*, against the Officers of our Customs, for detaining their Goods, upon refusal to pay the ordinary Duty, accustomed to be paid for the same. And upon these Complaints, they send for the Officers of the Customs, enforcing them to attend Day after Day, by the space of a Month together. They cause them to produce their Letters Patents under our Great Seal, and the Warrants made by our Privy-Council, for levying of those Duties. They examine the Officers upon what Questions they please, thereby to intrap 'em for doing our Service and Commandment. In these and other Proceedings, because we would not give the least shew of Interruption, we endured long with much Patience both these and sundry other strange and exorbitant Incroachments and Usurpations, such as were never before attempted in that House.

CHARLES I. *Anno* 16:9

His Complaint of their many Committees.

WE are not ignorant how much that House hath of late Years endeavoured to extend their Privileges, by setting up General Committees for Religion, for Courts of Justice, for Trade, and the like, a Course never heard of until late. So as where in former Times the Knights and Burgesses were wont to communicate to the House such Business as they brought from their Countries; now there are so many Chairs erected to make Inquiry upon all sorts of Men, where Complaints of all sorts are entertained, to the unsufferable Disturbance and Scandal of Justice and Government, which having been tolerated a while by our Father and ourself, hath daily grown to more and more Height; insomuch, that young Lawyers sitting there, take upon them to decry the Opinions of the Judges; and some have not doubted to maintain, that the Resolutions of that House must bind the Judges, a thing never heard of in Ages past. But in this last Assembly of Parliament they have taken on them much more than ever before.

and of their examining the Attorney-General and Judges.

THEY sent Messengers to examine our Attorney-General (who is an Officer of Trust and Services) touching the Execution of some Commandments of ours, of which, without our Leave first obtained, he was not to give account to any but ourselves. They sent a captious and directory Message to the Lord Treasurer, Chancellor, and Barons of the *Exchequer*, touching some judicial Proceedings of theirs in our Court of *Exchequer*.

THEY sent Messengers to examine, upon sundry Questions, our two Chief-Justices, and three other of our Judges, touching the judicial Proceedings at the Goal-Delivery at *Newgate*, of which they are not accountable to the House of Commons.

AND whereas Suits were commenc'd in our Court of *Star-Chamber* against *Richard Chambers*, *John Fowks*, *Bartholomew Gilman*, and *Richard Phillips*, by our Attorney-General, for great Misdemeanours, they resolved that they were to have Privilege of Parliament against us for their Persons, for no other Cause but because they had Petitions depending in that House; and (which is more strange) they resolved that a Signification should be made from that House, by a Letter to issue under the Hand of their Speaker, unto the Lord-Keeper of the Great Seal, that no Attachment should be granted out against the said *Chambers*, *Fowks*, *Gilman*,

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man or *Philips*, during their ſaid Privilege of Parliament; whereas it is far above the Power of that Houſe to give Directions to any of our Courts at *Weſtminſter* to ſtop Attachments againſt any Man, tho' never ſo ſtrongly privileged, the Breach of Privilege being not in the Court that grants, but in the Party or Miniſter that puts ſuch Attachments in Execution: And therefore if any ſuch Letter had come to the Lord-Keeper, as it did not, he ſhould have highly offended us if he had obey'd it. Nay, they went ſo far as they ſpared not the Honour of our Council-Board; but examined their Proceedings in the Caſe of our Cuſtomers, interrogating what this or that Man of our Council ſaid, in Direction of them in the Buſineſs committed to their Charge. And when one of the Members of that Houſe, ſpeaking of our Counſellors, ſaid, *we had wicked Counſel*; and another ſaid, *that the Council and Judges ſought to trample the Liberty of the Subject under Feet*, and a third traduc'd our Court of *Star-Chamber* for the Sentence given againſt *Savage*, they paſs'd without Check or Cenſure by the Houſe. By which may appear, how far the Members of that Houſe have of late ſwoln beyond the Rules of Moderation, and the Modeſty of former Times; and this under pretence of Privilege and Freedom of Speech, whereby they take Liberty to declare againſt all Authority of Council and Courts at their Pleaſure.

and of their Endeavours to ſtop Attachments againſt the Merchants.

and of their Reflections on the Privy-Council.

and of their committing the Sheriff of London to the Tower.

THEY ſent for our Sheriff of *London*, to examine him in a Cauſe whereof they had no Juriſdiction; their true and ancient Juriſdiction extending only to their own Members, and to the Conſervation of their Privileges, and not to Cenſure of foreign Perſons and Cauſes which have no relation to their Privileges, the ſame being but a late Innovation. And upon an enforced Strain of Contempt for not anſwering to their Satisfaction, they commit him to the *Tower* of *London*, uſing that outward Pretext for a Cauſe of committing him, the true and inward Cauſe being for that he had ſhewed himſelf dutiful to us, and our Commandments, in the Matter concerning our Cuſtoms.

IN theſe Innovations (which we will never permit again) they pretended indeed our Service; but their Drift was to break, by this Means, through all Reſpects and Ligaments of Government, and to erect an univerſal overſwaying Power to themſelves, which belongs only to us, and not to them.

and of their Proceedings againſt the Cuſtom-houſe Officers.

Laſtly, in their Proceedings againſt our Cuſtomers, they went about to cenſure them as Delinquents, and to puniſh them for ſtaying ſome Goods of ſome factious Merchants in our Store-houſe, for not paying thoſe Duties which themſelves had formerly paid, and which the Cuſtomers, without Interruption, had received of all other Merchants many Years before, and to which they were authoriſed both by our Great Seal, and by ſeveral Directions and Commandments from us and our Privy-Council.

CHARLES I. *Anno* 1619.

To give ſome Colour to their Proceedings herein, they went about to create a new Privilege (which we will never admit) That a Parliament-man hath Privilege of his Goods againſt the King; the Conſequence whereof would be, that he may not be conſtrain'd to pay any Duties to the King during the Time of Privilege of Parliament. It is true, they would have this Caſe to be between the Merchants and our Farmers of our Cuſtoms, and have ſevered them from our Intereſt and Commandment, thereby the rather to make them liable to the Cenſure and Puniſhment of that Houſe. But on the other ſide, we holding it both unjuſt and diſhonourable to withdraw ourſelf from our Officers, in any thing they did by our Commandment, or to diſavow any thing that we had enjoined to be done, upon *Monday* the 23d of *February* ſent a Meſſage unto them by Secretary *Coke*, thanking them for the Reſpect they had ſhew'd in ſevering the Intereſt of our Farmers from our own Intereſt and Commandment. Nevertheleſs, we were bound in Honour to acknowledge a Truth, that what was done by them, was done by our expreſs Commandment and Direction; and if for doing thereof our Farmers ſhould ſuffer, it would highly concern us in Honour: Which Meſſage was no ſooner delivered unto them, but in a tumultuous and diſcontented manner they call'd *Adjourn, Adjourn*; and thereupon, without any Cauſe given on our Part, in a very unuſual manner adjourned until the *Wedneſday* following.

ON which Day, by the uniform Wiſdom of our Privy-Council, we cauſed both Houſes to be adjourned until the 2d Day of *March*, hoping that in the mean time a better and more right Underſtanding might be begotten between us and the Members of that Houſe, whereby the Parliament might come to a happy Iſſue.

The King's Reaſons for adjourning the Houſe.

BUT underſtanding by good Advertiſement that their Diſcontent did not in that time digeſt and paſs away, we reſolved to make a ſecond Adjournment until the 10th of *March*, which was done as well to take Time to our ſelf to think of ſome Means to accommodate thoſe Difficulties, as to give them Time to adviſe better; and accordingly we gave Commandment for a ſecond Adjournment in both Houſes, and for Ceſſation of all Buſineſs 'till the

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Day appointed; which was very dutifully obey'd in the higher Houſe, no Man contradicting or queſtioning it. But when the ſame Commandment was deliver'd in the Houſe of Commons by their Speaker, it was ſtreightways contradicted; and although the Speaker declared unto them, it was an abſolute Right and Power in us to adjourn, as well as to prorogue or diſſolve, and declared and read unto them diverſe Precedents of that Houſe to warrant the ſame, yet our Commandment was moſt contemptuouſly diſobey'd; and ſome riſing up to ſpeak, ſaid, They had Buſineſs to do before the Houſe ſhould be adjourn'd *.

He complains of the Commons groundleſs Fears and Jealouſies.

WHILST the Duke of *Buckingham* lived, he was entituled to all the Diſtempers and ill Events of former Parliaments, and therefore much Endeavour was uſed to demoliſh him, as the only Wall of Separation between us and our People: But now he is dead, no Alteration was found amongſt thoſe envenom'd Spirits, which then troubled the bleſſed Harmony between us and our Subjects, and continue ſtill to trouble it. For now, under pretence of publick Care of the Commonwealth, they ſuggeſt new cauſleſs Fears, which in their own Hearts they know to be falſe, and deviſe new Engines of Miſchief, ſo to caſt a Blindneſs upon the good Affections of our People, that they may not ſee the Truth, and Largeneſs of our Heart towards them. So that now it is manifeſt the Duke was not alone the Mark theſe Men ſhot at, but was only as a near Miniſter of ours, taken up on the Bye, and in their Paſſage to their more ſecret Deſigns; which were only to caſt our Affairs into a deſperate Condition, to abate the Powers of our Crown, and to bring our Government into Obloquy; that in the end all things may be overwhelmed with Anarchy and Confuſion.

His good Opinion of ſome of the Members.

WE do not impute theſe Diſaſters to the whole Houſe of Commons, knowing that there were amongſt them many religious, grave, and well-minded Men; but the ſincere and better Part of the Houſe was over-born by the Practices and Clamours of the other, who, careleſs of their Duties, and taking Advantage of the Times, and our Neceſſities, have enforced us to break off this Meeting; which, had it been anſwered with like Duty on their Parts, as it was invited and began with Love on ours, might have proved happy and glorious both to us and the whole Nation.

WE have thus declared the manifold Cauſes we had to diſſolve this Parliament, whereby all the World may ſee how much they have forgotten their former Engagements at the Entry into the War, themſelves being Perſwaders to it; promiſing to make us feared by our Enemies, and eſteemed by our Friends, and how they turned the Neceſſities grown by that War to enforce us to yield to Conditions incompatible with Monarchy. CHARLES I. *Anno* 1629.

His Declaration of his Faith,

AND now that our People may diſcern that theſe Provocations of evil Men (whoſe Puniſhments we reſerve to a due Time) have not changed our good Intentions to our Subjects, we do here profeſs to maintain the true Religion and Doctrine eſtabliſhed in the Church of *England*, without admitting or conniving at any Back-ſliding either to Popery or Schiſm. We do alſo declare, that we will maintain the ancient and juſt Rights and Liberties of our Subjects, with ſo much Conſtancy and Juſtice, that they ſhall have Cauſe to acknowledge, that under our Government and gracious Protection, they live in a more happy and free Eſtate than any Subjects in the Chriſtian World. Yet let no Man hereby take the Boldneſs to abuſe that Liberty, turning it to Licentiouſneſs; nor miſinterpret the Petition by perverting it to a lawleſs Liberty, wantonly or frowardly, under that or any other Colour, to reſiſt lawful and neceſſary Authority. For as we will maintain our Subjects in their juſt Liberties, ſo we do, and will expect, that they yield as much Submiſſion and Duty to our Royal Prerogatives, and as ready Obedience to our Authority and Commandments, as hath been performed to the greateſt of our Predeceſſors.

and of his Reſolution to maintain the Liberties of the Subjects,

and to protect his Miniſters,

AND for our Miniſters, we will not that they be terrified by thoſe harſh Proceedings that have been ſtrained againſt ſome of them. For as we will not command any thing unjuſt or diſhonourable, but ſhall uſe our Authority and Prerogatives for the Good of our People, ſo we will expect that our Miniſters obey us, and they ſhall aſſure themſelves we will protect them.

and to encourage the dutiful Merchants.

As for our Merchants, we let them know we ſhall always endeavour to cheriſh and enlarge the Trade of ſuch as be dutiful, without burthening them beyond what is fitting: But the Duty of five in the Hundred for guarding of the Seas, and Defence of the Realm, to which we hold ourſelves ſtill oblig'd (and which Duty hath continued without Interruption,

* HERE the King inſerted a long Account of what paſs'd in the Houſe when the Speaker was kept by Force in the Chair, whilſt the Remonſtrance was drawing up. This Account is much aggravated, being taken Word for Word from the Attorney-General's Information againſt *Elliot*. But it contains in Subſtance no more than what hath been ſaid upon that Matter; ſo that we forbear to repeat it.

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so many Successions of Ages) we hold no good or dutiful Subject will deny it, being so necessary for the Good of the whole Kingdom. And if any factious Merchant will affront us in a thing so reasonable, and wherein we require no more, nor in no other manner, than so many of our Predecessors have done, and have been dutifully obey'd: Let them not deceive themselves, but be assured, that we shall find honourable and just Means to support our Estate, vindicate our Sovereignty, and preserve the Authority which God hath put into our Hands.

He sums up the Happiness of the Subject.

AND now having laid down the Truth and Clearness of our Proceedings, all wise and discreet Men may easily judge of those Rumours and jealous Fears, that are maliciously and wickedly bruited Abroad, and may discern, by Examination of their own Hearts, whether (in respect of the Free Passage of the Gospel, indifferent and equal Administration of Justice, Freedom from Oppression, and the great Peace and Quietness which every Man enjoyeth under his own Vine and Fig-tree) the Happiness of this Nation can be parallel'd by any of our Neighbour Countries; and if not, then to acknowledge their own Blessedness, and for the same be thankful to God, the Author of all Goodness.

Rapin's Remarks on the King's Declaration.

THIS Declaration, or rather Apology, had not the Effect the King intended. It was hardly possible for the King to make the People believe that a Dozen Members of Parliament had form'd a Project to subvert the Government, to introduce Anarchy, to usurp the Royal Authority, without its appearing that themselves or others were to reap the least Benefit from it. It would have been still more strange, that granting the King to be so just a Prince, and so tender of his People as he would have been thought, these Men should have had Credit enough to bring over the Majority of the Commons to their Sentiments. On the other hand, the King defended himself but poorly in his Declaration on some Heads, as those of Recusants, Tonnage and Poundage, and in general on the Causes of the Dissolution of the Parliament. For when he greatly aggravated the Common's Fault in not obeying the Adjournment immediately, he not only supposed his Power incontestable, though it was not so, but also said not one Word of the immediate Cause of their Non-compliance. And that was, the Speaker's refusing, by his express Command, to put the Question, which was a manifest Breach of the Freedom of Parliament. Complaints therefore and Clamours continued more than ever, notwithstanding this Apology; and it was said, that if a Parliament were not speedily call'd again all things would be unsettled, and out of order, Trading would fail, and Contests would arise about Tonnage and Poundage, *&c.* Whereupon his Majesty issued out a Proclamation on the 27th of *March* to this Effect:

Proclamation against false Rumours touching Parliaments.

'THAT notwithstanding his Majes-
'ty's late Declaration for satisfying of
'the Minds and Affections of his lo-
'ving Subjects, some ill-disposed Persons,
'do spread false and pernicious Rumours
'abroad, as if the scandalous and seditio-
'ous Proposition in the House of Com-
'mons, tumultuously taken up by some
'few, after that, by his Majesty's Royal
'Authority, he had commanded their
'Adjournment, had been the Vote of the
'whole House, whereas the contrary is the
'Truth; which Proposition was a thing
'of most wicked and dangerous Conse-
'quence to the good Estate of this King-
'dom, and it appeareth to be so, by
'those Impressions which this false Ru-
'mour hath made in Mens Minds, where-
'by, out of causeless Fears, the Trade of
'the Kingdom is disturbed, and Merchants
'discouraged to continue their wonted
'Traffick; his Majesty hath thought it
'expedient, not only to manifest the Truth
'thereof, but to make known his Royal
'Pleasure, that those who raise or nou-
'rish false Reports, shall be severely pu-
'nished; and such as go on chearfully
'with their Trades, have all good Encou-
'ragement, not purposing to overcharge
'his Subjects by any new Burdens; but
'to satisfy himself with those Duties that
'were received by the King his Father of
'ever blessed Memory, which his now Ma-
'jesty neither can, nor will dispense with-
'al. And whereas for several ill Ends
'the calling again of a Parliament is di-
'vulged, howsoever his Majesty hath
'shewed by his frequent meeting with
'his People, his Love to the use of Par-
'liaments, yet the late Abuse having
'for the present driven his Majesty
'unwillingly out of that Course, he shall
'account it Presumption for any to pre-
'scribe any Time to his Majesty for Par-
'liaments, the calling, continuing, and
'dissolving of which is always in the
'King's own Power. And his Majesty
'shall be more inclined to meet in Par-
'liament again, when his People shall see
'more clearly into his Intents and Actions;
'when such as have bred this Interrupti-
'on shall receive their condign Punish-
'ment, and those that are misled by them,
'and such ill Reports as are raised upon
'this

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'this Occaſion, ſhall come to a better un-
'derſtanding of his Majeſty and them-
'ſelves.'

CHARLES I. *Anno* 1629.

THERE was a Treatiſe handed about this Year in the long Vacation, and afterwards queſtioned in the *Star-Chamber*, entituled *A Propoſition for his Majeſty's Service, to bridle the Impertinency of Parliaments.* The Drift of it was, to adviſe his Majeſty to be troubled with no more Parliaments, but to aboliſh them after the Example of *Lewis* XI, King of *France*, who on pretence that the third Eſtate repreſenting the Commons, incroached too much upon the Clergy and Nobility, diſſolved that Parliament of the three Eſtates, and never had a free Election of the third Eſtate afterwards, but ordered another kind of Meeting in lieu of it, called *L' Aſſembly des notables*, being an Aſſembly of certain eminent Perſons of his own Nomination, who would more readily comply with his Propoſals, and not diſpute his Will and Pleaſure, as the general Aſſembly of the three Eſtates us'd to do, when the King trench'd upon the Liberty and Property of the Subject; which Alteration of Government, as is obſerved by *Ruſhworth*, has ever ſince expoſed the Commons of *France* to much Slavery and Miſery, as appears at this Day, from their Poverty, and Wooden Shoes. But, ſays *Whitelock*, King *Charles* took another Courſe to gain over the moſt eminent Men that were againſt him in Parliament. He made Sir *Thomas Wentworth*, and his Countryman Sir *John Saville*, Peers, and Privy-Counſellors, and the latter Comptroller of the Houſhold, Sir *Dudley Diggs*, Maſter of the Rolls, *Noy*, his Attorney-General, and *Littleton*, his Sollicitor-General. This *Wentworth*, afterwards Earl of *Strafford*, had had ſo long an intimate Friendſhip with Mr. *Pym*, that they had gone Hand in Hand in every thing in the Houſe of Commons, and therefore upon making his Peace with the Court, he ſent for *Pym* to meet him alone at *Greenwich*, where he began in a ſet Speech to ſound Mr. *Pym*, about the Dangers they were like to run, by the Courſes they ſteer'd, and the Advantages they might have, if they would liſten to ſome Offers which would probably be made them from the Court. *Pym*, perceiving his Driſt, ſtopped him ſhort with this Expreſſion, *You need not uſe all this Art to tell me that you have a mind to leave us; but remember what I ſay, You are going to be undone; and tho' you leave us now, I will never leave you while your Head is upon your Shoulders.* And he actually proved as good as his Word.

Lewis XIth's *notable Parliament.*

Engliſh *Members taken off from the Country, and brought into the Court Intereſt.*

Pym's *Warning to* Wentworth.

MOST of the Hiſtorians who have treated of this Reign, take notice of a great Fray that happened this Year in *Fleet-ſtreet*, on the 10th of *July*, upon the Reſcue of one Captain *Bellingham*, (an Officer in the late Expedition to the Iſle of *Rhee*) The Templers, on pretence that the Serjeants took him within their Precincts, drew together in a great Body, and having made a Barricade againſt St. *Dunſtan's Church*, beat back the Sheriffs Officers, and releaſed their Friend; of which Sir *James Campbel* the Lord Mayor, being inform'd, he and the Sheriffs, with a Company of Train-Bands came to diſperſe the Templers, *&c.* who were now increaſed to 500, armed with Swords and Piſtols, and to recover the Priſoner. The Lord-Mayor immediately made Proclamation for them to diſperſe, on pain of being treated as Rebels; but this not prevailing, the Soldiers fired their Muskets on them, charged only with Powder, but the Gentlemen were ſo provoked, that they fired their Piſtols which were loaded with Bullets, and in a hot Skirmiſh with the Train-Bands, killed five of them on the Spot, and near a hundred were wounded on both Sides But by this time the City Soldiers were ſo reinforced, that at the laſt the Gentlemen were ſubdued, and one *Vaughan*, *Aſhurſt*, and *Stamford*, three Captains, together with *Ward* an Enſign, and ſome others, were taken and committed. The King who was much offended at an Uproar ſo near the Court, ſent for the Lord Chief-Juſtice, by whoſe Advice a ſpecial Commiſſion of Oyer and Terminer was iſſued out, and in about a Fortnight after, the Malefactors were arraign'd at *Guildhall*, and *Aſhurſt* and *Stamford* being found guilty of the Murder, were condemn'd and executed at *Tyburn*. *Stamford* was a Relation and Servant of the late Duke of *Buckingham*, and much Interceſſion was made for him, but the King would not pardon him, becauſe he had been pardoned before for the Murder of a Watchman.

Riot in Fleet-ſtreet, *upon a Reſcue.*

THE ſeveral Orders and Directions that were given this Year, relating to the Cuſtoms, and the Militia, were a Proof of the declining of the King's Revenues, and of his Intereſt in the Affections of the People. By his Diſſolution of the late Parliament, and his Reſolution never to call another, which, ſays *Rapin*, was known to every Body, the King had not only depriv'd himſelf of the extraordinary Supplies he might have expected from the Commons, but had alſo done himſelf great Prejudice with reſpect to his Treaſure. The five Subſidies granted by the Parliament did not bring in by a great deal what he expected: The People generally pleaded Poverty, Decay of Trade,

Decay of the King's Revenues and Intereſt.

or

or ſome ſuch Excuſes for not paying the the Taxes, which the Commiſſioners not being well inclined to, the Court allow'd of very readily, and appeared much better diſpoſed to favour their Countrymen than the King; which occaſioned a great Diminution of the uſual Value of the Subſidy. Moreover, Tonnage and Poundage were hardly paid but by Force. There was continual Occaſion to uſe Violence to ſeize the Effects, and impriſon the Perſons of the Merchants, in order to oblige them to pay what the Houſe of Commons had declared illegal; beſides, they practiſed a thouſand Artifices to defraud the King of a Right which they thought was an unjuſt Impoſition. To remedy theſe Inconveniencies, the Council was forc'd to iſſue out very ſtrict Orders even to the impowering of the Officers of the Cuſtoms to enter into any Ship, Veſſel or Houſe, and to ſearch in any Trunk or Cheſt, and break any Bulk whatſoever in Default of the Payment of Cuſtoms, and to apprehend all Perſons that ſhould make Reſiſtance, cauſe any Diſturbance, or utter any ſcandalous Speeches againſt his Majeſty's Service. As this had never been practiſed before, another Inconvenience aroſe from it; for theſe Officers, under Colour of ſearching, us'd a great many Oppreſſions and Rogueries, which made People exclaim the more. The Goods ſeiz'd on Board the Ships were ordered to be remov'd to Storehouſes at the Cuſtom-houſe Key and the Tower, there to remain 'till the King's Duties and the Freight were ſatisfied. Sir *Francis Cottington* was authoriſed to call before him thoſe Merchants that had been truſted by the Collectors for Sums grown due by the Cuſtoms, and to require them to pay the ſame without Delay, and otherwiſe to enjoin them to attend the Lords of the Council. Mr. *Richard Chambers*, whoſe Goods were detain'd in the Commiſſioners Hands for Nonpayment of Cuſtoms, being fined 2000 *l.* to the King in the Court of *Star-Chamber*, and the Fine eſtreated in the *Exchequer*, and Proceſs of Extent iſſued out from thence to levy it, the Court of *Exchequer* made an Order afterwards that the Goods ſhould be deliver'd to *Chambers* on Payment of ſo much Money into the Court as the Duties demanded for the King did amount to, or levying ſo much Goods as ſhould amount to double the Value of thoſe Monies. But the Privy-Council required the Commiſſioners not to deliver the Goods 'till the Fine was firſt levied (the Order of the *Exchequer* no ways intending, or being intended, to prevent the ſame) and then to obſerve the Order of Court. In a Word, the King had not half the Profit from Tonnage and Poundage that he received before his falling out with the Parliament, and the People were much more diſſatisfied than ever. But to hinder their Diſcontent from breaking out into a Rebellion, the Council gave ſtrict Orders to have the Militia both Horſe and Foot compleatly arm'd, accoutred, and diſciplin'd, by which they intended to keep the Subjects in awe, whilſt on the other hand they amuſed them by iſſuing out Orders for the rigorous Execution of the Laws againſt Recuſants, which, by the way, were very much neglected, as appear'd by the continual Complaints of the People upon this Occaſion through the whole Courſe of this Reign. The King tax'd the ſubordinate Officers and Miniſters in the Country with Remiſſneſs on this Head, and made a ſtrict Order for his Meſſengers to ſeize upon all *Engliſh* going to Ambaſſadors Houſes to hear Maſs; and to ſhew the Clearneſs of his Intention, declar'd at the ſame time that he had already begun at his own Houſe, not permitting any to go the Queen's Chapel but her own Domeſticks.

Orders about the Cuſtoms.

And about Mr. Chambers's Fine.

And concerning the Militia.

And Popiſh Recuſants.

IN *Scotland* alſo the Prieſts and Jeſuits were very active in promoting their Religion; the People in many Places repairing publickly to Maſs, and being chiefly countenanc'd by the Marquiſs of *Huntly*, Hereditary Sheriff of the North of *Scotland*, the Earls of *Nithſdale*, *Athol*, *Abercorn*, and other *Scots* Noblemen of the *Romiſh* Religion. But this gave ſuch Diſtaſte to the Council of *Scotland*, that they proceeded againſt the ſaid Noblemen, who flying into *England*, were all put to the *Horn* for Non-appearance, and afterwards proclaim'd Rebels; but finding no good Reception here, they returned back, upon good Security, to abide their ſeveral Trials at Home.

Prieſts and Jeſuits in Scotland and Ireland.

AT the ſame time the Apprehenſions of *Popery* in *Ireland* were more dreadful and juſt. The *Popiſh* Biſhops and Prieſts held their publick Aſſemblies in all Parts of the Kingdom, and exerciſed an open Juriſdiction. Convents were profeſſedly erected, and even in *Dublin* the Fryars, and their Adherents, were inſolent enough to make a Riot, and to affront the Archbiſhop and Mayor. The Lords Juſtices of this Kingdom being ſworn *October* 26, did immediately direct that the *Papiſts* ſhould be proſecuted for not coming to Church, and accordingly the Statute of 2 *Eliz.* was given in Charge at the Aſſizes; but it appears by *Cox's* Hiſtory of *Ireland*, that the ſaid Proſecution was ſuperſeded by Direction from *England*.

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Monopolies inſtituted to bring in Money to the King.

MEAN while, as the King wanted Money, and it was eaſy to foreſee that his ordinary Revenues would not be ſufficient to ſupply his Expence, the Miniſters, after a Conſultation in the Month of *July*, found no better way to encreaſe the King's Revenues than by granting Monopolies; that is, forming Companies by his Letters Patent, to whom alone he gave the Privilege of ſelling certain Goods and Wares on their paying him a certain Annuity. This Abuſe, which was directly contrary to the Rights of the People, and moſt deſtructive to Trade, went ſo far, that in a manner all ſorts of Commodities were monopoliz'd, and the Sale thereof engroſſed by ſome Company, even to old Rags. As theſe Monopolies were not all ſet on foot at one time, the Reader will find a particular Account of them when he comes to our Extract of this Tome of the *Fœdera*.

THE King not thinking it proper, after *Rochel* was taken, to continue a War with *France*, which could bring him no Advantage, nor ſerve him for a Pretence to ask Money of the Parliament, ſince he was determin'd not to call one; and *France* having nothing to demand of him but with regard to the Queen's Domeſticks, which was not a ſufficient Motive to carry on the War, a Peace was concluded between the two Crowns at *Suſa* in *Italy*, on the 24th of *April*, by the Mediation of the *Venetian* Ambaſſador, proclaim'd by both Princes on the 10th of *May*, and ſworn in the Month of *September* following by Sir *Thomas Edmonds*, Comptroller of the King's Houſhold, and the Marquiſs *de Chateauneuf*. *France* had ſo little at Heart what had paſs'd concerning the Queen's Domeſticks, that they were content with cauſing this Article to be inſerted in the Treaty of Peace, *viz.*

Peace with France.

Article relating to the Marriage-Treaty with the Queen.

The Articles and Contract of the Marriage of the Queen of Great-Britain, *are to be confirm'd faithfully. And as for the ſaid Queen's Houſhold, if there be any thing to be added or diminiſhed, it ſhall be done by a mutual Conſent freely and willingly, as it may be judg'd fit and convenient for the Service of the ſaid Queen* *.

Recuſants ſet at Liberty.

HIS Majeſty, however, at the Inſtance of the Queen, was graciouſly pleas'd, in regard of this Peace, that certain Prieſts and Recuſants, who then were in ſeveral Priſons, ſhould be releaſed and delivered to the *French* Ambaſſador, to be tranſported beyond Seas, notwithſtanding any former Orders contrary thereunto.

Remarks on the Treaty of Peace.

COKE in his *Detection*, ſpeaking of this Treaty, tells the Truth, though a little coarſly. The War, *ſays he*, was not more inconſiderately begun about two Years before than the Peace now made with it was ſecret: The firſt time it was made known was when the *French* King beſieged *Privas* †, where the Peace between *Lewis* XIII, and his good Brother of *England*, was proclaim'd. The *Reformed* were aſtoniſhed and confounded that the King of *England*, who brought them into the War, ſhould leave them out of the Peace: Hereupon *Privas* ſurrenders, ſo does *Caſtres* and *Niſmes*; the great *ROHAN* is forced to ſubmit and disband, and the Power of the *Reformed* was rooted out; and while the King of *England* was making War againſt the Members of Parliament, *Richlieu* march'd with an Army into *Italy*, and took *Saluſſes* and *Pignerol* from the Duke of *Savoy*; which, as is juſtly enough obſerved by a modern Author, prepared the Way for the exorbitant Power of the *French* King's Succeſſor *Lewis* XIV.

IT appears from the Duke of *Roban*'s Memoirs, that while the *French* King was proſecuting the War againſt his Proteſtant Subjects, he would not leave *Paris* to go to the Relief of *Caſal* in *Italy* 'till he had privately got ſuch Aſſurance out of *England* as freed him from the Fear of any Invaſion from hence whilſt he was engag'd in that Expedition, and made him confident of a Peace with the *Engliſh*, excluding the *Reformed* Party, from whom he would not receive any Addreſſes. The Curious are referr'd to the ſaid Memoirs, where they will find the Articles of Peace between the *French* King and his ſaid *Proteſtant* Subjects, upon Condition of a general Pardon, and keeping the Edict of *Nants* in Force. It was concluded on the 27th of *June*.

Queen's Delivery of a Son.

ON the 13th of *May* the Queen was deliver'd of a Son before ſhe had gone her full Time, and the *Romiſh* Prieſts, then in the Bedchamber, would have immediately baptiz'd the Child in their Way, if the King had not ſtepp'd in, and expreſly aſſign'd that Office to his Chaplain Dr. *Webb*, who baptiz'd him by the Name of *Charles*. But he died in about an Hour after, and was interr'd at *Weſtminſter* by the Biſhop of *London* upon

His Baptiſm, Death, and Interment.

* THE Reader may have Recourſe to the Treaty at length in the ſecond Volume of the *General Collection of Treaties*, printed for Meſſieurs *Knapton*, *Pemberton*, *Clay*, &c.

† The *French* King laid Siege to this Place with a View to bring the *Proteſtants* to better Terms.

Aſcenſion-

Aſcenſion-Day, a little before Midnight. There was a Sheet printed laſt Year, being a Prayer for her Majeſty's ſafe Childbearing, and this Year there was another by way of Thankſgiving after it.

An Order about Goldſmiths ſhops in Cheapſide.

RUSHWORTH, who takes notice of the great Splendor and Wealth which abounded at this time in the City of *London*, and of the glorious Shew of Goldſmiths Shops all in one Row from the End of the *Old-Change* to the lower End of *Cheap*, in the open Place againſt *Mercers-Chapel*, ſays, that upon Complaint in Council on the 18th of *November*, that diverſe mean Traders had opened Shops in the ſaid Row among the Goldſmiths, his Majeſty, in order to remedy the Deformity or Unſeemlineſs, directed the Judges to conſider what Statutes or Laws were in force to oblige the Goldſmiths to plant themſelves for the Uſe of their Trade in *Cheapſide*, *Lombardſtreet*, and Parts adjacent, and to report the ſame to the Council.

Conſiderations concerning Church Government.

To reſtore the decay'd Diſcipline of the Church, Biſhop *Laud* preſented the King with a Paper of *Conſiderations for the better ſettling of the Church Government*. It conſiſted of eleven Articles, of which theſe are the moſt remarkable.

1. THAT a ſpecial Care be had over the Lecturers in every Dioceſe, which by reaſon of their Pay are the People's Creatures, and blow the Bellows of their Sedition.

2. THAT the Afternoon Sermons in all Pariſhes be turned into Catechiſing, by Queſtions and Anſwers, according to an Order ſet out by King *James*.

3. THAT *Emanuel* and *Sidney* Colleges in *Cambridge*, which are the Nurſeries of Puritaniſm, may from time to time be provided with grave and orthodox Men for their Governors.

4. THAT his Majeſty's High Commiſſion be countenanc'd by the Preſence of ſome of the Privy-Council, as oft at leaſt as a Matter of Moment is to be ſentenced.

King's Inſtructions to the two Archbiſhops.

BY the Zeal of Biſhop *Laud* thoſe Conſiderations were afterwards formed into regal Inſtructions, which were ſent on the 30th of *December* to the Archbiſhops of *Canterbury* and *York*, to be by them tranſmitted to all the Biſhops. The only material Particulars in which they differed from the Conſiderations were theſe:

1. 'THAT the Biſhops take a particular Note of all that abſent themſelves 'from Divine Service, as Recuſants or 'otherwiſe.

2. 'THAT no Biſhop from the Day of 'his Nomination ſhall preſume to make 'any Leaſe for three Lives, or twenty-one Years, or concurrent Leaſe, or any 'ways to renew any Eſtate, or cut any 'Wood or Timber, but meerly to receive the Rents due, and quit the Place: 'For we think it a hateful thing that any 'Man's leaving the Biſhoprick ſhould 'almoſt undo the Succeſſor. And if any 'Man ſhall preſume to break this Order, 'we ſhall refuſe our Royal Aſſent, and 'keep him at the Place he hath ſo 'abus'd.

3. 'THAT they ſhould give the King 'an Account every Year, on the 2d of '*January*, of the Performance of the ſaid 'Injunctions.

Remarks on them.

THE laſt but one of theſe Inſtructions was reckoned the more ſeaſonable and honourable, becauſe Tranſlations began to be more frequent now than in former Reigns; and ſome Biſhops upon the Proſpect of Removal had been ſordid and ſcandalous in leaving Places bare behind them, but the chief End of the Inſtructions in general was to hinder any Presbyterian Miniſter from creeping into the Church of *England*, and to diſcover ſuch as were careleſs Obſervers of the Rites preſcribed by the Canons. As the Presbyterians, ſays *Rapin*, were not ignorant that *Laud* was the Author of the ſaid Inſtructions, they entertained an implacable Enmity againſt him, which they made him ſenſible of afterwards when they found an Opportunity.

Diſputes betwixt the Univerſity and Town of Cambridge.

THERE was a Diſpute this Year between the Univerſity and Town of *Cambridge*, concerning the rating and ſettling the Price of *Victualia*, and particularly of Candles and other Neceſſaries, compriz'd under the Term *Focalia*. The Controverſy was referr'd to the King in Council; and after a long Debate by learned Counſel on both Sides, it was finally order'd by his Majeſty, with Advice of the Board, that the Mayor and Bailiff, *&c.* ſhould acknowledge and ſubmit themſelves to the Juriſdiction and Privileges of the Univerſity, as well for the rating and ſetting the Price of all manner of *Victualia* and *Focalia*, as for correcting and puniſhing of all Inhabitants that ſhould break and exceed the Rates and Prices ſo ſet by the Vice-Chancellor or other Officers of the Univerſity in that Behalf authoriſed: And that all the Parties fined by the Vice-Chancellor ſhall pay the Fines, and ſuch Charges of the Court as were ſet on them by the Vice-Chancellor, and make publick Confeſſion in the Vice-Chancellor's Court of their Fault in breaking the ſaid Rates and Prices ſo ſet, refuſing to pay the Fines ſo aſſeſſed upon them, and queſtioning the Privileges of the Univerſity.

Determin'd by the King and Council.

THERE

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CHARLES I. Anno 1630.

Diſaffection in the inferiour Clergy.

THERE was at this time a warm Spirit of Diſaffection to the Court in many of the inferiour Clergy. On the 28th of *January* Mr. *Bernard*, Lecturer at St. *Sepulchre's* in *London*, had this Expreſſion in his Prayer before Sermon; *Lord open the Eyes of the Queen's Majeſty, that ſhe may ſee* Jeſus Chriſt, *whom ſhe hath pierced with her Infidelity, Superſtition and Idolatry.* For which being queſtion'd in the High Commiſſion Court, the Court declared, that it was an unadviſed and ſcandalous Expreſſion, derogatory to ſome particular Perſon of moſt eminent Place, which the Court did not deſire to have repeated. But Mr. *Bernard* making an humble Submiſſion, the Court deſired the Biſhop of *London* to inform his Majeſty of it, and he was diſmiſſed.

Mr. Bernard queſtioned in the High Commiſſion for Words in his Prayer.

Mr. Chancy for Words in his Sermon,

MR. *Charles Chancy*, Miniſter of *Ware*, had likewiſe ſaid in a Sermon, *That Idolatry was admitted into the Church; that the preaching of the Goſpel would be ſuppreſs'd; that there is much Atheiſm, Popery, Armenianiſm, and Hereſy crept into the Church*; for which he was alſo brought into the High Commiſſion Court, who referr'd the Cauſe to the Biſhop of *London*, by whom he was injoin'd no other Penalty than a *Latin* Form of Submiſſion. And

and Mr. Palmer for factious Preaching.

MR. *Palmer*, a Lecturer of St. *Alphage* in *Canterbury*, *for having preached a factious Sermon in the Cathedral Church, and gain'd all factious Parties to be his Auditors*, was only ſilenc'd by the Commiſſioners; 'till being inform'd that the Archbiſhop [*Abbot*] had authoriſed him to preach again, they then found a Way to drive him out of the City.

Letter from the Council in England *to the Council in* Ireland.

THE Lords of the Council in *Ireland* having ſent up an Account of the above-mentioned Diſorders committed at *Dublin* by the *Roman Catholicks*, a Letter, dated the 31*ſt* of *January*, was ſent to them from the Council of *England*, with Thanks for ſuppreſſing the ſeditious Riot, mov'd by the Friars and their Adherents at *Dublin*, Advice to reſtrain them by a due Execution of the Laws, and an Order ſpeedily to demoliſh the Houſe in *Dublin* where the Archbiſhop and Mayor received the firſt Affront, and to convert the reſt of the Houſes erected there for ſuperſtitious Societies, into Houſes of Correction and Workhouſes.

FROM this and many other Inſtances there can be no Doubt that the King was in his own Conſcience averſe to *Popery*, and whatever Favours were obtained for ſome of that inſolent Party, were all extorted from his Majeſty's good Nature, in compliance with an importunate Queen. When his Majeſty's own Judgment and Inclinations could exert themſelves, the King always fell upon the proper Meaſures of eſtabliſhing the Church of *England*, and ſupporting the *Proteſtant* Intereſt Abroad. To this latter Purpoſe, he granted Letters Patent under the Great-Seal at *Weſtminſter*, dated the 16th of *March*, 'for a Collection to be made 'throughout *England* and *Wales*, for the 'poor exiled Miniſters of the *Palati-* 'nate, and their Wives and Children, 'who were ſpoiled of all their Temporal 'Eſtates, and expoſed to inexpreſſible 'Miſery; and whoſe Caſe was the more 'to be deplored, for that this Extremity 'is fallen upon them for their Sincerity 'and Conſtancy in the true Religion, 'which we, together with them, do 'profeſs, and which we are all bound 'in Conſcience to maintain to the ut-'moſt of our Powers:

A Brief iſſued for the exiled Miniſters of the Palatinate.

IT is remarkable, that after this Patent was paſs'd, Biſhop *Laud* cavill'd at the laſt Expreſſion, and prevail'd with his Majeſty to have it cancell'd, and a new one drawn up with an Omiſſion of the ſaid Clauſe.

Biſhop Laud's Cavil at this Clauſe.

ON the 10th of *April* died a great Miniſter of State, *William* Earl of *Pembroke*, Lord Warden of the Stannaries, Governor of *Portſmouth*, Knight of the Garter, Lord High Steward of the King's Houſhold, and Chancellor of the Univerſity of *Oxford*. He ſupp'd that Night with the Counteſs of *Bedford* at *Biſhopſgate*, and was more than ordinarily cheerful, it being his Birth-day: After Supper he went Home to *Baynard's-Caſtle*, and being that Day ſeventy Years of Age, he was boaſting of his Health and Strength, and ſaid, he would never truſt a Woman Propheteſs for the Lady *Davis's* ſake, who told him he ſhould die upon his Birth-day. He went to Bed very well, but died of an Apoplexy before Eight in the Morning. This famous Fortune-teller, who was impriſon'd for it, had propheſy'd, that he ſhould not outlive his Birth-day when fifty Years old; and according to *A. Wood*, the ſame was predicted by *Thomas Allen* of *Glouceſter-Hall* in *Oxford*. The Reader will find this Nobleman's Character, with others of his Contemporaries, in *Clarendon.*

Sudden Death of William *Earl of* Pembroke *on his Birth-day.*

BY his Death the Office of Chancellor of the Univerſity of *Oxford* became vacant, in which Office he was ſucceeded by *Laud*, Biſhop of *London*, in two Days after the News reach'd the Univerſity, who in a little time came up with Ceremony, and gave the Biſhop his Oath. But it appear'd afterwards from *Laud's* Trial, printed by Order of Parliament, that the deceaſed Earl's Brother *Philip*, who, becauſe he died without Iſſue, ſucceeded him in his Honour, was choſe by a

Laud ſucceeds Vice-Chancellor of Oxford.

a fair Majority of Voices, and that the Bishop's Creatures were guilty of foul Practices in the Scrutiny.

prince Charles born

THE 29th of *May* was remarkable for the Birth of the Prince (afterwards King *Charles* II) whom the Bishop of *London* was admitted to see before he was an Hour old. He was born at St. *James*'s Palace, at Noon, when, according to *Sanderson*, *in the Life of the Father*, a bright Star appeared in the Sky, as he rode with the Nobility on Horseback to St. *Paul's* Church, to give God Thanks for the Queen's safe Delivery *. This Author takes notice of the Phænomenon as a Miracle wrought by God in favour of the new-born Prince, and some Interpreters of the heavenly Signs at that Time would needs have it to prognosticate that the young Prince should eclipse the *Kingdoms of the East*, to which Quarter of the Heavens the Star pointed; but it is very plain that the Historians who make such a Parade with the Glory of this Appearance, are puzzled how to reconcile it with the Prince's future Misfortunes and Mismanagements.

Heylin's Note upon the Reception the News met with from the Presbyterians.

Dr. *Heylin*, with some other Writers, no Friends to the *Presbyterians* or *Puritans* of that Time, charges them with a general Mourning and Disconsolation, when they received the Tidings of this Prince's Birth, by reason that their Souls had sighed for the Succession of the Protestant Line (which now is happily in Possession of the *British* Empire) even before the Birth of the two last Kings of the *Stuarts* Family. But it is no Wonder that the Queen of *Bohemia* had so endear'd her self and her Posterity to all true Protestants, when it is considered, that such was her great Zeal for the Reformed Religion, that when it was proposed to marry her Son to the Emperor's Daughter, and to breed him up for her at the Imperial Court, the pious Queen, tho' then *in her lowest Estate*, declared she had rather *be his Executioner* than suffer her Child to be bred up in Idolatry.

Their early Devotion to the Succession in the present Royal Line.

Proceedings on Sir Robert Dudley's Libel in the Star-Chamber.

ON the Birth-Day of Prince *Charles*, a great Cause was brought to a Hearing in the *Star-Chamber*, concerning a Discourse entituled, *A Proposition for his Majesty's Service to bridle the Impertinency of Parliaments*; which being a Project to raise Money without Parliaments, had given so much Offence and Jealousie about the time of the last Dissolution, that the King ordered his Attorney-General to prefer an Information against the Earls of *Bedford*, *Clare*, and *Somerset*, Sir *Robert Cotton*, Mr. *Selden*, *Oliver St. John*, Esq; and others, who for spreading the said Libel were committed to Prison.

Earl of Somerset's Defence.

Robert, Earl of *Somerset*, by his Council pleaded 'That the Discourse, as 'he believed, was either the same that was 'shewed him at the time of his Attend-'ance upon the late King, or had the same 'things in it: And finding no Cause of 'concealing a *Proposition* made in a 'former King's Time, and having no Ap-'prehension that Scandal to his Ma-'jesty, or the present Government, might 'thereby happen, he casually imparted it 'to the Earls of *Bedford* and *Clare*, 'who after perusal thereof, delivered this 'Opinion of it, *That it was a fantas-'tick Project of some Brain-sick Tra-'veller, who had made Collections of 'some Princes in* Italy, *and other fo-'reign States, no way suitable to the 'Government of this Kingdom.* That 'he neither contrived the *Proposition*, 'nor knew of the contriving of it, nor 'ever imagined that his Majesty would 'innovate the ancient Form of Govern-'ment, or dispose of the Estates of 'his Subjects without their Consent, or 'make or repeal Laws by Proclamation, 'without Consent of Parliament, or plant 'Garrisons in his principal Cities and 'Towns, or put any part of the said 'Discourse in Execution. That the Reason 'why he did not present this Discourse 'to his Majesty, the Lords of the Coun-'cil, or some Magistrate, was, because he 'did not conceive the same did in 'any manner concern the Time of his Ma-'jesty's Government, but was contrived 'in some former Time, as appeared mani-'festly by the Particulars therein con-'tained; and that 16 or 17 Years ago 'Sir *David Fowlis* shewed him the Pro-'ject, to whom he reply'd, *That he was 'satisfied no Use could be made of it*, 'and so he re-delivered it, and concluded 'that the divulging of it was in his O-'pinion pardoned, by the General Pardon 'granted upon his present Majesty's Coro-'nation.'

* It is said, that when the King came to St. *Paul's* Church, the following Verses were presented to him, upon that Occasion.

Rex ubi Paulinas accessit gratus ad aras;
Immituit medio lucida Stella Polo;
Dic divina mihi tractans ænigmata Cœli,
Hæc Oriens nobis quid sibi Stella velit,
Magnus in occiduo modo Princeps nascitur orbe,
Moxque sub Eclipsi Regna Orientis erunt.

MR. *Lilly*, in his *Observations on the Life and Death of King* Charles in 4to. says, it was not a new Star, but the Planet *Venus*, usually seen in the Day-time, and that there was an Eclipse on the *Monday* following.

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Examination of Sir David Fowlis, &c.

THE reſt of their Defendants made the like Plea, averring their Deteſtation of the Project; and it appeared by the Depoſitions of Sir *David Fowlis*, that the Paper was written in the late Reign by Sir *Robert Dudley*, under the Name of the Duke of *Northumberland*, then at *Florence*, and other Witneſſes ſwore, that they bought the ſaid Diſcourſe nine Years ago in *Little-Britain*, among other MSS. While the Cauſe was hearing in preſence of a great many of the Nobility and Gentry, the King ſent Word to the Lord-Keeper *Coventry*, that in reſpect of the great Joy, upon the Birth of his Son, it was his Pleaſure that the Proceedings ſhould be ſtopped, and the Defendants diſcharged. The Keeper acquainted the Court accordingly with his Majeſty's ſpecial Command, upon which, the ſaid Writing was ordered to be burnt, as ſeditious and ſcandalous to his Majeſty and the Government, and the Proceedings were taken off of the File.

The Cauſe diſmiſſed.

Dr. Leighton's horrid Treatment, copied from a M.S. of his which he afterwards preſented to the Parliament.

ON the 4th of *June*, another remarkable Cauſe was heard in the Court of *Star-Chamber*, againſt a *Scotſman*, viz. *Alexander Leighton*, D. D. in the two Univerſities of *St. Andrew's* and *Leyden*, Father of Dr. *Leighton*, Biſhop of *Glaſcow*, and of Sir *Ellis Leighton*; When the High-Commiſſion and Spiritual Courts had render'd *Laud* and his Brethren odious to the Nation, ſeveral Gentlemen and Citizens repaired to Dr. *Leighton's* Houſe in *Black-Friars*, to deſire him to draw up Articles againſt the Oppreſſion of thoſe Prelates; which, after much Perſuaſion he did; and thoſe Articles being expatiated upon, made a Book called *An Appeal to the Parliament*, or *Sion's Plea againſt Prelacy*. His Friends deſired him to go beyond Sea and print it, but he would not do it 'till ſeveral pious, learned, and judicious Miniſters and others, ſome of them Members of Parliament, ſet their Hands to it, in Approbation of its Contents. Dr. *Leighton* then went abroad, and returned with an Impreſſion of it, to his very great Charge and Loſs. Two Copies of the Book were delivered to ſome Members of the Parliament, a few Days before it was diſſolved, and not long after, as he came out of *Black-Friar's* Church, *Croſs* and *Tomlins*, two High-Commiſſion Purſuivants, arreſted and dragg'd him with great Force and Violence to the Houſe of *Laud*, Biſhop of *London*, who returning from *Clapham* with Dr. *Corbet* in his Coach, *Leighton* demanded to be heard. *Croſs* made as if he ſhould; but inſtead of it he brought him through a ſubterraneous Paſſage to a Door not opened ſince the Bloody Reign of Queen *Mary*; and having provided Bolts to put on his Hands, he was carried with a huge Multitude of Bills and Staves to *Newgate*, where in the Entry his Wife was almoſt killed, and himſelf was caſt into a naſty Dog-hole full of Rats and Mice, no Light but from the uncovered Roof, no Fire-Place but the Ruins of an old Chimney, no Bedding, and no Meat nor Drink from *Tueſday* Night to *Thurſday* Noon. In this doleful Place and Plight they kept him with two Doors ſhut upon him for 15 Weeks, ſuffering none, not ſo much as his own Wife, to come at him in all that Time. Four Days after his Commitment, the Purſuivant of the High-Commiſſion Court, with other Ruffians belonging to that impious Court, came to the Doctor's Houſe in *Black-Friars*, under pretence of ſearching for Jeſuits Books, laid violent Hands upon his diſtreſſed Wife, and uſed her in ſuch a barbarous manner, as is a ſhame to expreſs. They rifled every Soul in the Houſe, and held a cock'd Piſtol to a Boy's Breaſt of five Years old, threatning to kill him if he would not tell where the Books were; at which the Child was ſo frighted that he never recovered it. They ſpoiled and carry'd away all the Doctor's Books, Houſhold-Stuff, Apparel, Arms, &c. notwithſtanding Mrs. *Leighton* told them there would be a Day of Reckoning for it. They alſo carried off a great number of Books belonging to the Doctor from one Mr. *Archer*, with whom he had left them for Security. The Keeper of *Newgate* deny'd him a Copy of his Commitment, and the Sheriffs of *London*, *Arthur Abdy* and *Robert Campbel*, refuſed to Bail him upon his Wife's Petition, according to the Statute in that behalf, one of the Sheriffs ſaying, *He wiſhed the Laws of the Land, and Privileges of the Subject, had never been named in Parliament*. At fifteen Weeks end, the Doctor was ſerv'd with a *Subpœna*, and an Information was laid againſt him by Sir *Robert Heath*, the Attorney-General, who came to him in *Newgate*, and told him, the King was informed he would not be examined. The Doctor reply'd '*I have the more Wrong, and 'the contrary will appear; I am will-'ing to be examined by the meaneſt of 'his Majeſty's Subjects coming with 'lawful Authority, tho' I refuſed to 'anſwer before the High-Commiſſioners, 'as having no lawful Authority.*' He then gave his Reaſons, with which *Heath* ſeemed to be ſatisfy'd. Sir *Hen. Martin*, and Dr. *Reeves*, two Civilians, the former of whom was Judge of the Admiralty, together with the Clerk of the High-Commiſſion-Court, and ſeven or eight of the Commiſſioners had before been with him

in

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in *Newgate*, to examine him, and he refuſed it; *for that they had by an unlawful Warrant, violently caſt him into a loathſome Priſon, and that by the Laws of God and Man, they were forbidden to meddle with the Body or Goods of the Subject.* The two Civilians told him, they were ordered by the King to take his Examination. Dr. *Leighton* ſaid, *It is more than I know; if you will lay aſide your Commiſſion, and examine me by the King's Command, I will anſwer.* Sir *Henry Martin* reply'd, *Not ſo. Neither*, ſaid Dr. *Leighton, will I be examined as you would.* Which made *Heath* the Attorney-General accoſt him as he did. Sir *Henry*, and *he*, had much Diſcourſe about the King's *Supremacy*, the *Hierarchy*, going to *Religious Aſſemblies* different from Church-Worſhip, Faſting and Prayer. *Reeves* ſaid, *I believe in my Conſcience, you have done more hurt than the Jeſuits.* Sir *Henry Martin*, looking ſtedfaſtly on the Doctor, and ſeeing his Countenance very pale and meagre, through long Faſting, beaſtly Lodging, and other Afflictions, the Tears ruſhed into his Eyes. But *Reeves* was inſenſible, as was alſo the Attorney-General, who, upon aſſurance that he ſhould come to no Harm, got a Confeſſion out of him that he wrote the Book he was charged with, and at a ſecond Conference promiſed him not only Pardon, but Favour, if he would confeſs who ſet him on; which Dr. *Leighton* refuſing, he was immediately brought into the *Star-Chamber* Court, and required to put in an Anſwer to an Information, wherein he was charged, among other things, with ſetting forth theſe falſe and ſeditious Aſſertions and Poſitions following:

1. THAT we do not read of greater Perſecution, and higher Indignity, done upon God's People in any Nation profeſſing the Goſpel, than in this our Iſland, eſpecially, ſince the Death of Queen *Elizabeth.*

2. HE terms the Prelates of this Realm Men of Blood, and Enemies to God and the State, and ſaith, That the maintaining and eſtabliſhing of Biſhops within this Realm, is a main and Maſter-Sin, eſtabliſhed by Law, and that Miniſters ſhould have no Voices in Council, Deliberative and Deciſive.

3. HE avowed the Prelacy to be *Antichriſtian*, and *Satanical*, and terms the Biſhops Ravens and Magpies that prey upon the State.

4. HE terms the Canons of our Church made *Anno* 1603, *Nonſenſe.*

5. HE diſſallowed and contemn'd the Ceremony of *kneeling at the Sacrament*, alledging that the Suggeſtion of falſe Fears to the King by the Prelacy, and the ſeeking of their own unlawful Standing, brought forth that received *Spawn of the Beaſt.*

6. HE affirmed that the Prelates did corrupt the King, foreſtalling his Judgment againſt God and Goodneſs, and calleth our Queen *a Daughter of Heth.*

7. HE ſeems to commend the Murder of the late Duke of *Buckingham*, and to encourage others to do the like.

8. HE ſcandalizes the King, State, and Kingdom, by affirming that *all that paſs by us, ſpoil us, and we ſpoil all that rely upon us.* And among other Particulars, inſtanceth the black pining Death of 15,000 famiſhed *Rochellers*, in four Months; by which Paſſages, Poſitions, and Aſſertions, he did as much as in him lay, ſcandalize the King and his Government, the Queen, the Peers, and eſpecially the Biſhops.

9. THAT in order to ſlander his Majeſty's Perſon and Government, and to detract from his Royal Power in making Laws and Canons for Government Eccleſiaſtical, and in Matters concerning the Church, he ſaith, that the Church hath her Laws from the Scripture, and that no King may make Laws in the Houſe of God.

10. AND thinking to ſalve all with an Expreſſion of his ſacred Majeſty, he hath theſe Words following; *What pity it is, and indelible Diſhonour it will be to you the State's Repreſentative, that ſo ingenuous and tractable a King ſhould be ſo monſtrouſly abuſed, to the undoing of himſelf and his Subjects!*

THE Defendant, for whom no Council durſt plead, when he was very ill in Priſon, put in an Anſwer, That he wrote the Book with no ſuch ill Intention as is ſuggeſted in the Information; and that his End was only to remonſtrate certain Grievances in Church and State, under which the People ſuffer'd, to the end that the Parliament might take them into Conſideration, and give ſuch Redreſs as might be for the Honour of the King, the Quiet of the People, and the Peace of the Church. However ſatisfactory this Anſwer might be to all religious reaſonable Perſons, when the Court proceeded to give Sentence, they declared, that it evidently appeared upon Proof, that the Defendant had printed five or ſix hundred of the ſaid Books, and that, in their Opinions, he had committed a moſt odious and heinous Offence, deſerving the ſevereſt Puniſhment the Court could inflict, for framing and publiſhing a Book ſo full of moſt peſtilent, deviliſh, and dangerous Aſſertions, to the Scandal of the King, Queen, and Peers, eſpecially the Biſhops. The two Lord Chief-

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Chief-Juſtices being preſent, deliver'd their Opinions, That they would have proceeded againſt him for Treaſon, if the Cauſe had come before them: And other Lords affirm'd it to be his Majeſty's great Mercy and Goodneſs that he was brought to receive the Cenſure of this Court, and not arraign'd at another Bar for a Traitor. The Court therefore in the Abſence of the Defendant, whoſe Caſe (ſuppoſed to be the Effect of Poiſon) was certified by four Phyſicians and an Attorney to be deſperate, unanimouſly decreed, That he ſhould be committed to the *Fleet* for Life, unleſs his Majeſty pleaſes to enlarge him, that he pay a Fine of 1000 *l.* be degraded in the Eccleſiaſtical Court, and then Pillory'd at *Weſtminſter* (the Court ſitting) and there Whipp'd, and after ſome convenient Space ſet again upon the Pillory, there to have one of his Ears cut off, and his Noſe ſlit, and his Face branded with a double S S, for a *Sower of Sedition*; and that he ſhall then be carried to the *Fleet* Priſon, and after a convenient Space ſet in the Pillory at *Cheapſide*, upon a Market-Day, and there likewiſe Whipp'd and again ſet in the Pillory, and have his other Ear cut off, and from thence be carried back to the *Fleet* Priſon there to remain during his Majeſty's Pleaſure.

THIS Sentence being paſs'd toward the End of *Trinity* Term, and the Court not being uſed to ſit after the Term, unleſs upon emergent Occaſions, and it requiring ſome time in the Eccleſiaſtical Court, in order to the Defendant's Degradation, it was *Michaelmas* Term following before any Part of the Sentence could be put in Execution; but on the 4th of *November* he was accordingly degraded, and on the 10th, being a *Star-Chamber* Day, he was to have undergone the Execution of this horrid Sentence; but he eſcap'd out of the *Fleet* the Night before. Upon which the Lords of the Council next Day order'd a Hue and Cry to be printed for retaking him, whereby he was apprehended in *Bedfordſhire*, and brought back to the *Fleet*, and on the 16th of *November* he was carried to the new Palace at *Weſtminſter*, in Term-Time, where he was ſeverely Whipp'd, put in the Pillory, and had one of his Ears cut off, one Side of his Noſe ſlit, and one Cheek branded with a red hot Iron with the Letters S S. And upon that Day Se'nnight, his Sores on his Back, Ear, Noſe and Face being far from being cured, he was again Whipp'd at the Pillory in *Cheapſide*, and there had the Remainder of his Sentence executed upon him, by the cutting off of the other Ear, ſlitting the other Side of the Noſe, and branding the other Cheek. It appears from the Petition which the Doctor preſented to the Parliament in 1640, that the Hangman was arm'd with ſtrong Drink the Night before in Priſon, and threatning Words to do it cruelly; that he receiv'd thirty-ſix Stripes at the Stake with a terrible Cord; that he ſtood almoſt two Hours in the Pillory in the cold Froſt and Snow; that what with the cutting off of his Ear, firing his Face, and ſlitting of his Noſe (*the mention of which ſo moved the Compaſſion of the Houſe, that the Clerk, who read his Petition, was bid to ſtop 'till they had recover'd themſelves*) he was made a Theatre of Miſery to Men and Angels; and being ſo broken with his Sufferings, that he was not able to go, the Warden of the *Fleet* would not ſuffer him to be carried in a Coach, but hurried him away by Water from *Palace-Yard*, to the hazard of his Life, *&c.* *

THIS unfortunate Gentleman, ſays *Ruſhworth*, was ſo well known for his Learning and other Abilities, that he was pitied by a world of People, who had therefore the harder Thoughts of the Government; only his untemper'd Zeal (as his Countrymen then gave out) prompted him to that Miſtake, for which the Neceſſity of Affairs at that time required this Severity from the Hand of the Magiſtrate, more than perhaps the Crime would do in a following Juncture.

THE Doctor's Countrymen, *viz. Levingſton* and *Anderſon*, who had aſſiſted him in his Eſcape, by changing Cloaths with him, were afterwards taken and brought into the *Star-Chamber*, where they were fin'd 500 *l.* a-piece, and committed to the *Fleet* during the King's Pleaſure.

ON the 27th of *June*, *Laud*, Biſhop of *London*, had the Honour, as Dean of the Chapel (his Grace of *Canterbury* being infirm) to Chriſten Prince *Charles* at St. *James's*. His Godfathers were the King of *France* and the Prince Elector, repreſented by the Duke of *Lenox* and the Marquis of *Hamilton*, and the Godmother was the Queen-Mother of *France*, who was repreſented by the Dutcheſs of *Richmond*. In MSS *Harley*, 61. B. 70, there is a particular Account of the Rites and Ceremonies.

Pr. Charles Chriſten'd.

IN *Michaelmas* Term *Vaſſal* the Merchant, formerly mention'd in *pag.* 676, brought a *Habeas Corpus* to the King's-Bench Court, but was denied the Benefit of it, and remanded to Priſon.

Habeas Corpus denied for Vaſſal the Merchant.

TOWARDS the End of *Trinity* Term the Sickneſs increaſing in *Southwark*, *Hobart*, *Strode*, and *Valentine*, three

Caſes of Hobart, Strode, Valentine, and Selden.

* THE Parliament was ſo touch'd with his Sufferings, that they favour'd his Petition ſo far as to give him 6000 *l.* and made him Warden of the *Fleet* Priſon.

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of the late Members imprſſon'd in the *Marſhalſea*, petitioned for, and obtained Leave of the Judges of the *King's-Bench* to be removed to the *Gatehouſe*: And Mr. *Selden*, who was at the ſame time in the *Marſhalſea*, having omitted to make the like Application to them 'till the Term was over, and the Judges in the Circuit, petition'd for, and obtained the ſame Favour from the Lord Treaſurer. But in *Michaelmas* Term the Judges calling on the Marſhal for his Priſoner *Selden*, and he producing the Treaſurer's Warrant, by the King's Direction, for his Removal to the *Gatehouſe*, they declar'd the Warrant to be illegal, and ſent their Writs to remand the four Priſoners back again to the *Marſhalſea*.

Peace with Spain.

ON the 5th of *November*, *O. S.* a Peace was concluded with *Spain* at *Madrid*, which was proclaimed at *London* on the 27th, and in a few Days after ſworn to in the Chapel at *Whitehall*, when King *Charles*, and the *Spaniſh* Ambaſſador, Don *Carlo Colonna*, went into their ſeveral Retirements whilſt an Anthem was ſung, and whilſt the Dean of the Chapel, Dr. *Laud*, with three other Biſhops, went up to the Altar with a *Latin* Bible, upon which the King laid his Hand while Secretary *Cook* read the Oath, and then he kiſſed the Book, ſign'd the Articles, deliver'd them up to the *Spaniſh* Ambaſſador, and then went to the Banquetting-Houſe to a Princely Entertainment*.

WHEN this War was firſt begun in *Spain* there was great Hopes to have oblig'd that King by Force to procure the Reſtitution of the *Palatinate*, but all that could be obtained, after long Expence in War, was only that he would uſe his utmoſt Intereſt for that Purpoſe with the Emperor.

RUSHWORTH concludes this Year with an Account of the Bills of Mortality in three great Plague-Years.

Bills of Mortality in three Plague-Years.

THERE died, *ſays he*, this Year of all Diſeaſes, in *London* and the Liberties, 10,554
Whereof of the Plague 1,317

IN the firſt Year of King *Charles* I, *An.* 1625, there died of all Diſeaſes, in *London* and the Liberties, 54,082
Whereof of the Plague 35,428

AND in the Year 1665, there died 79,000
Whereof of the Plague 65,890

Conſecration of Catherine Creed Church by Bp. Laud.

ONE of the moſt remarkable things that uſher'd in this Year, was the Conſecration of St. *Catherine Creed* Church in *Leadenhall-ſtreet*, by *Laud*, Biſhop of *London*, which was perform'd with ſo much Ceremony, reſembling the Practice of the Church of *Rome* upon the like Occaſion, as gave a very great Handle to the Biſhop's Enemies to charge him with a Deſign of introducing *Popery*. As great Exceptions were taken at the Formalities, it may be proper to relate the manner of it, and what the Biſhop ſaid in his Juſtification afterwards, when he was queſtioned for it in Parliament.

THIS Church being newly rebuilt, on the 16th of *January*, being the Lord's Day, the Biſhop came in the Morning to conſecrate it. At his Approach to the Weſt Door, ſome that were prepar'd for it, cry'd with a loud Voice, *Open, open ye everlaſting Doors, that the King of Glory may enter in*; and preſently the Doors were opened, and the Biſhop, with ſome Doctors, and many other principal Men, went in, and immediately falling upon his Knees, with his Eyes lifted up, and his Arms ſpread Abroad, utter'd theſe Words; *This Place is holy, the Ground is holy: In the Name of the Father, Son, and Holy Ghoſt, I pronounce it holy.*

THEN he took up ſome of the Duſt and threw it up into the Air ſeveral times, as he advanc'd towards the Chancel. When they approached near to the Rail and Communion-Table, the Biſhop bowed towards it ſeveral times, and returning, they went round the Church in Proceſſion, repeating the hundredth Pſalm, and the nineteenth Pſalm, and then ſaid a Form of Prayer, beginning, *Lord Jeſus*, &c. and concluding, *We conſecrate this Church, and ſeparate it unto thee as holy Ground, not to be prophaned any more to common Uſe.*

AFTER this the Biſhop being near the Communion-Table, and taking a written Book in his Hand pronounced Curſes upon thoſe who ſhould afterwards prophane that holy Place, by Muſters of Soldiers, or keeping prophane Law Courts, or carrying Burdens through it; and at the

* THIS Peace was ſaid to be firſt negotiated by *Peter Reuben*, the famous rich Painter of *Antwerp* (and Secretary and Gentleman of the Chamber to the Arch-dutcheſs *Eugenia*) who was ſent over to paint the *Banquetting-Houſe*, and was well rewarded for it, beſides the Honour of Knighthood. The Reader will find both the Treaty and the Oath entire, in the 2d *Vol.* of the *General Collection of Treaties*, printed for our Bookſellers.

End of every Curſe he bowed towards the Eaſt, and ſaid, *Let all the People ſay* Amen.

When the Curſes were ended, he pronounced a Number of Bleſſings upon all thoſe that had any Hand in framing and building of that ſacred and beautiful Church, and thoſe that had given, and ſhould hereafter give any Chalices, Plate, Ornaments or Utenſils; and at the End of every Bleſſing he bowed towards the Eaſt, ſaying, *Let all the People ſay* Amen.

After this followed the Sermon, at the End of which the Biſhop conſecrated and adminiſtred the Sacrament in manner following.

As he approached the Communion-Table he made many low Bows, and coming up to the Side of the Table, where the Bread and Wine were covered, he bowed ſeven times, and then after the reading of many Prayers, he came near the Bread and gently lifted up the Corner of the Napkin wherein the Bread was laid, which as ſoon as he beheld, he laid it down again, ſtarted back a Step or two, bowed three ſeveral times towards it, and then he drew near again, opened the Napkin, and bowed as before.

Then he laid his Hand on the Cup, which was full of Wine with a Cover upon it, which he let go again, went back, and bowed thrice towards it; then he came near again, and lifting up the Cover of the Cup, looked into it, and ſeeing the Wine, he let fall the Cover again, retired back and bowed as before; then he received the Sacrament, and gave it to ſome principal Men; after which, many Prayers being ſaid, the Solemnity of Conſecration ended.

The Biſhop's Charge and Defence.

If *Laud* had taken all theſe Ceremonies from a Ritual of the Church of *England* made ſince the Reformation, there would have been nothing to object. But ſome Years after, the Houſe of Commons accuſed him in Form, of having exactly copied the *Roman Pontifical*, which was found in his Study. The Biſhop made a learned Defence, by endeavouring to juſtify the Conſecration of Churches from the Practice of *Moſes*, *Solomon*, *Hezekiah*, and other Princes of the *Jews* in the Time of the Ceremonial Law; and from the Expreſſion in the Old Teſtament, that the Tabernacle, with all the Veſſels and Ornaments thereunto belonging, were all ſolemnly conſecrated by *Moſes*; and afterwards when the Temple was built, it was ſolemnly dedicated and conſecrated to God by King *Solomon*, and all his Princes and People. He alſo argued out of *Euſebius* in the Time of *Conſtantine*, and other *Chriſtian* Princes, of the Antiquity of conſecrating Churches, and then he deſcended more particularly to anſwer the Charge as to the Conſecration of *Creed* Church. It was teſtified, *ſaith he*, that I came thither in a pompous manner. I deny it, *it was only in a grave and ſeemly manner*. It is objected, that as ſoon as I came within the Church Door, I fell down upon my Knees. *True; it was no more than my Duty, being an Oratory:* Moſes *and* Aaron *fell down on their Knees at the Door of the Tabernacle.* Hezekiah *and the People bowed and worſhipped, as I have prov'd at large in my Speech in the* Star-Chamber. *And, O come, let us worſhip and fall down before the Lord our Maker*, is the common *Introitus* in our own and other Liturgies. It is objected, I pronounced the Place and Ground holy; *I did ſo, and it is an ordinary and legal Speech, there being a relative, though not an inherent Holineſs in Churches dedicated to God's Service.* Whereas it was ſaid, I threw up Duſt in the Air; *This I deny.* And where it was alledg'd, that this was in Imitation of the *Roman Pontifical*; *that*, ſaid he, *is a Miſtake*; *for the* Pontifical *preſcribes* (Cinis) *Aſhes, not Duſt, to be caſt Abroad. For my Form of Conſecration, Biſhop* Andrews *made it, from whom I deſired a Copy, and had it.* It was objected, that the Form of Prayer I uſed is in the Maſs-Book and *Roman Pontifical.* It may be ſo, *he replied*, and many other very good Prayers are in it.

Commons Reply.

The Member of the Houſe of Commons appointed to manage the Evidence, made this Reply:

1. That *Moſes* had an expreſs Command from God himſelf to conſecrate the Tabernacle, with all the Veſſels thereof, by anointing them with conſecrated Oil, they being Types of *Chriſt* to come. But we have no ſuch Command from God to conſecrate Churches, Churchyards, Chapels, Altars, and Veſtments, which are no Types of *Chriſt* already come. Exod. xl. 10, 11, 12.

2. This Conſecration was made by *Moſes*, the *Temporal Magiſtrate* (not by *Aaron* the High-Prieſt) without any other Ceremony than meer *anointing* the Tabernacle, and its Veſſels and Implements with Oil; therefore this was no Warrant for Biſhops conſecrating Churches, Churchyards, Chapels, Altars, and Veſtments, with other Ceremonies, without anointing them with Oil.

3. This

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3. THIS Conſecration was only Temporary, the *Jewiſh* Ceremonial being aboliſhed by *Chriſt*'s Death, *Coloſſ.* ii. 14, &c.

4. KING *Solomon* did not conſecrate the Temple, nor the Veſſels, and the Court thereof, with Oil, as *Moſes* did the Tabernacle; but after he had brought the Ark, Tabernacle, and all the holy Veſſels into it, with Praiſes, Thankſgiving, and Inſtruments of Muſick, and after the Cloud and Glory of the Lord had filled the Houſe, he made an heavenly Prayer only in the midſt of the Court, not in the Temple, before all the Congregation of *Iſrael*.

5. THAT the moſt holy Place was ſo ſtiled, though never conſecrated; ſo *Jeruſalem* is frequently called the holy City, *Matt.* iv. 5. and xxvii. 53. though never conſecrated, and God told *Moſes*, *The Place whereon thou treadeſt is holy Ground*, Exod. iii. 5. though never conſecrated by a Biſhop.

6. OUR own Homilies inform us, That the Church is counted and called holy, not of itſelf (nor yet for its Conſecration by a Biſhop) but becauſe God's People reſorting thither are holy, and exerciſe themſelves in holy and heavenly things.

7. THE hearing and preaching God's Word, Prayer, and receiving the Sacraments therein, are ſufficient of themſelves to ſanctify and make it holy, without any other Conſecration.

8. SANTIFICATION in its own nature is nothing elſe but a ſequeſtring any thing from a common to a religious Purpoſe, which may be done without a Biſhop's Exorciſm or Conjuration.

As to the Biſhop's Denial that he threw up Duſt, two Witneſſes expreſly depoſed the Affirmative. And as to his Averment, that he took his Form from Biſhop *Andrews*, it is very certain, that it agrees with that in the *Pontifical* found in his Study, even *in terminis*; ſo that if Biſhop *Andrews* imitated the *Pontifical*, and he Biſhop *Andrews*, the Charge is much alike.

AFTER all, it muſt be own'd, that it was a Piece of Affectation in the Biſhop, both in conſecrating the Church, and adminiſtring the Sacrament, to uſe a different Form from that of the Church of *England*, and to chooſe one ſo very like the *Pontifical*. But he little regarded what could be ſaid againſt him: The King's Favour had raiſed him ſo high, that it was not in the Power of his Enemies to do him any Hurt, but on the contrary, he had frequent Opportunities to be reveng'd on them; for even whilſt the Clamour was ſtrongeſt againſt him, three Doctors of Divinity at *Oxford* having preached againſt *Arminianiſm*, were expelled the Univerſity, and ſome others, who had undertaken to defend them, were turned out of their Poſts.

CHARLES I. *Anno* 1631.

Combat agreed upon between Ramſey *and* Rea *about the Marquiſs of* Hamilton.

ON the 22d of *Auguſt*, the Lord-Keeper and Judges conſulted how to examine into the Truth of an Accuſation againſt the Marquiſs of *Hamilton*, who having contracted with *Guſtavus Adolphus*, King of *Sweden*, to carry over ſix thouſand Men to his Aſſiſtance, in order to be employ'd againſt the *Imperialiſts*, or other Enemies, for reſtoring *our oppreſſed Friends in* Germany, and having a Leaſe of the Cuſtom of Wines in *Scotland* granted him for ſixteen Years, to enable him to raiſe and tranſport his Men, was charg'd with a treaſonable Deſign of raiſing this new Army with an Intention, when he was at the Head of them, to ſet himſelf up for King of *Scotland*. The Lord Treaſurer *Weſton* encourag'd this Suggeſtion, and preſs'd it home to the King, who told *Hamilton*, the next time he came into his Preſence, what an Accuſation was brought againſt him; but, ſays the King, *I don't believe it; and that the World may know I have a Confidence in your Loyalty, you ſhall lie this Night in my Bed-Chamber:* And the Marquiſs accordingly continued in the moſt intimate Acceſſes to the King.

DONALD Lord *Rea*, a *Scots* Highland Baron, impeached *David Ramſey* and *Robert Meldran*, for moving him to this Conſpiracy. They denied it flatly, and no Witneſs could be produced. *Ramſey*, who was a Soldier, and a true *Scots* Courtier, offered to clear himſelf by Combat, and the Appellant *Rea* accepted of the Challenge. The King was deſirous it ſhould be put upon a Duel, and the Judges were conſulted with,

I. WHAT the Offence was?
II. WHERE the Trial ſhould be?

THEY were all of Opinon, *That if the Examinations were true, it was a high and horrible Treaſon*; and adviſed that the Trial might be by an Appeal of Treaſon, after the manner of the Civil Law, the Judges not to intermeddle; upon which a Court of Chivalry was erected, conſiſting of the Conſtable and Marſhal, by a Commiſſion under the Great Seal, on the 24th of *November*, and the Earl of *Lindſey* being made Conſtable for that Purpoſe, the Proceedings in that Court between *Rea* and

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and *Ramsey* were very solemn, and Multitudes of People, for the Novelty sake, attended the Trial, which was in the *Painted-Chamber* at *Westminster*.

IN this Trial, wherein Mr. *Selden* was one of Lord *Rea*'s Council, it was delivered for Doctrine, *That if the Defendant do send a Challenge to the Appellant, it is a Proof of the Defendant's Guilt. That no Testimony is to be neglected in Matter of Treason.* And the Story in *Livy* was cited, *That it is not base to undergo any Office to save a Nation; but that it was unbecoming a Gentleman to fish for Circumstances, and then to be an Informer.* That in *France* the holding up of the Hand is taking an Oath; and in this Case it was urged, *That if* Ramsey *be guilty of Treason,* Rea *is so likewise; for that both did speak the Words in the Accusation.*

IN fine, after very long and formal Proceedings, of which there is a full Account in *Sanderson*'s History, and the second Volume of *Rushworth*, in *May* following, when the Parties were just ready for Combat, which was appointed in *Tuttle-Fields*, the King interposed, through the Interest of the Marquis of *Hamilton*, whose Servant *Ramsey* was, and to prevent the Duel, sent one of the Kings at Arms with a Letter to the Lord High Constable, by which he revoked his Commission, and both were remanded Prisoners to the *Tower*.

THE Marquis of *Hamilton*'s Expedition to *Germany* turned to so little Purpose, that it is not worth insisting on, and we shall dismiss the Subject with the Letter which King *Charles* wrote to the Marquis on the 8th of *May* following, when a Period was put to the great Trial.

JAMES,

'SINCE you went I have not wrote 'to you of *Mackay*'s Business, be'cause I neither desire to prophesy, 'nor write half News; but now seeing '(by the Grace of God) what shall be 'the End of it, I have thought fit to 'be the first Advertiser of it to you. 'I doubt not but you have heard, that '(after long seeing of Proofs for clear'ing the Business as much as could be, 'and Formalities which could not be 'eschewed) the Combat was awarded, 'Day set, Weapons appointed: But 'having seen and considered of all that 'can be said of either Side, as likewise 'the Carriage of both the Men, upon 'mature Deliberation, I have resolved 'not to suffer them to fight. Because, 'first, for *Mackay* he hath failed so 'much in his Circumstantial Probations, 'especially concerning *Muschamp*, upon whom he built as a chief Witness, 'that no body now is any way satisfied 'with his Accusations. Then for *David Ramsey*, though we cannot condemn him for that which is not, yet 'he hath so much, and so often offended by his violent Tongue, that we 'can no ways think him innocent, though 'not that way guilty whereof he was 'accused; wherefore I have commanded the *Court shall be dismissed*, and 'Combat discharged, with a Declaration to this Purpose, that though upon 'want of good Proof the Combat was 'necessarily awarded, yet upon the 'whole Matter I am fully satisfied, 'that there was no such Treason as '*Mackay* had fancied. And for *David Ramsey*, though we must clear 'him of that Treason in particular, yet 'not so far in the general, but that 'he might give Occasion enough *by his Tongue*, of great Accusation, 'if it had been rightly placed, as by 'his foolish presumptuous Carriage did 'appear.

CHARLES I. *Anno* 1632.

'THIS is the Substance, and so short, 'that it is rather a Direction how to believe others, than a Narrative itself, 'one of my chief Ends being, that you 'may so know *David Ramsey*, that 'you may not have to do with such 'a Pest as he is, suspecting he may 'seek to insinuate himself to you upon 'this Occasion. Wherefore I must desire you, as you love me, to have nothing to do with him.

'To conclude now, I dare say, that 'you shall have no Dishonour in this 'Business; and for myself, I am not 'ashamed that herein I have shewed my 'self to be

Your faithful Friend,

London, May 8, 1632. *And loving Cousin,*

CHARLES R.

ON the 26th of *August* Sir *Nicholas Hide*, Chief-Justice of the *King's-Bench*, died in the sixtieth Year of his Age, at his House in *Hampshire*, of whom Judge *Whitelock* has left this Character, 'That 'being made Chief-Justice in the second 'Year of this Reign, he liv'd in the 'Place with great Integrity, Wisdom, 'and Temper, considering the Ticklish'ness of the Times; and that he would 'never

Death and Character of Sir Nicholas Hide.

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'never undertake to the King, nor adventure to give him a resolute Answer 'to any weighty Business, when the 'Question was of the Law; but he 'would pray that he might confer with 'his Brethren, and the King ever gave 'way to it.

Birth of Mary *afterwards Princess of* Orange.

ON the 4th of *November* this Nation was blessed by the Queen's Delivery of her eldest Daughter Princess *Mary*, afterwards married to the young Prince of *Orange*.

Anno 1632.

Information against the City of London *for the Murder of* Lamb.

IN *Easter* Term this Year, *Noy* the Attorney-General brought an Information in the *King's-Bench* against the Mayor and Commonalty of *London*, for that in *June*, 1628, Dr. *Lamb* was slain in a Riot in the Streets (as is related in *pag.* 656) and none of the Offenders were yet taken, nor any Person known or indicted for that Felony. Upon this Information, the Mayor and Commonalty appearing, confessed the Offence, and submitting themselves to the Favour of the Court, were fined 1500 Marks by the Common Law, and not upon the Statute of 28 *Edw.* III, nor upon the Statute of 4 *Hen.* VIII.

Against Mr. Barnard, *for his Sermon at* Cambridge.

MR. *Nathaniel Barnard*, Lecturer of St. *Sepulcre's*, whom we formerly mentioned, having in a Sermon preached *May* the 6th at St. *Mary's* in *Cambridge*, from 1 *Sam.* iv. 21. *The Glory is departed from* Israel, *&c.* delivered several smart Passages against the Possibility of Salvation in the Faith and Worship of the Church of *Rome*, as it was decreed in the Council of *Trent*, and against the introducing of *Pelagian* Errors and *Romish* Superstition into our Church; to the Authors of which Errors and Superstitions he pray'd for Conversion or Destruction: He was questioned in the High Commission Court, censur'd in the Presence of the Archbishop of *Canterbury*, and enjoined a Form of Recantation, which he refusing to submit to, though in general Terms he expressed his Sorrow for any Oversights and unbecoming Expressions in his Sermon, he was suspended from the Ministry, fined 1000 *l.* condemn'd in Costs, and committed to Prison, where with ill Usage he died.

Cause against Feoffees for Impropriations.

THE Cause against the Feoffees for buying in Impropriations, as Instruments of the Puritan Faction to divide and destroy the Church, was now brought by Information into the *Exchequer*, where the Attorney-General set forth, That the said Feoffees had purchased diverse Rectories, Tythes, *&c.* under pretence of augmenting poor Vicarages, but had not employ'd them to such pious Uses, according to the true Intention of the Donors.

THE Defendants made Answer, That they believed Impropriations in the Possession of Laymen not employ'd for the Maintenance of Preachers, to be a great Damage to the Church of *England*; and therefore that the purchasing thereof for the Maintenance of Divine Service and Preaching, was a pious Work, and that the Donors and Benefactors had not specially assign'd the Endowment of perpetual Vicars, but intended the Maintenance of Preachers, and such other good Uses as the Defendants should think meet; and that they had converted the Money to such Uses, according to the best of their Discretion.

THE Court gave Judgment, that the Defendants had usurped upon the King's Regality, and of their own Authority had made themselves a Body or Society; that they had purchased diverse Impropriations, but never restored one of them to the Church; that by disposing the Profits to Lecturers and Ministers, they had drawn a Dependance of the Clergy upon them, and introduc'd many Novelties of dangerous Consequence*. For this, their Corporation was dissolved, and their Money adjudg'd to the King; and his Majesty determin'd a Criminal Process against them in the *Star-Chamber*; but it was never prosecuted, because many discreet and devout Men were rather desirous of the Regulation, than the Ruin of so pious an Undertaking.

THE Design of destroying Presbyterianism occasioned the having no manner of Regard to the Scruples of tender Consciences in Matters of little Moment, which the Reformers had left in the publick Worship rather as indifferent than as absolutely necessary. On the contrary, every thing that gave most Offence to the Presbyterians, was not only industriously practised, but also made to be deemed necessary, and several new things were added, tending to widen the Breach, and make an Union impracticable. Of which the following Fact may be allowed to be a clear Evidence.

* IT was urged against them, that they generally preferred *Nonconformists* to their Lectures; to which they answered, That none were placed therein but such whose Sufficiency and Conformity was approved by the Ordinary; and moreover, that one of the Feoffees acquainted the Bishop of *London* at *Fulham*, That if he either disliked the Persons who managed, or the Order they took in the Work, they would submit the Alteration to his Discretion. *Baker's* Chronicle.

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Process against the Recorder of Salisbury *about painted Glass in Churches.*

IN *Salisbury* there was a Collegiate Church called St. *Edmond's*, which, with its Revenues, like the rest of that kind, came by Act of Parliament into the Hands of *Henry* VIII, and remained in the Crown 'till the Reign of *James* I, who sold it to a private Person, and he to another, from whom it pass'd successively through several Hands, 'till at length the last Proprietor sold the Church to the Parishioners of St. *Edmunds*, who repaired and made it the Parish-Church. The Windows, which had 'till then been preserv'd, were painted after the old Fashion, and among other things contained the History of the Creation, where the Painter had represented God the Father in the Form of an old Man, creating the World during the first six Days, but on the seventh he had painted him sitting, denoting the Day of Rest. The blundering Painter had through Ignorance given to one Day the Work which was done on another, and in expressing the Creation of the Sun and Moon, he had put a Pair of Compasses in God's Hand, as if he was going to measure them. *Henry Sherfield*, Recorder of *Sarum*, who was a Parishioner of St. *Edmund's*, called a Vestry, wherein he represented to the Parishioners, that those Pictures gave Offence, and were apt to lead the People to Superstition; that the Painter had committed several Errors; and besides, the Representation of God the Father in the Form of an old Man, offended the Eyes of good Christians: Whereupon the Assembly thought it would be proper to take down the Windows, and put up others in their Room that were not painted, and the Recorder sending for a Glazier, show'd him with his Stick the Glass that was to be changed, and broke some of the Panes, as not thinking them worth preserving.

UPON this an Information was exhibited against *Sherfield* in the *Star-Chamber*; shewing, that though the Canons forbad any private Person to alter or innovate any thing in the Fabrick or Ornament of a Church without Licence from the King or the Bishos of the Diocese, *Sherfield* being ill-affected to the Discipline of the Church of *England*, and the Government thereof by Bishops, did combine with others of the same Opinion, and undertake, by a bare Order of the Vestry, and in Contempt of the King, and the Diocesan, to break down the Windows of St. *Edmund's* Church, which contain'd excellent Pictures of the Creation made an hundred Years ago, and were a great Ornament to the Church; that he committed this Outrage contrary to the Order of the Bishop, who had enjoined him to give over the Design; and that by this ill Example other wicked and schismatical Persons, ill-affected to the Government of the Church of *England* under his Majesty, might be encouraged to use the like violent Courses.

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SHERFIELD answered, that St. *Edmund's* Church was a Lay-Fee; that it had so continued ever since it fell to the Crown, and for that reason was legally exempted from the Jurisdiction of the Bishop of the Diocese. That consequently those who had purchased the Church, had lawful Power to alter the Windows, as they had before made other Alterations in the Steeple, Walls, Pulpit, and other Parts, without any Complaints from the Bishop; that after all, he had only taken down some small Quarries of Glass, to shew the Glazier what was to be alter'd; that the History of the Creation might still be plainly discover'd; and that the Painting was so far from being fine, that when it was done it did not cost above forty Shillings. Then he set forth the gross Blunders of the Painter, and proved by Acts of Parliament made in the Reigns of King *Edward* VI and Queen *Elizabeth*, that all Pictures should be removed out of the Churches. Finally, he denied that he was ill-affected to the Government of the Church under Bishops, or had acted in Contempt of the King, or ever received a Letter from the Bishop of *Salisbury* concerning this Matter.

THE Bishop of *London* said, that he did not pretend to justify the Errors of the Painter, but only to observe to the Court, that God being called in Scripture *the Ancient of Days*, might occasion the Painter's representing God the Father like an old Man. To which *Edward* Earl of *Dorset* replied, *That by that Text was meant God from Eternity, and not God to be pictured as an old Man drawing the Plan of the World with a Pair of Compasses.* But the Bishop added, that *Sherfield* was much more to blame than the Painter, for daring to make Alterations without Licence. In short, he was sentenced to pay a Fine of Five hundred Pounds, to be removed from the Recordership, to make publick Acknowledgment, and to be bound to his good Behaviour. And truly some of his Judges would have mounted his Fine to One Thousand Pounds, and obliged him to confess his Fault before such Persons as the Bishop should name.

THIS

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Death of three Kings.

THIS Year was very remarkable for the Death of three Kings, *viz. Sigismond* King of *Poland*, who died the 29th of *April*; *Gustavus Adolphus* King of *Sweden*, who was slain in the Bed of Honour the 6th of *November* at the Battle of *Lutzen*; and *Frederick* King of *Bohemia*, who died of an Infection, which some call a Plague, the 19th of *November*.

Anno 1633.

King's Journey to Scotland *to be crown'd there.*

KING *Charles* having a mind to be crown'd in *Scotland*, to hold a Parliament there in order to get Money, and to execute a Project long since form'd, to reduce the Kirk of *Scotland* to a Conformity with the Church of *England*, the Year 1633 began with Preparations for his Progress into *Scotland*, where he had been expected for the Solemnity of a Coronation, ever since his Father's Death *. His long Delay was taken very unkindly in that Kingdom, and some Murmurs were given out, *That if the King did not think the Crown of* Scotland *worth his Journey thither, there might be some other way of disposing of it.* Accordingly on the 13th of *May* his Majesty set out from *London* with a noble Retinue of the Earls of *Northumberland*, *Arundel*, *Pembroke*, *Southampton*, and *Holland*, the Marquis of *Hamilton*, the Bishop of *London*, and many others of Quality. In his Progress he stepp'd a little out of the Way to view what was called a *Protestant Nunnery* at *Gidding-Parva* near *Stilton* in *Huntingdonshire* †, instituted and appointed by Mrs. *Farrar*, a Widow of eighty Years of Age (who said she had bad adieu to all Fears and Hopes of this World, and only desired to love God) in whose House none were permitted to reside but such as would devote themselves to Prayers at certain Hours, Morning, Noon, Evening and Night, and to eat and drink by Measure. Within her Chapel was a rich Altar, Crucifix, and Wax Candles; and before the reading of Prayers they bowed thrice to the Altar, as they went up and came down. They were at Liberty to use any Vocation within the House, as binding of Books, or teaching of Scholars, or studying; and if any of the Society had a mind to marry, they had free Liberty to depart.

He stops to see a Protestant Nunnery.

HIS Majesty accepted of many noble Entertainments by the Way, particularly at *Welbeck* in *Nottinghamshire*, by the Earl, afterwards Duke of *Newcastle*; at *Raby-Castle* in *Yorkshire* by Sir *Henry Vane*, his late Ambassador to the Kings of *Denmark* and *Sweden*; at *Durham* by Bishop *Moreton*; at *Newcastle upon Tyne* by the Magistrates; and at *Berwick* he was harangu'd on the 2d of *June* by the following remarkable Speech made by their Recorder Mr. *Widdrington* of *Gray's-Inn*.

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Most Gracious and Dread Sovereign,

Mr. Widdrington, *the Recorder of* Berwick, *his Speech to the King.*

'WHAT the Noise of useless and obsolete Cannons; what these strong, yet desolate Walls; what the Reliques of sometimes warlike Soldiers; what the Ruins of a poor, yet ancient Borough; what all those would say (if they could say any thing) and what all we your Majesty's humblest and meanest Subjects desire to express with an unanimous and chearful Acclamation, is no more but this, That your Majesty's Presence doth now bring as much Joy and Comfort to us all, as ever the Loss of this Town of *Berwick* brought Sorrow to the *English* or *Scotish* Nation.

'IT were unseasonable for us to represent to your Majesty's View the gloomy Cloud of our Pressures and Wants: No, I need not do it. The Mite we are to cast into your Majesty's Treasury will quickly tell you them: We cannot do it, for that Cloud is suddenly vanished by the radiant Beams of your Sunlike Appearance; by whose Approach these rusty Ordnances, these solitary Walls, these Soldiers, this now despicable Town, have all instantly received their former Life, Lustre and Vigour; and hence we are induc'd to think that this Year (being the Year of your Majesty's most Royal Progress) is likewise the Year dream'd on by *Plato*, wherein all things were to return to their former Life, Splendor and Excellency.

'YOU have in your Majesty's Eye the Representative Body of the poor Town of *Berwick*, yet a Town (for *fuimus Troes*) that hath been the Delight, nay the Ransom, of Kings; a true *Helena*, for which many bloody Battles have been fought, lost and regained several times within the Compass of one Century of Years. A Town the strongest Fortress of both your Majesty's flourishing Kingdoms;

* MR. *Sanderson* says, the King had been very humbly sollicited by the earnest and affectionate Supplication of the *Scots* to chear them with his Court, and to honour them with his Personal Coronation.

† THIS is by a Mistake in *Rushworth's* Collections called *Giddon* in *Northamptonshire*.

'yet,

'yet, upon each Diſcord and Diſſenſion, banded as a Ball between them; 'if held in the Hands of one, then toſs'd by the other Kingdom; a Ball 'that never found Reſt until the happy 'Union.

'A TOWN at this Day as uſeleſs as 'Arms in Time of Peace, yet may ſerve 'for your Majeſty to caſt your Eye upon, 'as a little Map of both your great 'Kingdoms; as a participating of the 'Nature of both, yet doubtful whether 'moſt beyond the ordinary Limits of the 'one, and without the Juriſdiction of the 'other Kingdom, but conſpicuous in the 'Eye of both.

'A TOWN neither wholly regulated 'by *Engliſh* or *Scotiſh* Laws, but by 'Cuſtoms and Uſages in ſome things dif'ferent from both; yet rather inclined 'to *Engliſh* Laws, and more affecting '*Scotiſh* Faſhions and Language, as 'being oftner ſaluted by the Reſcripts of 'the one, and ſeeing and hearing of the 'other.

'ALTHOUGH it is now *Engliſh*, and 'ſo hath continued ſince the Time of 'King *Edward* IV, yet ſuch is our Di'ſtance from the Centre of the King'dom, that the Lines of thoſe Felicities 'now enjoy'd by that Kingdom, by your 'Majeſty's happy Government and Reſi'dence there, do not ſo happily concen'tre in us.

'WE well know (as indeed who know'eth not) that Royal Blood running in 'your Majeſty's Veins, to be extracted 'from the moſt renowned Kings of both 'theſe Kingdoms, and by thoſe Kings '(moſt Dread Sovereign) eſpecially 'your Royal Father of ever bleſſed and 'happy Memory, hath this Town, tho' 'in the Skirts of either Kingdom, been 'richly embroider'd with many Privi'leges, Franchiſes, and Immunities: 'And therefore we doubt not but 'your Majeſty, in whom each Man 'may behold the Worth of all your 'Anceſtors, you being no leſs right'ful Inheritor of all their Virtues than 'of their Crowns, will graciouſly main'tain what they have moſt benignly 'granted.

'BUT few Words are beſt to be uſed 'to Kings, eſpecially when they are 'ſpoken by an unskilful Orator. We 'dare boldly ſay (moſt gracious and 'mighty King) that our Hearts are 'better than our Tongues: We hum'bly crave your free Pardon of the 'one, and your gracious Intepretation 'of the other.

'YOUR Majeſty is now going to 'place a Diadem upon your moſt ſa'cred Head, which God and your own 'Right have long ſince given into your 'Hands.

'OUR humble Prayers are, that not 'only that, but all your other Crowns, 'may be unto your Majeſty Crowns of 'Roſes, without the Mixture of any 'Thorns.

'AND we moſt affectionately wiſh, 'that the Throne of King *Charles*, 'the Great and Wiſe Son of our *Bri'tiſh Solomon*, may be like that of 'King *David* the Father of *Solomon*, 'eſtabliſhed before the Lord for 'ever.'

His Entrance into Scotland, *and* Edinburgh.

THE King entered *Scotland* on the 12th of *June*, being met by abundance of the Nobility and Gentry in noble Equipage, when immediately all his *Engliſh* Servants and Officers yielded up their Places of Attendance to the *Scots*, who were admitted to the ſame Titles and Duties. That Day his Majeſty was nobly entertained at *Seaton* by the Earl of *Winton*, as he was the next Day at *Dalkeith* by the Earl of *Moreton*, Lord High-Treaſurer of *Scotland*; and on the 15th with great State and Magnificence he entered *Edinburgh*, being preceded to his Palace of *Holyrood-Houſe* by the whole *Scots* Nobility, who rode down the Streets according to their Degrees in Order of Parliament. The Sword, Scepter and Crown were carried juſt before him, and the *Engliſh* Nobility followed in Order according to their ſeveral Ranks.

His Coronation.

THE 18th of *June*, which was his Coronation-Day, paſſed with as much Solemnity and publick Joy as could poſſibly fill the Hearts of both Prince and People. The Sermon was preach'd by Dr. *David Lindſey*, Biſhop of *Brechin*, and the chief Ceremonies performed by Dr. *Spotſwood*, Archbiſhop of St. *Andrew's*. *Ruſhworth* obſerves, that the Archbiſhop of *Glaſgow* being placed at the King's Left Hand, as the Archbiſhop of St. *Andrew's* was on his Right, *Laud*, then only Biſhop of *London*, and a Stranger in that Kingdom, not only preſumed to take upon him the Order and Management of the Ceremonies; but perceiving that the Archbiſhop of *Glaſgow* was not dreſſed in his *Pontificalibus*, as the others were, being a Perſon that abhorr'd Pomp, he had the Boldneſs to thruſt him out of his Seat, and to put the Biſhop of *Roſſe* in his Place, with theſe Words, *Are you a Churchman, and appear here without the Coat of your Order?*

Laud's Inſult upon the Archbiſhop of Glaſgow.

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CHARLES I. A°. 1633.

Meeting of the Scots Parliament.

THE Parliament meeting on the 20th, the Archbiſhop of *St. Andrews* preached, and the King made a very gracious Speech. In this Seſſion ſeveral Bills were paſſed agreeable to the King's Deſire, by ſome of which they gave him the largeſt Subſidy that ever was granted to any King of *Scotland* before; and there was little or no Difference in the Seſſion, except about the Revival of an Act declaring the *Royal Prerogative*, as it had been aſſerted by Law *Anno* 1606; and another paſſed in 1609, by which King *James* was empowered to preſcribe Apparel to Churchmen, with their own Conſent.

The Kirk's Jealouſy of the Surplice.

Biſhop *Burnet*, who gives the beſt Account of this matter in the firſt Volume of the *Hiſtory of his own Time*, ſays, theſe two Acts were now drawn into one; to which great Oppoſition was made by the Earl of *Rothes*, who deſired the Acts might be divided. But the King ſaid, It was now one Act, and he muſt either vote for or againſt it. The Earl ſaid, He was as much for the Prerogative as any Man, but that Addition was contrary to the Liberties of the Church, and he thought no Determination ought to be made in ſuch matters, without the Conſent of the Clergy, or at leaſt without their being heard. The King bid him argue no more, but give his Vote. So he voted, Not Content. Some few of the Lords offered to argue, but the King ſtopped them, and commanded them to vote. Almoſt the whole Commons voted in the Negative, ſo that the Act was indeed rejected by the Majority; which the King knew, for he had called for a Liſt of the Members, and with his own Pen had marked every Man's Vote; yet the Clerk of Regiſter, who gathers and declares the Votes, ſaid it was carried in the Affirmative. The Earl of *Rothes* affirmed it went for the Negative. But the King ſaid the Clerk of Regiſter's Declaration muſt be held good, unleſs the Earl of *Rothes* would go to the Bar, and accuſe him of falſifying the Record of Parliament, which was a Capital Crime. The Earl being told, that if he ſhould fail in the Proof, he was liable to the ſame Puniſhment, would not venture it; ſo that the Act was publiſhed, though in truth it was rejected. The King expreſſed a high Diſpleaſure at all who had concurred in the Oppoſition; ſo that, ſays *Ruſhworth*, he would not admit them to kiſs his Hand, and went out of his way ſometimes on purpoſe to avoid them. Upon this the Lords had many Meetings. They reckon'd now, ſays the Biſhop, that all their Liberties were gone, and a Parliament was but a piece of Pageantry, if the Clerk of Regiſter might declare as he pleaſed how the Votes went, and no Scrutiny allowed. Hereupon one *William Hague* the King's Sollicitor, a zealous Man of their Party, drew a Petition of all their Grievances, to be ſigned by the Lords, and offered to the King for Redreſs. He ſhewed it to the Lord *Balmerinoch*, who liking it in the main, ſpoke of it to the Earls of *Rothes*, *Caſſels*, and others; who not approving of it, the Earl of *Rothes* carried it to the King, but he would not look upon it, and ordered him to put a ſtop to it. The Copy being returned by the Earl to *Balmerinoch*, he kept it 'till next Winter, and having interlined it, in order to make it more acceptable, he then ſhewed it in confidence of Secrecy, to one *Dunmoor* a Lawyer; who ſhewed it, upon the ſame Condition, to one *Hay* of *Naughton:* but the latter carried it to *Spotſwood*, Archbiſhop of *St. Andrews*, who apprehending it was going about for Hands, was alarmed at it, and was in ſuch haſte to carry the News to the King at *London*, that he began his Journey on a *Sunday*, as he frequently did, which was a very odious thing in *Scotland*.

Lord Balmerinoch's *Tryal.*

By ſome Laws of that Country, though looſely worded, it was made Capital to know of any that ſpread Lyes of the King or his Government, or alienate his Subjects from him, and not diſcover it; which, though never once put in execution, the Petition was thought within ſuch Law, and an Order was ſent down for committing Lord *Balmerinoch* to Cuſtody, which was followed not long after, with a ſpecial Commiſſion for his Tryal. The Biſhop obſerves, that there was a manifeſt Deſign to have this Lord's Life, by the Nomination of the Judges, who were either very weak or very poor, and by the Partiality in ſtriking a Jury. *Hague*, who drew the Petition, went over to *Holland*, after having writ a Letter to Lord *Balmerinoch*, in which he owned that he drew the Petition, without any Direction or Aſſiſtance from him. It was therefore long in debate, upon what the Priſoner ſhould be tried: For his interlining the Paper, which plainly ſoftened it, was not thought Evidence that he drew it, or was acceſſary to it: and they had no other Proof againſt him, nor could they infer from thence that he was the Divulger of it, ſince it appeared it was only ſhewed by him to a Lawyer for Counſel. So that they agreed to inſiſt on this, that the Paper tended to alienate the Subjects from their Duty to the King, and that the Priſoner, knowing the Author of it, did not diſcover him, which by Law was Capital. The Court judged the Paper to be ſeditious, and to be a Lye of the King and his Government: And as to his knowing, and not diſcovering him, the Point was clear. The Priſoner pleaded, that the Statute for Diſcovery had never been put in execution; that it could never be meant but of matters that were notoriouſly ſeditious; that, 'till the Court

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judged ſo, he did not take this Paper to be of that nature, but conſidered it as a Paper full of Duty, deſigned to ſet himſelf and others right in the King's Opinion; and the Earl of *Rothes* atteſted in favour of the Priſoner, that upon the King's ſaying he would receive no ſuch Petition, it was quite laid aſide.

When the Jury was ſhut up, *Gordon* of *Bucky*, who was one of them, and reckoned a ſure Man, ſays the Biſhop, becauſe he had 43 Years before aſſiſted in the Murder of the Earl of *Murray*, broke ſilence, by deſiring they would all conſider what they were about; it was a matter of Blood, and they would feel the Weight of that as long as they lived. He had in his Youth been drawn in to ſhed Blood, for which he had the King's Pardon, but it coſt him more to obtain God's Pardon. It had given him many ſorrowful Hours both Day and Night. And as he ſpoke this, the Tears ran down his Face. Another of the Jury, *viz.* the Earl of *Traquair*, a private Gentleman of the Name of *Steward*, who had raiſed himſelf by degrees to be now Lord Treaſurer, being a Man of great Parts, but too much Craft, and reckoned the beſt Speaker in the Kingdom, as well as the moſt capable Man for Buſineſs: This Man, who was afterwards ſo reduced, that the Biſhop ſays he ſaw him when he wanted Bread, and was forced to beg, took up the argument, and ſaid, They had it not before them whether the Law was a hard Law or not, nor had they the Nature of the Paper before them, which was judged by the Court to be Leaſing-making; but they were only to conſider whether or no the Priſoner had diſcovered the Contriver of it. Upon this, the Earl of *Lauderdale* took up the argument, and urged, that ſevere Laws never executed, were looked on as made only *in terrorem*; and that though after the Court had judged a Paper to be ſeditious, it would be Capital to conceal the Author, yet before ſuch Judgment, the thing could not be thought ſo evident that he was bound to reveal it. Upon the whole, after the Lords had argued the matter many Hours, it went to the Vote, when ſeven acquitted, but eight caſt him, and he was thereupon condemned to loſe his Head.

His Condemnation.

We have inſiſted the longer on this Lord's Proſecution, becauſe our Author ſays, he had often heard from his Father, who was very intimate with Lord *Lauderdale*, that the Ruin of the King's Affairs in *Scotland* was owing to it in a great meaſure; and that after many Meetings, it was reſolved either to force *Balmerinoch*'s Priſon, and ſet him at liberty; or if that failed, to revenge his Death both on the Court and the eight Jurors, ſome undertaking to kill them, and others to burn their Houſes *; which when the Earl of *Traquair* underſtood, he went to Court, and told the King, that the Lord *Balmerinoch*'s Life was in his hands, but that his Execution was by no means adviſeable, and therefore the King thought fit to pardon him.

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His Pardon.

While the King was in *Scotland*, he erected a new Biſhoprick at *Edinburgh*, and made one *Forbes* Biſhop, of whom Dr. *Burnet* gives this Character. He was a very learned and pious Man, but had a ſtrange Faculty of preaching five or ſix Hours at a time. His way of Life and Devotion was thought monaſtic, and his Learning lay in Antiquity. He ſtudied to be a Reconciler betwixt Papiſts and Proteſtants, leaning rather to the firſt, as appears by his *Conſiderationes modeſtæ*: He was a very ſimple Man, and knew little of the World, ſo that he fell into ſeveral Errors in Conduct, but died ſoon after, not without a ſuſpicion of Popery, which was increaſed by his Son's turning Papiſt.

Edinburgh erected into a Biſhoprick in favour of one Forbes.

Effects of the King's Progreſs to Scotland.

Before we mention the King's Return to *England*, we will juſt take notice of ſome of the Effects of his Progreſs, which by the Obſervation of another Right Reverend Hiſtorian (Dr. *Kennet* Biſhop of *Peterborough*) concurred to open a way for thoſe Commotions which afterwards diſtracted both Kingdoms. For, 1. It now appeared that the *Scots* Noblemen who had been the greateſt Favourites in the *Engliſh* Court, had the leaſt Intereſt in their own Country; and that the Bounties conferred upon them by the King and his Father, were not looked upon as any Favour to the Nation, but as Obligations thrown away upon particular Men, who in being the more gracious with the King, were but the more ſuſpected to the People. 2. Some of the *Scots* Nobility endeavoured to make themſelves popular, by ſpeaking in Parliament againſt thoſe things which were moſt grateful to his Majeſty, and in entring their Diſſent to ſome Acts, for which the King did openly diſcountenance ſeveral of them, and made them not forgive the King, becauſe they imagined the King would never forgive them. 3. Two or three Acts were paſſed, which very much leſſened the Authority of the great Men, and the Subjection and Dependance of their Tenants; which ſerved to incenſe the one, and to make the other more licentious. But, 4. which was the worſt of all, was the Fears and Jealouſies taken up by the Kirk Party: They were taught to be upon their Guard, by the Biſhop of *London*'s waiting upon the King, whom they look'd upon with the worſe Eye, when they heard him preach in the Royal Chapel at *Edinburgh*, chiefly on the Benefit of Con-

* *Salmonet* a *French* Papiſt owns, that even at his Tryal, the People were ſo exaſperated, that they got together at the Palace-Gate, and threatened the Judges as they went in.

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Conformity, and the Reverence due to the Ceremonies of the Church. They were more and more exaſperated, when the King had erected and endowed an Epiſcopal See at *Edinburgh*, and had promoted ſome of the Biſhops to the principal Offices of the State, and had committed the framing a Liturgy for the Church of *Scotland*, to a ſelect number of their Biſhops. Theſe Steps were with great indignation exclaimed againſt as a Project to make *Scotland* ſubject to all the Forms and Eſtabliſhments of *England*, which they pretended would make their Kingdom look like a dependent Province, and render any farther Reformation of their Kirk in their own way, impoſſible.

The King's Return to England.

IT was on the 16th of *July* that the King, after having been in danger of drowning as he croſſed the *Frith* from *Bruntiſland* to *Edinburgh*, left *Scotland*, in a Ferment (which every Step he took after his Return, ſerved to increaſe) and travelling Poſt, he arrived on the 20th at the Queen's Court, which was then at *Greenwich*.

Archbiſhop Abbot's *Death, and Character by the Lord* Clarendon.

ON the 4th of *Auguſt* Archbiſhop *Abbot*, who had been long dead to the Church, died at *Croydon*, in his 71ſt Year; of whom the Earl of *Clarendon* ſays, He had ſate too many Years in the See of *Canterbury*, and had too great a Juriſdiction over the Church; that his Houſe was a Sanctuary to the moſt eminent of the factious Party; that he licenſed their moſt pernicious Writings, and by long neglect had ſuffered the Church to be filled with many weak, and more wilful Clergy. The noble Hiſtorian ſeems to bear ſtill harder upon him, when he ſays, 'He 'had been Head or Maſter of one of the 'pooreſt Colleges in *Oxford*, and had juſt 'Learning enough for that Province; that 'he was a Man of very moroſe Manners, 'and a very ſour Aſpect, which in that 'time was called Gravity; that he 'was made Biſhop, before he had been 'Parſon, Vicar, or Curate of any Pariſh-'Church in *England*, or Dean or Preben-'dary of any Cathedral; that he was in 'truth, totally ignorant of the Conſtitu-'tion of the Church of *England*, and the 'State and Intereſt of the Clergy; that he 'conſidered the Chriſtian Religion no o-'therwiſe than as it abhorred and reviled 'Popery, and valued thoſe Men moſt who 'did that the moſt furiouſly; that as to 'the ſtrict Obſervation of the Diſcipline 'of the Church, in the Conformity to the 'Articles or Canons eſtabliſhed, he made 'little Enquiry, and took leſs Care *; and 'that having made a very little Progreſs 'in the ancient and ſolid Study of Divi-'nity, he adhered only to the Doctrine 'of *Calvin*, and for his ſake did not think 'ſo ill of the Diſcipline as he ought to 'have done.'

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ANOTHER Author in the 3d Volume of the *Compleat Hiſtory of England*, ſeems to think alſo that the Non-conformiſts to the Diſcipline of the Church too much increaſed through the Remiſſneſs of his Government, when he tells us, that it was indeed the Senſe of many Churchmen, that the Lenity and Coldneſs of Archbiſhop *Abbot* had a very unhappy Influence on the Peace and Honour of the Church of *England*.

By Dr. Kennet.

BUT notwithſtanding all that has been ſaid to the diſadvantage of his Character, there are not wanting Authors of good Credit, who ſeem to extenuate or excuſe the great Remiſſneſs ſo much complained of in him. Dr. *Wellwood* in his *Memoirs* tells us, 'That Archbiſhop *Abbot* was a 'Perſon of wonderful Temper and Mode-'ration, and in all his Conduct ſhewed an 'unwillingneſs to ſtretch the Act of Uni-'formity beyond what was abſolutely ne-'ceſſary for the Peace of the Church; or 'the Prerogative of the Crown, any fur-'ther than conduced to the good of the 'State: That being not well turned for a 'Court, though otherwiſe of conſiderable 'Learning and genteel Education, he either 'could not, or would not ſtoop to the 'Humour of the Times; and that now and 'then by an unſeaſonable Stiffneſs he gave 'his Enemies occaſion to repreſent him as 'not well inclined to the Prerogative, or 'too much addicted to a popular Intereſt, 'and therefore not fit to be employed in 'matters of Government.'

By Dr. Wellwood.

AND 'tis obſerved by *Larrey* a *French* Author, that while *Abbot* was living, *Laud* kept ſome meaſures; and that tho' the Archbiſhop was in diſgrace at Court, he was nevertheleſs reſpected by the Church, by the Univerſities, and the whole Kingdom. Though he was ſtripped of part of the Temporalities of his Biſhoprick, and depriv'd of the Functions, yet the Character of ſo eminent a Poſt, which he ſtill held, and his Learning and Integrity, were Barriers which *Arminianiſm* durſt not attempt to force.

By a French *Hiſtorian.*

Laud's Preferment to the See of Canterbury.

TWO days after the Death of *Abbot*, *Laud* Biſhop of *London*, who had in effect been Adminiſtrator of the Province of *Canterbury* for ſome Years paſt, was received by his Majeſty with this Compliment, *My Lord's Grace of* Canterbury, *you are very welcome*: and the ſame day the King gave order for the diſpatch of all

* Nevertheleſs, it appears from the Regiſters of his Time, that one of the laſt Acts of Juriſdiction which he lived to exerciſe, was an Act of Diſcipline to inforce Conformity, even beyond the Rules of the Church, it being an Order and Injunction dated the 8th of *July* laſt, to the Pariſhioners of *Crayford* in *Kent*, to receive the Sacrament of the Lord's-Supper, kneeling at the Steps aſcending to the Communion-Table.

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all the neceſſary Forms for his Tranſlation, which was expedited by the 19th of the following Month.

His Character.

DR. *Laud* bore ſuch Sway both in Church and State, during the Period we are treating of, that the Reader will naturally expect ſome Account of him, as well as of his Predeceſſor, which we ſhall give from three Spiritual Lords, one Temporal Lord, *&c.* all celebrated Writers, and ſum up the whole for the Reader's better Judgment, with Mr. *Rapin's* Sentiments upon what he had ſeen in print both for and againſt him.

By Archbiſhop Abbot.

WE ſhall begin, becauſe 'tis firſt in time, with the Character given of him by his immediate Predeceſſor, in the Narrative he drew up in his own Vindication, in the Year 1627, when Dr. *Laud* was only Biſhop of *St. David's*; a Character which the Reader will not expect to find much to his advantage, when he conſiders that the Archbiſhop aſcribed his own Diſgrace to the ſecret Counſels which that Prelate gave to the Duke of *Buckingham*.

'THIS Man, ſays the Archbiſhop, is 'the only inward Counſellor with *Buckingham*, ſitting with him ſometimes privately whole Hours, and feeding his Humour with Malice and Spight. His Life 'in *Oxford* was to pick Quarrels in the 'Lectures of the publick Readers, and to 'advertiſe them to the then Biſhop of *Durham*, that he might fill the Ears of King 'James with Diſcontents againſt the honeſt 'Men that took pains in their Places, and 'ſettled the Truth (which he called *Puritaniſm*) in their Auditors. He made it his 'Work to ſee what Books were in the 'Preſs, and to look over Epiſtles Dedicatory, and Prefaces to the Reader, in order to ſpy out Faults.

'IT was an Obſervation what a ſweet 'Man this was like to be, that the firſt notable Act that he did, was the marrying 'of the Earl of *D.* to the Lady *R* *, 'when it was notorious to the World 'that ſhe had another Husband, a Noble'man who had divers Children then living 'by her. King *James* for many Years took 'this ſo ill, that he wou'd never hear of 'any great Preferment of him; inſomuch 'that the Biſhop of *Lincoln* Dr. *Williams*, 'who taketh upon him to be the firſt 'Promoter of him, hath many times ſaid, 'that when he made mention of *Laud* to 'the King, his Majeſty was ſo averſe from 'it, that he was often conſtrain'd to ſay, 'that he would never deſire to ſerve that 'Maſter, who could not remit one Fault 'to his Servant. Well, in the end he did 'conquer it, to get him to the Biſhoprick 'of *St. David's*, which he had not long 'enjoy'd, but he began to undermine his 'Benefactor, as at this day it appeareth. 'The Counteſs of *Buckingham* told *Lincoln*, that *St. David's* was the Man who 'undermin'd him with her Son: And verily ſuch is his aſpiring Nature, that he 'will underwork any Man in the World, 'ſo that he may gain by it.'

By the Earl of Clarendon.

THE Lord *Clarendon* ſays, 'He was a 'Man of exemplary Parts and Virtues, 'which yet were allay'd with ſome unpopular natural Infirmities; the chief of 'which, (beſides a haſty froward way of 'Expreſſion) was, that he believed an Innocence of Heart, and Loyalty of Manners, was a ſufficient Guard to conduct a 'Man thro' the World, be his Company 'what it would: From a Scholar in St. 'John's College in *Oxford*, he became a 'Fellow, and then Preſident. He had 'been oppoſed all along by the *Calvinian* 'Party, who, according to an old Cuſtom 'among them, called every Man they did 'not love, Papiſt; under which Appellation 'they raiſed him many Troubles and Vexations, and ſo far ſuppreſs'd him, that the 'Vigour of his Age was paſt, before he 'had any Preferment to invite him to leave 'his poor College, the worſt endow'd at 'that time of any in the Univerſity. He 'retain'd, it may be, when he came into 'Authority, too ſharp a Memory of thoſe, 'by whom he had been ſo uncharitably 'proſecuted, and was but too guilty of 'the ſame Paſſion he complain'd of in 'his Adverſaries, that as they accus'd him 'of Popery for maintaining ſome doctrinal Points they diſlik'd, ſo he look'd on 'ſome Perſons as Enemies to the Diſcipline 'of the Church, becauſe they agreed with 'Calvin in ſome Points of Doctrine; tho' 'they, at the ſame time, liked not his Diſcipline, but loved the Government of the 'Church, and prayed for the Peace of it, 'equal with any in the Nation, as appeared 'afterwards in their Sufferings with it and 'for it. As ſoon as ever he came into 'Power, he did all he could to hinder the 'Progreſs of the Party; but having a Superior in the Church, who could ſlacken 'the Reins according to his own Humour 'and Indiſcretion, he had not power to 'go through that difficult Reformation as 'effectually as he deſired: 'till being at 'length Primate himſelf, he thought it 'his Duty to apply ſpeedy and ſeaſonable 'Remedies to thoſe Diſeaſes, which he ſaw 'would increaſe daily. His firſt Care after 'his Promotion to *Canterbury*, was, that 'the Place from whence he was removed 'might be filled with a Man of his own 'Stamp, and he prevailed with the King to 'make his old Friend and Fellow-Collegiate Dr. *Juxon*, Biſhop of *London*. 'Now tho' the Nation in general bore no 'Ill-will to the Church, either in the 'Point of Doctrine or Diſcipline; yet were 'they jealous that Popery was not ſufficiently diſcouraged, and were eaſily perſuaded

* *Laud* it ſeems had married *Charles Blunt* Earl of *Devonſhire*, to the Lady *Rich*, Wife to the Earl of *Warwick*, who was then alive.

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'ſuaded to believe any thing they had 'not been uſed to, and which they called 'Innovation, was admitted purely to pleaſe 'the Papiſts. The Archbiſhop had all his 'Life-time vigorouſly oppoſed *Calvin*'s Doc-'trine, and thereupon, for want of another 'Name, (for *Arminius* was hardly known, 'or his Opinions heard of) his Enemies 'called him Papiſt. He was a Man of 'great Courage and Reſolution, and being 'conſcious to himſelf that he propoſed no-'thing in all his Actions and Deſigns, but 'what was pious and juſt, he never ſtu-'died the eaſieſt Ways of attaining it. If 'the Faults and Vices deſerved to be in-'quired into, be the Perſons who they 'wou'd that had committed them, they 'were ſure to find no Favour or Exemption 'from him. He reſolved to make the Diſ-'cipline of the Church felt, as well as ſpo-'ken of, and applied it, without any Re-'ſpect of Perſons, as much to the greateſt 'as meaneſt Offenders. The Remiſſneſs of '*Abbot* and others gave birth to a Neg-'ligence, which no doubt offended very 'many pious Men. The People were 'grown ſo careleſs of the Churches, and 'the Parſons of the Chancels, that inſtead 'of beautifying or adorning them, they were 'kept with more Indecency, than they would 'willingly allow in the ordinary Offices of 'their own Houſes; and the Sacraments 'themſelves were ſuffer'd to be adminiſtred 'where the People had moſt mind to re-'ceive them. This prophane Liberty the 'Archbiſhop reſolved to reform with all 'ſpeed, requiring the other Biſhops to join 'with him in ſo good a Work. Yet I 'know not how, the Proſecution of it was 'managed ſo unluckily, that the Enemies 'of the Church took advantage by it, as 'ſoon as they had the Opportunity of 'making the worſt Uſe of it. He had not 'been long Archbiſhop, when the Death 'of the Earl of *Portland*, High-Treaſurer 'of *England*, made another great Alte-'ration in the Court, without much Grief 'to him, who was thereby rid of an Enemy, 'and made one of the Commiſſioners of the 'Treaſury and Revenue; which engaged 'him in Civil Buſineſs and Affairs of State, 'wherein he had but ſmall Experience, 'and which he had hitherto declined. But 'being now engaged in it by his Truſt, he 'applied himſelf to it with his uſual Heat 'and Earneſtneſs, making it his main Care 'to advance and improve the Revenue, 'and ſo gave ear to all Informations and 'Propoſitions of that kind, which often 'miſled him to think better of ſome Pro-'jects than they deſerved, and made him 'countenance too much the Commiſſion 'concerning Depopulations, which was 'very troubleſome and expenſive to the 'People, and was likewiſe thrown upon 'his account. However, the Archbiſhop 'himſelf was highly pleaſed with what 'was done, and never remitted any thing 'of his Severity towards Men of all Con-'ditions, nor the Sharpneſs of his Lan-'guage; which was ſo natural to him, that 'he could not debate any thing without 'Paſſion, nor ſuffer himſelf to be contra-'dicted in Debate: which Imperfection ex-'poſed him too much to thoſe who wiſh'd 'him not well, eſpecially the Lord *Cot-'tington*, who would lead him into a Miſ-'take, drive him into Choler, and then 'expoſe him; and this he choſe moſt to 'do in the King's Preſence, and yet he 'would dine with him the next Day. What-'ever was the Reaſon of it, *Laud*, from 'the time of his Promotion to the See of '*Canterbury*, or rather from that of his 'being Commiſſioner of the Treaſury, ex-'tremely provoked, or ſuffered the Envy, 'Reproach, and Malice of Men of all Qua-'lities and Conditions; of all which, tho' 'he was very ſenſible, yet did he not con-'ſider it enough, believing the Government 'ſo ſtrongly built, that nothing could 'ſhake it from within or without, nor any 'thing leſs than a general Confuſion of 'Law and Goſpel hurt him: but then he 'did not foreſee how eaſily that Confuſion 'might be, and was afterwards brought 'about.'

By Dr. Burnet Biſhop of Sarum.

THE Biſhop of *Sarum* ſays, 'He was 'a learned, a ſincere, and a zealous Man, 'regular in his own Life, and humble in 'his private Deportment; but was hot and 'indiſcreet, eagerly purſuing ſome Matters 'that were either very inconſiderable or 'miſchievous; ſuch as ſetting the Com-'munion-Table by the Eaſt Walls of 'Churches, bowing to it, and calling it the 'Altar; the ſuppreſſing the Privileges of the '*Walloons*, the breaking of Lectures, the 'encouraging of Sports on the Lord's Day, 'with ſome other things that were of no 'value. And yet all the Zeal and Heat 'of that time was laid out in theſe. His 'Severity in the *Star-Chamber*, and in the '*High-Commiſſion Court*, but above all, 'his violent, and indeed inexcuſable Inju-'ſtice in the Proſecution of Biſhop *Wil-'liams*, were ſuch viſible Blemiſhes, that 'nothing but the putting him to death in 'ſo unjuſt a manner, could have raiſed his 'Character, which indeed it did to a de-'gree of ſetting him up as a Pattern, and 'the eſtabliſhing all his Notions as Stan-'dards, by which Judgments are to be 'made of Men, whether they are true to 'the Church or not. His Diary, tho' it 'was a baſe thing to publiſh it, repreſents 'him as an abject Fawner on the Duke 'of *Buckingham*, and as a ſuperſtitious 'Regarder of Dreams. His Defence of 'himſelf, writ with ſo much care when he 'was in the *Tower*, is a very mean Per-'formance. He intended in that to make 'an Appeal to the World. In moſt Par-

'ticulars he excuſes himſelf by this, that 'he was but one of many, who either in 'Council, *Star-Chamber*, or *High-Commiſſion*, voted illegal things. Now tho' 'this was true, yet a chief Miniſter, and 'one in high Favour determines the reſt ſo 'much, that they are generally little better 'than Machines acted by him. On other 'occaſions he ſays, the thing was proved 'but by one Witneſs. Now, how ſtrong 'ſoever this Defence may be in Law, it is 'of no force in an Appeal to the World; 'for if a thing is true, 'tis no matter how 'full, or how defective the Proof is. The 'thing that gave me the ſtrongeſt Prejudice 'againſt him in that Book is, that after he 'had ſeen the ill Effects of his violent Coun-'ſels, and had been ſo long ſhut up, and 'ſo long at leiſure to reflect on what had 'paſſed, in the hurry of Paſſion, in the Ex-'ultation of his Proſperity, he does not in 'any one part of that great Work acknow-'ledge his own Errors, nor mix in it any 'wiſe or pious Reflections on the ill Uſage 'he met with, or the unhappy Steps he 'had made. So that while his Enemies 'did really magnify him by their inhuman 'Proſecution, his Friends *Heylin* and *Wharton* have as much leſſened him, the one 'by writing his Life, and the other by pub-'liſhing his Vindication of himſelf.'

By Sir Philip Warwick.

SIR *Philip Warwick* called Sir *Philip the Treaſurer*, becauſe he was Secretary to two Lord-Treaſurers, *viz.* Dr. *Juxon* Biſhop of *London*, and *Thomas* Earl of *Southampton*, left this Account behind him, in what he calls *Memoirs or Reflections on King* Charles I.

'HE was a Man of an upright Heart 'and pious Soul, but of too warm Blood 'and too poſitive a Nature towards aſſert-'ing what he believed to be Truth, to be 'a good Courtier; and his Education fitted 'him as little for it as his Nature, which 'had been moſt in the Univerſity, and 'among Books and Scholars, where oft 'canvaſſing Affairs that are agitated in that 'Province, and prevailing in it, rather gave 'him wrong than right Meaſures of a 'Court. He was generally acknowledged 'a good Scholar, and throughly vers'd in 'Eccleſiaſtical Learning. He was a Zealot 'in his Heart both againſt Popery and 'Presbytery, but a great Aſſertor of Church-'Authority inſtituted by Chriſt and his 'Apoſtles, and as primitively practiſed, 'which notwithſtanding he freely acknow-'ledged ſubject to the ſecular Authority. 'And therefore he carefully endeavoured to 'preſerve the Juriſdiction, which the 'Church anciently exerciſed before the Se-'cular Authority owned her; at leaſt ſo 'much thereof, as the Law of this our 'Realm had applied to our Circumſtances; 'which our common Lawyers daily ſtruck 'at, and thro' Prohibitions and other Ap-'peals every day leſſened: and this bred 'an Unkindneſs to him in many of the 'long Robe, however ſome of them were 'very careful of the Eccleſiaſtical Juriſ-'diction. He was a Man of great Mo-'deſty in his Perſon and Habit, and of Re-'gularity and Devotion in his Family; and 'as he was very kind to his Clergy, ſo 'he was very careful to make them modeſt 'in their Attire, and very diligent in their 'Studies, in faithfully diſpenſing God's 'Word, reverently reading the Prayers, 'and adminiſtring the Sacraments, and in 'preſerving the Churches in Cleanlineſs, 'and with plain and fitting Ornament, that 'ſo, void of Superſtition, God's Houſe in 'this Age, where every Man better'd his 'own, might not lie alone neglected; and 'accordingly he ſet upon that great Work 'of St. *Paul*'s Church *, which his Dili-'gence perfected in a great meaſure; and 'his Maſter's Piety made that moſt noble 'Structure magnificent by a Portico. *Laud* 'likewiſe prevented a very private and 'clandeſtine Deſign of introducing Noncon-'formiſts into too many Churches; for that 'Society of Men (that they might have 'Teachers to pleaſe their itching Ears) had 'a Deſign to buy in all the Lay Impropri-'ations, of which the Pariſh-Churches in '*Henry* VIIIth's Time were robb'd, and 'lodging the Advowſons and Preſentations 'in their own Feoffees, to have introduced 'Men, who would have introduced Doc-'trines ſuitable to their Dependencies; which 'the Court already felt the Smart of too 'much, by being forced to admit the Pre-'ſentations of the Lay-Patrons, who too 'often diſpoſe their Benefices to Men ra-'ther ſuitable to their own Opinions than 'the Articles and Canons of the Church. 'All this bred him more and more Envy. 'When he found Providence had led him 'into Authority, he very readily and ſtrongly 'oppoſed both Popery and Presbytery; but 'the Weight of both cruſh'd him. The 'Evidence he gave of his Zeal againſt Po-'pery, is manifeſted by as learned and ju-'dicious a Book †, (and ſo acknowledged 'even by his Adverſaries) as ever was writ-'ten on that Subject by any Man ſince the 'Reformation, and is ſo eſteemed by all 'abroad

* *Laud* got Briefs for Contributions throughout the Kingdom, and Letters Monitory were ſent from the Lords of the Council to quicken the Country-Gentlemen in raiſing Money for ſo religious a Work. Sir *Francis Knollys* and Sir *Thomas Vachel*, two Juſtices of the Peace in *Berkſhire*, who were not over-forward in it, as not liking either *Laud* or his Projects, were check'd for delaying to gather in the Contribution-Money, and not giving liberally themſelves; by which compulſory Method great Sums were raiſed. The Privy-Council having little elſe to do, and being under the Influence of *Laud*, publiſhed an Order, that no body carry any thing in the Church which may prophane it, that *Parents ſhould be puniſhed for Children's playing at any time in the Church*, &c. *Laud* ſet up certain Images in this Cathedral, which, according to *Ruſhworth*, were to the diſcontent of many Perſons. The King came himſelf to viſit this Church in a kind of Proceſſion. Above 80,000 *l.* were gathered by the Briefs, beſides 19,000 *l.* laid out by Sir *Paul Pindar*.

† *Laud* againſt *Fiſher*.

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'abroad as well as at home: And this good 'Biſhop, like his Maſter, maintained it as 'well with his Blood as his Ink; for when 'he was murdered and martyred on the 'Scaffold, (no time for Diſſimulation) he 'died with this Profeſſion: And he who 'looks upon him thro' thoſe Canons, which 'paſſed in Synod in his time, will find him 'a true Aſſertor of Religion, Royalty and 'Property; and that his grand Deſign was 'no other than that of our firſt Refor-'mation; which was, that our Church 'might ſtand upon ſuch a Foot of Primi-'tive and Eccleſiaſtical Authority, as ſuited 'with God's Word, and the beſt Interpre-'ters of it, ſound Reaſon and primitive 'Practice.'

By Dr. Well-wood.

'As Archbiſhop *Laud* was nothing in-'ferior to the Earl of *Strafford* in Parts, 'and much his ſuperior in Learning; ſo 'tis hard to determine which of the two 'made a nobler Defence at their Tryal. 'The Fate of the former has been the 'ſame with that of moſt great Men, to be 'repreſented to Poſterity in *Extremes*; for 'we have nothing writ of him, but what's 'either Panegyrick or Satyr, rather than 'Hiſtory.

'THAT the Archbiſhop ſhould be brought 'to his Tryal, and found guilty, during 'the Heat of a Civil War, and when all 'things were tending to Confuſion, was 'nothing ſtrange: Nor was Serjeant *Wild*'s 'Introduction at the opening of his Charge, 'any thing but what might have been 'expected at ſuch a time, when he told 'the Lords, *That it might be ſaid of the 'great Cauſe of the Archbiſhop of* Canter-'bury, *as it was in a like caſe, Reper-'tum eſt hodierno die facimus, quod nec 'poeta fingere, nec hiſtrio ſonare, nec mi-'mus imitari potuerit.* But it was in-'deed ſtrange, and none of the leaſt of 'this great Man's Misfortunes, that three 'Years before he ſhould be declared by 'the Houſe of Commons, a Traytor, *ne-'mine contradicente*, at a Time when there 'was not the leaſt Miſunderſtanding be-'twixt the King and Parliament, being 'within the firſt Month after they ſat 'down: And which was yet ſtranger, 'that nobody was more ſevere upon him, 'than ſome of thoſe that afterwards took 'the King's Part againſt the Parliament, 'and were at laſt the chief Inſtruments of 'his Son's Reſtoration. Whoever reads Sir 'Harbottle Grimſton's Speech upon voting 'his Impeachment, or *Pym*'s upon carry-'ing it up to the Lords, will be apt to 'think, *that ſcarce any Age has produced 'a Man whoſe Actions and Conduct have 'been more obnoxious to Obloquy, or giv-'en greater Occaſion for it.*

'THERE was one Thread that run thro' 'his whole Accuſation, and upon which 'moſt of the Articles of his Impeachment 'turned; and that was *his Inclination to 'Popery, and his Deſign to introduce the 'Romiſh Religion:* Of which his immortal 'Book againſt *Fiſher*, and his Declaration 'at his Death, do ſufficiently acquit him. 'And yet, not Proteſtants only, but even '*Roman* Catholicks themſelves were led in-'to this miſtake, otherwiſe they would not 'have dared to offer one in his Poſt a *Car-'dinal's Cap*, as he confeſſes in his Diary 'they did twice*. The Introduction of a 'great many pompous Ceremonies into this 'Church, the licenſing of ſome Books that 'ſpoke favourably of the Church of *Rome*, 'and the refuſing to licenſe others that were 'writ againſt it, were the principal Cauſes 'of his being thus miſrepreſented: And in-'deed, his Behaviour in ſome of theſe mat-'ters, as likewiſe in the Star-Chamber, and 'High-Commiſſion Court, can hardly be ac-'counted for; and particularly his theatrical 'manner of conſecrating a new Church at '*London*.

'HE was certainly, continues Dr. *Well-'wood*, in ſpite of malice, a Man of an e-'levated Capacity, and vaſt Deſigns; a 'great Encourager of Learning and learn-'ed Men, and ſpared no Pains nor Coſts 'to enrich *England* with ſuch a noble 'Collection of Books and MSS. in moſt 'Languages, as looked rather like the 'Bounty of a King than of a Subject. 'As he left behind him many laſting Mo-'numents of his Beneficence to the learned 'World, ſo was he in a way to have car-'ried it much farther, if his Misfortunes 'had not intervened, and deprived Learn-'ing of ſo powerful a Benefactor. But 'after all, as there is ſeldom found a 'Mind ſo great, but has ſome Allay, ſo 'it ſeems Archbiſhop *Laud*, notwithſtand-'ing his excellent Endowments, was not 'proof againſt either the *Impreſſion of 'Dreams*, or *Revenge of Perſonal Af-'fronts*, though never ſo trivial in them-'ſelves, nor the Perſon never ſo mean: 'Of the one, witneſs his taking ſo parti-'cular notice in his Diary of ſeveral of his '*Dreams*; and of the other, his carrying 'his Reſentments ſo far againſt *Archie* 'the King's *Fool*, for a meer Jeſt, that he 'obtained an Order of Council (of *March* '11. 1637.) by which his Coat was pulled 'over his head, and he was diſcharged 'from the King's Service, and baniſhed 'the Court: Which being ſo unaccount-'able a piece of Weakneſs in ſo great a 'Man, and done at a full Board, the King 'and the Archbiſhop preſent, is a remark-'able Inſtance, *how far the greateſt of 'Men*

* We find in *Ruſhworth*, that he ſaid to his Majeſty upon this Offer, that ſomething dwelt within him which would not ſuffer *that*, 'till *Rome* were other than it is: but another Author quotes the Lord *Wiqueſort's* Tract *of the Ambaſſador*, to prove that he treated with Count *Roſetti*, the *Popiſh* Agent in *England*, for a Penſion of 48,000 Livres, provided that he accepted the Cap.

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'*Men may ſometimes be left without a* '*Guard againſt Paſſion.*' Thus far Dr. *Wellwood*, (who has alſo given a Character of the Duke of *Buckingham*, *George Villers*, for which the Reader is referred to his Memoirs.)

ON the other hand, if we look into the Life of Archbiſhop *Williams*, writ by Dr. *Hacket*, Biſhop of *Litchfield* and *Coventry*, we ſhall find *Laud* repreſented in a very different Light, and what wicked Inſtruments, Perjuries, Subornations, keeping back of Witneſſes, expunging and eraſing of Records, *&c.* he made uſe of to ruin Biſhop *Williams*, the Particulars whereof are ungrateful to mention; and therefore we ſhall diſmiſs *Laud*'s Character, with Mr. *Rapin*'s brief Summary of it, which muſt be owned to be very candid and impartial.

By Mr. Rapin.

'IT ſeems to me impracticable, fully to 'make known the Genius, Character, and 'Religion of Dr. *Laud*, conſidering what 'Opinions there are concerning him, it 'being almoſt impoſſible to affirm any 'thing of him good or bad, upon the 'Teſtimony of ſome, but what is contra-'dicted and rejected as falſe by others. 'This is the common effect of Parties. 'Hardly can any thing be added to the 'Encomiums which thoſe who profeſs what 'they call *High-Church*, *i. e.* the rigid 'Epiſcopalians, beſtow on this famous 'Biſhop. The Lord *Clarendon*, in his *Hi-'ſtory*, expreſſes on all occaſions a great 'Eſteem for *Laud*, and finds no fault in 'him, but a little too much Eagerneſs to 'bring about what he took in hand. All 'the reſt of the ſame Party extol him to 'the Skies; they ſee no Imperfection in 'him; they every where cry up his Wiſ-'dom, his good Senſe, his Learning, his 'Piety, and above all, his Zeal for the 'Church of *England*, for which he at laſt 'died a Martyr. The Presbyterians, on 'the contrary, without denying his Qua-'lifications and Learning, affirm he was a 'rank Arminian, and almoſt a Papiſt. They 'ſay, that under the colour of great Zeal 'for the Ceremonies of the Church, he 'carried them ſo far as to make them 'border upon Popery, and render himſelf 'juſtly ſuſpected of deſigning by degrees 'to re-eſtabliſh the *Romiſh* Religion in '*England*. That to this end he made 'even the leaſt Trifles, ſuch as the Re-'formers had not meddled with, becauſe 'they ſeemed to them to be indifferent, to 'be looked on as eſſential to Religion. 'They inferred from thence, that it was 'impoſſible for a Man of his Senſe to be 'attached to things of ſo little moment, 'had he not had ſome ill Deſigns againſt 'the reformed Religion. That he was a 'mortal Enemy of the Presbyterians and 'Puritans, becauſe from them he met with 'moſt Oppoſition to the Execution of his 'Projects. For my part, I own, that in 'all that has been ſaid againſt him, I 'have found no convincing Proof of his 'having had any Deſign to re-eſtabliſh 'the *Roman* Catholick Religion in *Eng-'land*, unleſs we confound, as many did 'in thoſe days, Popery with High-Church, 'through a pure Spirit of Party. But it 'is very certain he mortally hated the Pres-'byterians, and would have utterly rooted 'out Puritaniſm, had it been in his power. 'As to Arminianiſm, there is all the like-'lihood in the World that he leaned very 'much that way.'

IT being preſumed, that from what has been ſaid the Reader is enabled to form a tolerable Judgment of the Principles and Motives of this great Man's Conduct, we now proceed to the other chief Occurrences of this Period.

Birth of Prince James.

ON the 13th of *October* the Queen was brought to bed of her ſecond Son, who was chriſtened at *St. James's* by Archbiſhop *Laud* on the 24th of *November* following, by the Name of *James*, afterwards created Duke of *York*.

Articles for his Majeſty's Royal Chapel in Scotland.

THE Archbiſhop of *Canterbury* being now the greateſt Man in the Church, thought fit by virtue of his Place to adviſe his Majeſty for a Reformation in the Church of *Scotland*, and procured certain Articles to be ſent in his Majeſty's Name, on the 8th of this Month, to the Biſhop of *Dunblain*, then Dean of the Royal Chapel in the Palace of *Holy-Rood* at *Edinburgh*, for Prayers to be performed there twice a Day, after the *Engliſh* manner; for receiving the Communion the firſt *Sunday* of every Month, by the Lords of the Council, Seſſion, *&c.* kneeling, for an Example to the whole Kingdom; and that the Dean ſhould always officiate there in his Surplice: Which Orders the then Dean durſt not obey, for fear of exaſperating the People. And when the Archbiſhop, who had a Warrant from the King to correſpond with him, wrote ſeveral Letters to him, to promote the Deſign, and to let the King know who conformed and who did not, he anſwered, that he did what he could, *but the Times required Patience*. *Ruſhworth* ſays, that the Royal Chapel being thus ordered, was declared to be for a Pattern of the intended Reformation, to all Cathedrals, Chapels, and Pariſh-Churches in *Scotland*.

HENCE 'tis viſible, that not only the whole Council of *Scotland*, but alſo all thoſe who were in public Employments and Court Places, were ready before-hand to conform to the Church of *England*, otherwiſe they would not have been employed, or kept in their Poſts. It was with them that the King intended to begin, that, as he ſaid himſelf, they might ſerve for Examples to the reſt.

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BUT whilſt the King was ſeeking means to engage the *Scots* to conform to the Church of *England*, Pains were taking to alienate from her the Presbyterians in *England*, by affecting ſuch Uſages and Cuſtoms as were moſt apt to offend them; of which I ſhall give theſe two very flagrant Inſtances, to ſhew that the Presbyterians bare Diſlike of a thing was ſufficient Reaſon with the Court ſtrenuouſly to ſupport it; and that the Heads of the Church of *England* at this time, inſtead of endeavouring to undeceive thoſe, who imagined ſhe was leaning to Popery, ſeemed to take all poſſible care to confirm them in their Suſpicions, by induſtriouſly conforming to the Church of *Rome* in matters of little moment, and without any Neceſſity, as if it was done purpoſely to brave them.

Revels, &c. in Somerſetſhire.

THE Cuſtom of Revels, Wakes, and other Pariſh-Feſtivals, was at this time grown to a great Enormity; Drunkenneſs, Lewdneſs and Riot were but the leaſt part of it; Fighting and Blood generally accompanied it. No County in *England* (ſays a modern Hiſtorian, who was born in it, and has traverſed it all over, in order to write the Hiſtory of it) was then, and is now more debauched and diſturbed by Revels and Church-Ales than that of *Somerſet*; and it was ſo ſcandalous even in the Reign of Queen *Elizabeth*, that there was this Order made againſt it at the Seſſions held at *Bridgewater* the 10th of *October* 1593, *viz.*

Complained of by the Gentry.

'THAT no Church-Ale, Clerk's-Ale, 'Bid-Ale, or Tippling be ſuffered; and that 'ſuch only be permitted to tipple, as are, 'or ſhall be lawfully licenſed according to 'the Order now made by us.

John Popham,
Alexander Popham,
John Court,
Henry Walrond,
Edward Hext,
George Sydenham,
Thomas Horner,
John Colles,
John May,
John Rodney.

THERE was a ſecond Order made, that no Church-Ales be admitted in any part of this Shire, which was ſigned at *Bridgewater* the 28th of *September*, 1595, by the underwritten:

John Popham, who was alſo Lord-Chief Juſtice of *England*;
Sir *George Sydenham*,
George Speke, Eſq;
Alexander Colles, Eſq;
Alexander Popham, Eſq;
Sir *Edward Hext*,
Sir *Henry Berkley*,
Henry Walrond, Eſq;
John Fraunces, Eſq;
John Lancaſter, Eſq;
Thomas Philips, Eſq;

IN *March* 1627, Sir *John Denham* one of the Barons of the Exchequer, being then upon the Circuit in *Somerſetſhire*, had a Petition deliver'd to him againſt Revels and Church Ales by the following Miniſters:

Mr. *Adam Abraham*,
Mr. *William Gyllet*,
Mr. *Ralph Turner*,
Mr. *John Ford*,
Mr. *John Fathers*,
Mr. *George Drake*.

And the Baron iſſued an Order accordingly; which was revived this Year by the ſaid Baron, and the Lord Chief-Juſtice *Richardſon*, (who went the Weſtern Circuit for the *Lent* Aſſizes) at the Requeſt of the Juſtices, without the Conſent of Dr. *Pierce* Biſhop of *Bath* and *Wells*, who immediately gave notice of it to *Laud* his Patron, who complained of it to the King. He alſo wrote a Letter to *Pierce*, on the 4th of *October*, to know whether there had been any Diſorders at theſe Feaſts, which his Majeſty was willing ſhould be continued for the Recreation of the People, and to encourage neighbourly Meetings; and whether ſuch Diſorders might not be prevented by the Care of the Juſtices, without abrogating the Feaſts.

Favoured by the King and two Biſhops.

THE Anſwer he returned was, *that if the Judge's Order againſt Revels was revoked, it would be acceptable to the Gentry there, as well as to the Clergy and common People.* Which was ſo contrary to the Truth, that it was at the earneſt Requeſt of the Gentlemen of *Somerſetſhire*, that the Judges, *Richardſon* and *Denham*, iſſued their Orders to *Lawrence Muſgrave*, and all the Conſtables in that large County, to hinder ſuch unlawful Riots and Revels; thoſe Gentlemen giving for Reaſon at the Aſſizes, *That many Perſons had been indicted for murdering Baſtards begot at Revels, and for other grand Diſorders occaſioned by thoſe intemperate Meetings:* of which Dr. *Pierce* ſays not a Syllable in his Letter to his Patron the Archbiſhop; and what he ſaid of the Gentry, is ſo far from being true, that when Judge *Richardſon* came their Circuit again, they deſired him to repeat that Order, and he puniſhed ſome Perſons for the Breach of it; which, and his requiring the Order to be read in Churches yearly, on the firſt Sunday in *February*, and the two Sundays before *Eaſter*, irritated Archbiſhop *Laud* beyond meaſure, who complained of him again to the King, and he was ſummoned to appear

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Lord Chief Juſtice reprimanded for ſuppreſſing them.

before the Lords of the Council, where he was ſeverely reprimanded, and enjoined to revoke the former Order made at the Aſſizes againſt Revels, as he wou'd anſwer the contrary at his Peril; tho' he informed the Board, that the Order was made at the Requeſt of the Juſtices of the Peace in the County, with the general Conſent of the whole Bench, and upon view of divers ancient Precedents. Accordingly the Lord Chief-Juſtice *Richardſon* at the next Aſſizes informed the Juſtices, Grand Jury, and Country, that thoſe good Orders made by him and his Brother *Denham*, for ſuppreſſing unruly Wakes and Revels, wherein he thought he had done God, the King, and the Country good Service, were to be reverſed by Order of his Majeſty, upon complaint of ſome ill-affected Perſons; but that, as it was not an Order made by himſelf only, but with the joint Conſent of the whole Bench, he conceived that he could not do it alone; however, in purſuance of the Command, he declared to the Bench,

And forced to revoke his Order for that purpoſe.

that he did, as much in him lay, revoke the ſaid Order; tho' he doubted not, that if the Juſtices of the Peace would truly inform his Majeſty of the neceſſity there was for ſuch an Order, from the great Diſorders occaſioned by Wakes and Church-Ales, his Majeſty would give his Command to revive it. Upon this, all the Juſtices there preſent, of whom there was a numerous Bench, being troubled at the Revocation of the ſaid Order, drew up a Petition to the King, that they might have Favour and Allowance to ſuppreſs all unlawful Aſſemblies of Church-Ales, Clerk-Ales, and Bid-Ales,

Gentry's Petition againſt Revels.

and to puniſh all Diſorders then uſually committed; adding, that ſince the Rumor of revoking the former Orders, the Prophanation of the Lord's Day, riotous Tipling, Contempt of Authority, Quarrels, Murders, *&c.* have increaſed: which Petition was ſigned by the following Perſons, Men, ſays *Fuller*, who in Birth, Brains, Spirit, and Eſtate, were inferior to no County in *England*; *viz.*

John Lord *Pawlet*,
Sir *William Portman*,
Sir *John Stawel*,
Sir *Ralph Hopton*,
Sir *Francis Popham*,
Sir *Edward Rodney*,
Sir *Francis Doddington*,
Sir *John Horner*,
Edward Pawlet,
John Harrington,
George Speke,
William Capel,
John Windham,
William Baſſet,
Robert Hopton,
Thomas Lutterel,
George Pawlet,
Robert Cuffe,
Richard Cole,
William Walrond,
Gerard Wood,
Anthony Stocker,
William Fraunces,
William Every,
John Symes.

John Harrington, Eſq; Cuſtos-Rotulorum of the County, was directed to carry this Petition to their Lord-Lieutenant the Earl of *Pembroke*, and deſire him to deliver it to the King. Biſhop *Pierce* gave the Archbiſhop quick Information of what was coming; and the Earl of *Pembroke* happening to be out of Town, *Laud* prevented the Delivery of it, by procuring and publiſhing an Order from the King, enjoining his Grace, to ſee that his Majeſty's Declaration concerning Recreations on the Lord's Day, after Evening Prayer, be printed. And, on the 18th of *October*, it was accordingly publiſhed *, being an Order for renewing and confirming the Declaration that had been publiſhed on that account at *Greenwich*, *May* 24, 1618, by King *James* I. of which the following is an Extract. It was intitled, *A Declaration to all his loving Subjects concerning lawful Sports to be uſed upon Sundays after Evening Prayers ended, and upon Holidays.*

King's Declaration concerning Sports and Paſtimes on Sundays.

'It declared, that King *James* in his late 'Progreſs through *Lancaſhire* (from *Scotland*) rebuked ſome Puritans and preciſe 'People, for prohibiting and unlawfully puniſhing of his good People, for uſing their 'lawful Recreations and honeſt Exerciſes 'upon Sundays and other Holidays, after 'the Service of the Afternoon; which Prohibition cannot but produce two Evils, 'the one the hindring the Converſion of 'many Papiſts, whom their Prieſts will 'hereby take occaſion to vex, perſuading 'them that no honeſt Mirth or Recreation 'is lawful or tolerable in the Religion 'which the King profeſſeth; the other, the 'barring the common and meaner ſort of 'People from uſing ſuch Exerciſes, as may 'make their Bodies able for War, when his

* After it was publiſh'd, the Lord Chief-Juſtice *Richardſon* returning from his laſt Weſtern Circuit, was again ſummoned before the King and Council, for not effectually revoking the Order, by which means the Presbyterians ſtill continued to forbid their Servants to play, to go to Alehouſes, or uſe any publick Recreation on Sundays after Divine Service. And he was ſo reprimanded by Archbiſhop *Laud*, ſays my Author, that when he came from the Council-Board, the Earl of *Dorſet* meeting him, and ſeeing the Tears in his Eyes, ask'd *how he did?* To which the Judge replied, *Very ill, my Lord, for I am like to be choaked with the Archbiſhop's Lawn-Sleeves.* And for this Cauſe alone, he was by *Laud's* means, to his great Grief and Loſs, put from riding the *Weſtern*, and forced to go the *Eſſex* Circuit, reputed the meaneſt of all others, and which no Juſtice uſed to ride but the puny Judge or Serjeant.

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'his Majeſty, or his Succeſſors, ſhall have occaſion to uſe them: For when ſhall the common People have Leiſure to exerciſe, if not upon the Sundays and Holidays, ſince they muſt apply to their Labour, and win their Living in all Working-days? 'Twas therefore the King's expreſs Pleaſure, that no lawful Recreation ſhould be barred to the good People, which did not tend to the Breach of the Laws and Canons of the Church; ſuch as Dancing, either Men or Women, Archery for Men, Leaping, Vaulting, or other ſuch harmleſs Recreation; nor from having of *May*-Games, *Whitſun*-Ales, and Morrice-Dances, and the ſetting up of *May*-Poles, and other Sports therewith uſed, ſo as the ſame be had in convenient time, without Impediment or Neglect of Divine Service; and that Women ſhould have leave to carry Ruſhes to the Church for adorning it, according to their old Cuſtom; but his Majeſty prohibited all unlawful Games on Sundays, ſuch as Bear and Bull-baitings, Interludes, and Bowling. All known Recuſants were barred from this liberty, as were others who did not repair to their own Pariſh-Church before their going to the ſaid Recreations; and every Pariſh was to uſe ſuch Recreations by itſelf, during which the People were to carry or uſe no offenſive Weapon.

'Now therefore, ſays King *Charles*, in his Declaration, dated *October* 18, 1633, at *Weſtminſter*, out of a like pious Care for the Service of God, and for ſuppreſſing of any Humours that oppoſe Truth, and for the Eaſe, Comfort, and Recreation of his well-deſerving People, his Majeſty doth ratify and publiſh this his bleſſed Father's Declaration; the rather becauſe of late in ſome Counties of the Kingdom, his Majeſty finds that, under pretence of taking away Abuſes, there hath been a general Forbidding, not only of ordinary Meetings, but of the Feaſts of the Dedication of Churches commonly called *Wakes*. Now his Majeſty's expreſs Will and Pleaſure is, that theſe Feaſts, with others, ſhall be obſerved, *&c.*'

RUSHWORTH proves from divers Inſtances, that this Declaration was a Snare to many Miniſters, very conformable to the Church of *England*, becauſe for refuſing to read the ſame publickly in the Church, as they were required, many were ſuſpended, and others ſilenced from Preaching; for however innocent, nay ſeaſonable and popular it was thought in the Reign of King *James* I. it was now reſented by many ſober People, not only as needleſs, but even irreligious and prophane; which ſhews that Political Phyſick in one Reign may be Poyſon in another.

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Diſputes about placing the Communion-Table in Churches.

ANOTHER Topick which occaſioned a Diſpute, was placing the Communion-Table. In this Month of *October*, the Dean and Chapter of St. *Paul's*, as Ordinaries of St. *Gregory's* Church, which ſtood cloſe to the Wall of the Cathedral, removed the Communion-Table from the middle of the Chancel, where it had long ſtood, to the upper end, where they placed it Altar-wiſe, for theſe two Reaſons; 1. Becauſe the Communion-Tables were ſo placed in the King's Chapel, and all Cathedrals, to which it was fit all other Churches ſhould conform. 2. Becauſe when the Table ſtood in the middle of the Chancel, ſeveral ſcandalous Indecencies were committed, People leaning thereon at the time of Sermon, or putting their Hats on it. This laſt Reaſon, added to the great Care that was taken about kneeling at the Sacrament, cauſed many to believe, that the ſtriving to inſpire ſuch an extraordinary Reſpect for the Communion-Table, and the giving it always the Name of Altar, was not without Deſign. And therefore ſome of the Pariſhioners of *St. Gregory's* complain'd of this Removal, by Appeal to the Court of the Arches, where they had Advocates to plead, that the Book of Common-Prayer, and the 82d Canon, did give liberty to place the Communion-Table, where it may ſtand with moſt Convenience, which a general Cuſtom had determined to be in the Body of the Church, or towards the bottom of the Chancel; but the Council having notice of it, prevented the Sentence by an Order to the Dean of the Arches, to confirm by his Authority what had been done in St. *Gregory's* Church. A few days after, *viz. Nov.* 3. the King being preſent in Council, cauſed this Affair to be debated, and approving the Act of the Dean and Chapter of *St. Paul's*, he gave Commandment, that if thoſe Pariſhioners did proceed in their Appeal, the Dean of the Arches, (who was then attending at the Hearing of the Cauſe) ſhould caſt them, and confirm what was done. This Sentence given by the King's Sovereign Authority, without ſtaying for the Judgment of the Court, to whoſe Cognizance this Matter properly belonged, was a Source of Apprehenſions to many Miniſters and Congregations, who were not willing to comply with it. There was ſcarce a Church in *England*, except the Cathedrals, and the King's Chapel, where the Communion-Table was placed Altar-wiſe, at the upper end of the Chancel. But after the King had confirmed the Removal of it in St. *Gregory's* Church, the like Diſputes aroſe in numberleſs Places, and the High Commiſſion had frequent Occaſions to puniſh the Miniſters, who were ſuſpected to have too little Zeal for the Church of *England*: So

that,

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that, says *Rupin*, as after the Reformation, the Altars were changed into Communion-Tables, and placed in the middle of the Chancel, to avoid Superstition; so now many imagined that the Tables were to be turn'd again into Altars, in order to revive a superstitious Worship.

In the MSS. left by Archbishop *Tenniſon*, there are three or four Papers written upon this occasion; 1. Reasons why the Communion-Table in every Church should be set close under the *East* Window or Wall, with the Ends *North* and *South*, and be rail'd in. 2. The Arguments used against placing the Communion-Table Altar-wise in the Parish of St. *Gregory's*, *London*. 3. The Reasons given by the Church-Wardens of *Beckington* (near *Frome*) in *Somersetshire*, for their Refusal to remove the Communion-Table from the Place it had stood in since the Reformation; for which Refusal the said Church-Wardens were excommunicated by the Bishop of *Bath* and *Wells*, and tho' they appealed to the Arches Court, and petitioned the King, they stood excommunicated a whole Year, and were afterwards thrown into the common Goal, from whence they were at length released by the King, upon their publick Submission and Penance in three Parish Churches.

Penance by the Church-Wardens of Beckington.

A°. 1634. *A Masquerade of the Lawyers.*

THE 2d of *February* (1634) which was *Candlemas* Day *, was distinguished by a very costly and splendid Compliment to the King and Queen, in the most famous Masque, perform'd at *Whitehall*, that ever was seen; which is the more remarkable for that two of the Managers of it were Mr. *Selden* and Mr. *Whitelock*, the latter of whom has given a very ample Account of it in his Memorials; by which it appears, that the Shew, the Musick, the Dancing were all incomparable, and that the Queen danced in Person; and 'tis said by *Whitelock*, that these Societies of Lawyers put themselves to 21,000 *l.* Charge †, purely to take off the Prejudice, which the Writings of their Brother *Prynne* might have given the Court against their Profession.

Proceedings against Prynne *the Lawyer for his* Histrio-Mastix.

THE Case was this, *William Prynne*, Esq; of *Lincolns-Inn*, Barrister, had taken it into his Head to write a Folio of above a Thousand Pages, intitled, *Histrio-Mastix*. The Author's main Drift was to shew, that Stage-Plays, Balls, and Masques were unlawful and antichristian; and in the Table of the Book there was this Reference, *Women Actors notorious Whores*, relating, as he affirmed, to some Women Actors therein mentioned.

The Court being at this time fond of these Entertainments, it happened about six Weeks after, that the Queen herself acted a Part in a Pastoral at *Somerset-House*; and then Bishop *Laud*, and other Prelates whom *Prynne* had anger'd by his Tracts against Arminianism and the Jurisdiction of the Bishops, shewed *Prynne's* Book against Plays to the King, pointing particularly to that Passage in the Table, *Women Actors notorious Whores*: and they informed the King and Queen, that *Prynne* had purposely writ this Book against the Queen and her Pastoral, tho' it was published, as *Whitelock* says, six Weeks before that Pastoral was acted. Yet the King and Queen directed nothing against him till the 27th of *June* 1632, when his Majesty, at the Instigation of *Laud*, sent for Dr. *Peter Heylin* (who bore *Prynne* a great Spite for confuting some of his Doctrines) to the Council-Table to sift *Prynne's* Book, and to collect all the scandalous Passages; which *Laud* carrying to the Attorney-General, *Noy*, on a *Sunday* Morning, he charg'd him to prosecute *Prynne* for this Book; which he did accordingly, with great Severity in the Star-chamber. It was pretended, his Aim in general was to make it appear, that there was a Design form'd to reduce Religion to a kind of Paganism, in order to make way for Popery. This wicked Attempt was represented by the King's Counsel in the blackest Colours they could possibly give it. The Cause came on in the Star-chamber, *Feb.* 7, 1634, and after a solemn Hearing, which held several Days, the Book was condemn'd to be burnt by the common Hangman, a Thing till then unusual in *England*; and seven Sentences were pass'd upon the Author, *viz.* 1. To be expell'd from *Lincolns-Inn*; 2. Disabled to practise; 3. Degraded of his Degree in the University of *Oxford*; 4. Set in the Pillory in *Westminster* and *Cheapside*; 5. To have an Ear cut off at each Place; 6. To be imprison'd for Life; 7. And to pay a Fine of 5000 *l.* The Publisher, *Michael Sparkes*, who was also the Printer of the Book, was fined 500 *l.* and Mr. *Buckner*, Archbishop *Abbot's* Chaplain, who licensed it, 50 *l.* Mean time, the Bishops and Lords in the Star-chamber sent *Prynne* to the Tower; but before the Fine was estreated, *Laud*, now Archbishop of *Canterbury*, and other High Commissioners, by their Warrant, caused *Prynne's* Books and Papers to be seiz'd at his Lodgings, and had them inspected, to fish for more Scandal.

And

* And on *Shrove-Tuesday* the 18th of *February*, at the Request of the Queen, who desired to see it again, another was perform'd at *Merchant-Taylors Hall*, where Alderman *Freeman* then kept his Mayoralty, to the great Content of the Court and the Citizens, and to the no less Charge of the Lord Mayor.

† *Whitelock* says, some of the Musicians had 100 *l.* a-piece for their Performance, that the whole Charge of the Musick came to 1000 *l.* that the Clothes of the Horsemen, and the Liveries of the Pages and Lackeys, which were at their own particular Charge, were reckoned at 100 *l.* a Suit at the least; so that 100 of those Suits amounted to 10,000 *l.*

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Archbiſhop's Zeal for reforming Engliſh *Factories.*

Archbiſhop *Laud* being ſollicitous to ſettle the regular Worſhip of the Church of *England* in our Factories abroad, had obtained an Order of Council the firſt of *October* laſt, injoining a ſtrict Obſervation of the *Engliſh* Liturgy, and Rites and Ceremonies: Which not being much regarded by the Merchants, the Archbiſhop now preſented ſome Propoſitions to the Council *concerning* Engliſh *Preachers employed in Foreign Parts*; and wrote a Letter dated *June* 17, to the Factory at *Delft*, acquainting them, 'that it was his Majeſty's expreſs Com-'mand, that both they, and all Merchants 'reſiding in thoſe Parts beyond the Seas, 'ſhould conform themſelves to the Doc-'trine, Diſcipline and Worſhip ſettled in the 'Church of *England*.

Their Majeſties Progreſs.

THE King and Queen made a Progreſs this Summer North of *Trent*, and were ſo magnificently treated by the Earl, afterwards Duke of *Newcaſtle*, that it was computed the Entertainment which this noble Lord gave his Majeſty laſt Year at *Welbeck*, and now at *Bolſover* Caſtle in *Derbyſhire*, coſt him at leaſt 10,000 *l.* *Ruſhworth* takes notice how he afterwards adventured his Life and Fortune for the King in the Civil Wars; and, that when his Eſtate was ſold by the Parliament as forfeited, there was raiſed out of the Sale of it 111,593 *l.* notwithſtanding the Loſſes which both his Real and Perſonal Eſtate had ſuffered during thoſe troubleſome Times.

Sir Edward Coke's *Death.*

IN *September*, died that long abdicated Judge, the Oracle of the *Engliſh* Law, Sir *Edward Coke*, Knight; who had been Lord Chief Juſtice of *England*, a Perſon of very great Reputation among the People, but of leſs at Court, whoſe illegal Proceedings he earneſtly oppoſed in Parliament, being uſually a Member of the Houſe of Commons after he was put out of Affairs. He was valued as a juſt impartial Magiſtrate, and his Inſtitutes, and other Works, have eternized his Learning and Induſtry.

Laud's *Injunctions to the* French *and* Dutch *Churches.*

ABOUT the latter End of this Year, Archbiſhop *Laud*, in his Metropolitical Viſitation, ſummoned the Miniſters and Elders of the *Dutch* and *French* Churches, in his Province, to appear before Sir *Nathaniel Brent*, his Vicar-General, who, by his Order did, on the nineteenth of *December*, deliver them theſe two Injunctions, which had been approved of by the King.

1. THAT all the Natives of the *Dutch* and *Walloon* Congregations, in his Grace's Dioceſe, ſhould repair to their own Pariſh Churches for Divine Service, and perform all the Duties and Payments required in that behalf.

2. THAT the Miniſters and all others of the *Walloon* Congregations, who were not Natives, and born Subjects of the King's Majeſty, or any other Strangers that ſhould come over to them, while they remain'd Strangers, might have and uſe their own Diſcipline as formerly: yet it was thought fit, that the *Engliſh* Liturgy ſhould be tranſlated into *French* and *Dutch*, for the better ſettling of their Children in the *Engliſh* Government. CHARLES I. A°. 1634.

THE Reader muſt know, that the *Dutch*, the *Walloons*, and the *French*, who had taken Refuge in *England* ſince the Reign of *Edward* VI. had obtained ſundry Privileges from the former Kings, and particularly the Liberty of celebrating Divine Service after their own Manner, i. e. *Presbyterian*; and formed ſeveral Congregations, both at *London* and other Parts of the Kingdom: But by theſe Injunctions, *Laud* not only impoſed upon the foreign Churches a Liturgy which they did not approve of, but reduced thoſe Congregations almoſt to nothing, becauſe he excluded all that were born in the Kingdom, *i. e.* all the Deſcendants of ſuch as fled hither in the Reign of King *Edward* VI. and conſequently there could be but a very few left of thoſe born out of the Kingdom.

UPON the 21ſt of *February*, next Year, the *Dutch* and *Walloon* Churches at *Norwich*, where they had ſet up the Woollen Manufacture, preſented a Petition to their Biſhop *Wren*, ſetting forth, that the Archbiſhop's Injunctions were contrary not only to ſeveral Orders of the Council heretofore given in favour of their Congregations, but alſo to the Privileges granted to them by the Kings of *England* ſince they firſt ſettled here. The Biſhop of *Norwich* not returning a favourable Anſwer to their Petition, they applied to the Archbiſhop himſelf, who anſwered them by Letter dated the nineteenth of *Auguſt* following, that his Majeſty was reſolved his Inſtructions ſhould ſtand, and that Obedience ſhould be yielded to them by all thoſe that were born in *England* after the *firſt Deſcent*; concluding his Letter with theſe Words: *And thus I have given you an Anſwer fairly in all your Particulars, and do expect all Obedience and Conformity to my Inſtructions; which if you ſhall perform, the State will have Occaſion to ſee how ready you are to practiſe the Obedience which you teach: And for my part, I doubt not but yourſelves, or your Poſterity at leaſt, ſhall have cauſe to thank both the State and the Church for this Care taken of you; but if you refuſe (as you have no Cauſe to do, and I hope you will not) I ſhall then proceed againſt the Natives according to the Laws and Canons Eccleſiaſtical.* A°. 1635. *Petition againſt them to the Archbiſhop, &c.* *The Archbiſhop's Anſwer.*

RUSHWORTH tells us, that by theſe Injunctions the Foreign Churches here were moleſted and diſquieted ſeveral Years together for refuſing Conformity, and we learn

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from other Hiſtories, that Thouſands of the induſtrious Refugees were, by *Laud*'s Threats, frightened out of *Norfolk* and *Suffolk*; and that one hundred and forty of the principal Woollen Manufacturers who ſupplied *Hamburgh*, and all the Countries within the *Sound*, fled to the United Provinces from the Cruelties of the Spiritual Courts, and ſet up the ſame Manufactures there, which the *Dutch* knew not of before, and have ever ſince carried on that Trade to our unſpeakable Loſs.

Reproaches againſt the Archbiſhop.

GREAT Offence was taken againſt *Laud* by the Presbyterians, who publiſhed ſeveral Libels againſt him, taking notice of all the Innovations he had brought into the Church as ſo many Steps to Popery, and upbraiding him with the Pictures he had ſet up in the Windows of his Chapel at *Lambeth* and *Croydon*, drawn according to the *Roman* Miſſal; particularly that of God the Father, in form of a little old Man; for which, among other Things, he was afterwards impeached in the Houſe of Commons.

Scots Biſhops Letter to him about the Liturgy.

ON the ſecond of *April*, the Archbiſhop of *St. Andrews*, and other *Scots* Biſhops, ſent the Biſhop of *Roſs* over with a Letter to the Archbiſhop of *Canterbury*, acquainting him of the Pains they were taking to ſettle a Conformity in the Churches, but that his Grace was ſenſible it muſt be a *Work of Time*. The Liturgy for *Scotland* was not finiſhed 'till *Sept.* 28, but the Book of Canons was by the King referred to the Archbiſhop of *Canterbury* and Biſhop of *London*; after whoſe Approbation, it was confirmed by royal Authority under the Great Seal, the twenty-third of *May*, and ſent back to be inforced in the Nature of Royal Inſtructions. But the *Scots* raiſed ſo many Objections againſt them, that they could never be brought to a ſettled Uſe and Practice. Farther Advice was ſent in a Letter of the tenth of *November*, from Archbiſhop *Laud* to the Archbiſhop of *St. Andrews*;

Laud's Letters to the Archbiſhop of St. Andrews, &c.

That for all the Buſineſs of that Church, in future they were immutably to hold this Rule, that they were privately to acquaint the Earl of Traquair *with every Matter before it was propoſed in public; and that the Earl had aſſured the King, in his Preſence, that he will ſtrictly obſerve a Correſpondence with them, and faithfully do all good Offices for the Church, according to the Commands he ſhould receive from the King: which mutual Relation between the Earl of* Traquair *and them was to be kept very ſecret.*

AND in another Letter of the firſt of *December* he adviſes the Archbiſhop of *St. Andrews*, 'That the King was much 'diſpleaſed with the Biſhop of *Aberdeen* 'for allowing a public Faſt through his 'Dioceſe to be kept upon the Lord's-Day; 'and that it was his Majeſty's Will, that 'no Biſhops there ſhould preſume to com-'mand or ſuffer any Faſt to be kept on 'that or any other Day, without the ſpe-'cial Leave and Command of the King; 'and, that if the Canons were not already 'printed, they ſhould make one for the 'Purpoſe againſt this unworthy Cuſtom.'

THESE Advices and Orders, however juſt and ſeaſonable, raiſed ſome uneaſy Jealouſies even amongſt the *Scots* Biſhops themſelves, as if they interfered with the Liberty of their National Church; and they were ſtill more offenſive to the People, who hated to receive Eccleſiaſtical Diſcipline from *England*; and eſpecially from the Archbiſhop of *Canterbury*, who ſeemed to them by this means to affect a *Britiſh* Primacy.

Preaching againſt Innovations.

MEAN time many of the Calviniſtical Divines ſhewed a high Spirit of Impatience at theſe Proceedings. In *November*, Mr. *Samuel Ward*, a Miniſter in *Ipſwich*, preached againſt bowing at the Name of *Jeſus*, and againſt the King's Book of Sports, ſaying, *That the Church of* England *was ready to ring Changes in Religion, and that the Goſpel ſtood on Tip-toe, ready to be gone.* For this he was cenſured and ſuſpended in the High-Commiſſion, and injoined Public Recantation; for Refuſal of which, he was committed to Priſon, where he lay a long time.

AND Mr. *Charles Chauncey*, Miniſter of *Ware* in *Hertfordſhire*, a pious and learned Divine, of an ancient Family in that County, preaching againſt Arminianiſm, Atheiſm, Hereſy, Popery and Idolatry, and particularly for oppoſing the making of a Rail about the Communion-Table in that Church, and calling it an *Innovation and Snare to Men's Conſciences*; was brought into the High-Commiſſion Court, where he was cenſured for Contempt of Eccleſiaſtical Government and raiſing a Schiſm, ſuſpended from his Miniſtry, condemned in great Coſts of Suit, and to be impriſoned 'till he paid them, and to make a ſolemn Recantation of his Crime in open Court; to which he conſented, and then the Archbiſhop diſmiſſed him with a ſevere Admonition *.

SEVERAL Proclamations having been publiſhed, commanding the Reſidence of

* His Sufferings afterwards obliged him to remove to *New-England*, and they were by the ſame perſecuting Spirit continued in his Family. For his Son Dr. *Ichabod Chauncey*, who was Chaplain to Sir *Edward Harley's* Regiment, when he was Governor of *Dunkirk*, was outed of all Church-Preferment by the *Bartholomew*-Act, and drove with his Family to *Holland*, from whence in a Time of Toleration, he returned and practiſed Phyſic at *Briſtol*, with good ſucceſs.

the

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Prosecutions in the Star-Chamber against the Nobility and Gentry for coming up to live in London.

the Nobility and Gentry in their respective Counties for the better Defence of the Realm, and Support of the meaner Sort of People; an Information was exhibited this Year, on the twenty-first of *April*, in the Star-Chamber, against several Lords and Ladies, and about thirty Knights, and one hundred Esquires, whose Names may be seen in *Rushworth*, for residing in Town contrary to the said Proclamations; who were all forced to make their peace as well as they could, by Fines and Compositions.

And against Sir James Bagg, *for Words spoken of the Lord Treasurer.*

AND on the tenth of *November*, an Information was filed in the same Court against one Sir *James Bagg*, for saying of the late Lord-Treasurer *Weston*, Earl of *Portland*, *I have laid many a thousand Pounds under his Pillow.* The Queen was present at his Trial, and the Lord Chief Justice *Finch* fined him 5000 *l.* to the King, and Imprisonment in the Tower during his Majesty's Pleasure; in which Sentence he was seconded by Archbishop *Laud*, tho' Lord *Cottington*, Chancellor of the Exchequer, and the Earl of *Dorset*, were of opinion that he ought to be acquitted; it appearing by the Trial, which the Reader may see at large in *Rushworth*, That the Words were liable to a more favourable Construction than the Court put upon them. Upon the whole, however, the Votes of the Judges being equal, the Lord-Keeper *Coventry*'s casting Vote gave it against *Bagg*; but by the King's Command the Sentence was not registered.

Old Part *brought to Court.*

IN *September*, the Earl of *Arundel* brought up to *London*, out of *Shropshire*, one *Thomas Parr*, the Wonder of his Time, who was above an hundred and fifty-two Years of Age, he being born in the last Year of the Reign of *Edward* IV. and on *Michaelmas*-day his Lordship shewed him to the King and the Nobility; but he died soon after, tho' it was thought he would have survived some Years longer, if he had not been incommoded by the Fatigue of so great a Journey, and the Change of Air and his usual Diet.

Palatine *Princes arrival.*

IN *November*, *Charles*, Prince Elector *Palatine*, came over to sollicit his Royal Uncle to promote his Restoration. On the twenty-second he came to the King at *Whitehall*, and on *Christmas*-day he received the Communion at that Palace with his Majesty.

HIS younger Brother, Prince *Robert*, or *Rupert*, came over also in *December*, and they were both entertained with great Civility at the King's Palace; but Ceremony and Courtesy was all they obtained by the Visit.

Birth of the Princess Elizabeth.

ON the twenty-eighth of the same Month, the Queen was brought to-bed of a second Daughter, (who was christened *Elizabeth*, by Archbishop *Laud*, on the second of *January*) on which Occasion the States of *Holland* sent a solemn Embassy hither with a noble Present of a massy Piece of Amber-grease, two fair *China* Basons, almost transparent, a Clock said to be the Workmanship of the Emperor *Rudolphus*, besides four exquisite Pieces of Painting, by those two famous Painters, *Tintoret* and *Titian*.

CHARLES I. A°. 1635.

THE twenty-eighth of *February* this Year, Dr. *Roger Manwaring*, so obnoxious to former Parliaments, (of whose Proceedings against him we gave a large Account under the Article of *Loans*, in our Extract of the eighteenth Tome of the *Fœdera*) was consecrated Bishop of *St. David's*, by *Laud*, Archbishop of *Canterbury*.

A°. 1636. Manwaring *made a Bishop.*

AND on the sixth of *March* following, Dr. *William Juxon*, Bishop of *London*, who was a keen Sportsman, and is said to have kept the best Pack of Hounds in *England*, was, by *Laud*'s Procurement, preferred to the great Office of Lord-Treasurer, (it having been in Commission ever since the Death of the Earl of *Portland*, who died *March* 13, 1635.) by which most of the Courtiers, and especially the Nobility, thought themselves in a particular manner injured, no Churchman having had that great Office since the Time of *Henry* VII.

And Juxon, *Lord Treasurer.*

THE Reader will perceive, that the History we have given of the two last Years is much shorter than the Accounts of the Years preceding; but it is hoped, he will find that Defect amply supplied in the following Extract of this nineteenth Tome of the *Fœdera*, which abounds with Acts of one kind or another, relating to Ship-Money, Monopolies, *&c.* and the like Projects, for raising Money, which were the chief Business of those Years. And as this, which is the last Tome of the *Fœdera* hitherto printed, goes no farther than the Entrance of the Year 1636, we are obliged to stop there too, according to Mr. *Rapin*'s Plan; in pursuance of which, we shall proceed with the History of *England*, as we have done hitherto, as soon as any other Tomes of the *Fœdera* come abroad, that Collection of Records being the grand Basis of this Work.

Army.

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'1. A Proclamation declaring his Majesty's Pleasure, that the *English* Soldiers 'lately employed at Sea in his Service, and 'since paid off and discharged, do return 'to the Places mentioned in their Passes, and 'there follow their honest Vocations 'till 'his Majesty has farther Occasion for 'their Service. It is dated at *Whitehall* the 'fifteenth of *November* 1628.'

113. 2. *A Proclamation requiring all* English *and* Scots *Soldiers that were returned from*

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from the Service of the Dutch, *to repair to their reſpective Habitations, to prevent their being burdenſome to the Cities of* London *and* Weſtminſter, *&c. Dated at* Weſtminſter, December 27, 1629.

IT charges all Magiſtrates to favour their Paſſage through their ſeveral Towns and Diſtricts, by treating them with all charitable Reſpect, due to Men who have faithfully ſerved the Allies of their Prince and Country.

309. 3. *A ſpecial Commiſſion under the Privy-Seal to the Company of Armourers,* &c. *for ſurveying the Armours, Arms,* &c. *of the Trained-Bands; and for ſettling the Rates and Prices of the ſame. Dated* June 29, 1631.

IT contains Directions not only for the Survey, but for the new making, altering, amending, dreſſing, repairing, proving and ſtamping of Armour, Guns, Pikes, and Bandaliers, both of the common Arms, and Arms of the Trained-Bands throughout *England* and *Wales*. This was a neceſſary Precaution, that the Government might not be to ſeek for Arms in foreign Parts upon an Emergency, and be obliged to pay dear and uncertain Rates for them to other Princes and States.

314. '4. A Schedule (annex'd to the above 'Commiſſion) containing the new Rates 'and Prices of the ſeveral Parts and whole 'Arms both for Horſe and Foot, through-'out the Kingdom, ſet down and eſtabliſh-'ed by the Right Honourable the Lords 'Committees of the Council of War, as 'every of the ſaid Arms may be afforded 'at *London* by the Armourers, Gun-Ma-'kers, Pike-Makers, and Bandalier-Ma-'kers, according to the Intent of the ſaid 'Commiſſion.'

Ruſhworth ſays, That on *July* 27, there came out by Order of Council, printed *Inſtructions for Muſters and Arms, and the Uſe thereof*, upon occaſion of the Trained-Bands of ſeveral Counties being ordered to march to the Sea-Coaſts for Defence of the Kingdom: That the Rates to be paid to the Muſter-Maſter of each County, were thought a Grievance, tho' grounded upon Precedent in the Reigns of King *James* and Queen *Elizabeth*. And that ſeveral Perſons refuſing to pay the Muſter-Maſters Aſſeſſments, were ſent for up by Meſſengers, to the Council-Table, where moſt of them ſubmitted; but the misfortune was, that under a Jealouſy of new Impoſitions, not much unlike the late Clamour that was raiſed againſt a *General Exciſe*, never intended, People were alarmed and affrighted at the calling for any *old Cuſtom*, or Tribute.

398. '5. A ſpecial Commiſſion to the Lord-'Mayor of *London*, &c. to ſurvey all 'Grounds within two Miles of the City, 'where the Archers were, time out of 'mind, allow'd to ſhoot; and if they 'found that Liberty abridged, by reaſon 'of any Ditching, Hedging, or Incloſures, 'to reduce ſuch Cloſes or Fields to their 'former State. 'Tis dated at *Weſtminſter*, '*December* 20, 1632.

CHARLES I.

'6. Another to the Maſter of the Ord-692. 'nance, *&c.* to reſerve Arms in the *Tower* 'for at leaſt 10000 Men, Horſe and Foot; 'and to ſell the ſurplus for the uſe of the 'Militia in the Country. Dated *Oct.* 5, '1635, at *Weſtminſter*.'

Artillery.

'1. A Commiſſion to Sir *Sackvil Crow* 89. 'Knt. to caſt 610 great Guns in the Foreſt 'of *Deane*, and to have them ready on '*Tower-hill* by the Feaſt of *All-Saints* 'next enſuing the Date of the Commiſſion, 'which is *June* 20, 1629.

'2. Another under the Privy-Seal, to 106. 'take a Survey of the Armour and Am-'munition in the *Tower* of *London*, &c. 'Dated at *Weſtminſter*, *Octob.* 13.'

'There's another, dated *March* 8, 1633. 408.

3. *A Proclamation to revoke a Commiſſion formerly granted to enforce Archery and Shooting with long Bows. Dated* Auguſt 23, 1631. 316.

THIS was a Commiſſion which the King had granted under the Great Seal, on the 4th of *April* in the fourth Year of his Reign, to *Timothy Taylor*, *John Hubert*, *Henry Hubert*, and *Jeffery le Neve* Eſq; for inforcing the execution of the Statute for Archery, 33 *Henry* VIII. It was now revoked, by reaſon of divers Exactions and other unſufferable Abuſes committed under colour of it.

THE great Decay of the ancient, laudable and uſeful Exerciſe of Archery and Shooting in the Long-Bow, whereby great Victories had heretofore been atchieved by the *Engliſh* Nation, and of which good Uſe might ſtill be made in time of War, and the good Means by ſuch a commendable and healthful Recreation to keep Men from other idle Sports, and unlawful Plays and Games, the common Nurſeries of many hateful Vices, Miſchiefs and Diſorders in this Realm, were aſſigned as the Motives to the ſaid Commiſſion.

4. *A Proclamation for the Uſe of the* 469. *Bow and Pike together in Military Diſcipline. Sign'd by the King at* Oatelands, Auguſt 12, 1633.

IT recommends the Exerciſe of Shooting to be a Means to preſerve Health, Strength and Agility of Body, and to avoid Idleneſs, unlawful Diſports, Drunkenneſs, and the like Enormities and Diſorders, which are too frequent among the People. It declares alſo that *William Nead*, an ancient Archer, had preſented to his Majeſty a warlike Invention of the Uſe of the

Bow

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Bow with the Pike together, whereby every Pikeman might alſo be a Bowman. And that the ſaid *William Nead* and his Son were authorized under the Great-Seal, to teach and exerciſe the Subjects therein.

552. 5. *A Grant of a Patent under the Privy-Seal to* William Nead *and his Son, for the ſole making of Engines for affixing the Bow and the Pike together, and for making a new Quiver of Arrows of his own Invention, for the Term of fourteen Years from the* 16*th of* May, 1634. *Dated at* Weſtminſter.

THE Preamble ſays, that he had began to teach the Exerciſe to the Artillery-Company, and that it had been approved by the King and Council.

Books.

26. 1. *A Proclamation by the King at* Whitehall, January 17, 1629, *for ſuppreſſing the Book intituled* Appello Cæſarem, *or an Appeal to* Cæſar.

THIS is the Proclamation referr'd to in the Extract of the XVIIIth Tome, under the Article CHURCH.

IT not only ordered the Books to be delivered to the Biſhop or Chancellor of the reſpective Dioceſe, or to the Chancellor or Vice-Chancellor of the reſpective Univerſity; but declared that if Men renew'd ſuch Diſputes by reading, preaching, or making Books *pro* or *con*, they and their Books ſhall be dealt with in ſuch a manner, that they ſhall repent it.

153. 2. *A Privilege under the Privy-Seal granted to* Clement Cotton, *for the ſole printing and ſale of his Concordance to the Bible for twenty-one Years from the* 16*th of* April 1630.

IT was the firſt Concordance or Table to the laſt Tranſlation of the Bible, and no other was to be bound up with it during the ſaid Term.

161. 3. *A Licence of the like nature to* Paul Willet *A. M. for the ſole printing and ſale of a Book written by his Father Dr.* Willet, *intitled* Synopſis Papiſmi, *which was dedicated four ſeveral times to the late King* James. *The Privilege was to laſt twenty-one Years from* Apr. 26, 1630.

THIS was Dr. *Andrew Willet*, a Native of *Ely*, who was bred at *Chriſt's-College* in *Cambridge*, and not only wrote *Synopſis Papiſmi*, but ſeveral Commentaries on the Old and New Teſtament, and other Pieces; the Titles of moſt of which may be ſeen in the *Bodleian* or *Oxford* Catalogue. He ſucceeded his Father *Thomas Willet* in a Prebend of *Ely*, and the Rectory of *Barley* in *Hertfordſhire*, and dying *Decemb.* 4, 1621, was interr'd in the Chancel of the ſaid Church; to the School of which Place, he gave a Tenement, and 40 *l.* in Money. The Preamble to the Patent takes notice, that the Doctor was a very painful Man in behalf of the Church, and that his *Synopſis* had been approved by the Biſhops, held in great eſteem by the two Univerſities, and much deſired by all the Learned both of the Clergy and Laity throughout the King's Dominions; and that the Stationer who printed the firſt Edition, was either not able, or at leaſt not willing to diſburſe the Moneys neceſſary for Reprinting it; and that therefore few or none of the Books were to be had without paying a greater Price than many of the Clergy could afford to give.

CHARLES I.

198. 4. *A Commiſſion to the Lord Privy-Seal and others, to ſee what Records, Writings,* &c. *belong to the King in the Cuſtody of Sir* Robert Cotton *at* Weſtminſter. *'Tis dated at* Canbury, October 2.

THIS Commiſſion was owing to a late Order of the Court of Star-Chamber, to the intent that ſuch Records and original Papers of State as were not fit to be kept by any private Perſon, might be diſpoſed of by the King at his pleaſure, for his better Service. The Commiſſioners were to be aſſiſted in their enquiry by Sir *William Beecher* Knt. and *William Boſwel* Eſq; two of the Clerks of the Council.

269. ‘ 5. A ſpecial Licence under the Privy-
‘ Seal (dated *April* 5, 1631.) to *George-*
‘ *Rodolph Weckherlin*, for the printing of
‘ ſeveral Books heretofore printed by the
‘ Company of Stationers at *London*, pur-
‘ ſuant to a Patent granted them by the late
‘ King *James* for twenty-one Years, which
‘ were juſt expiring. The ſaid Books are
‘ thus enumerated; *Catonis Diſticha,*
‘ *Pub. Terentii Comœdiæ, Æſopi Fabulæ,*
‘ *Pub. Virgilii Maronis Opera, Ciceronis*
‘ *Opera, Ovidii Opera, Corderii Colloquia,*
‘ *Pueriles Sententiæ & Confabulationes,*
‘ *Lud. Vivis Colloquia, Eglogæ Mantu-*
‘ *ani, Epiſtolæ Sturmii.* His Patent was
‘ for thirty-one Years, during which, none
‘ of thoſe Books were to be printed or ſold
‘ but by him or his Aſſigns, on the Pe-
‘ nalty of 40 *s.* for every Book.

366. ‘ 6. A ſpecial Grant to *Thomas Far-*
‘ *naby*, of the ſole Privilege for the Term
‘ of twenty-one Years of printing certain
‘ of the ancient Poets, with his Notes as
‘ they are therein enumerated, viz. *Ju-*
‘ *venal* and *Perſius*, *Seneca*'s Tragedies,
‘ *Martial*'s Epigrams, *Lucan*'s Pharſalia,
‘ *Florilegium Epigrammaton Græcorum,*
‘ *Index Rhetoricus, Phraſes Elegantio-*
‘ *res, Virgilii Opera, Petronius Arbiter,*
‘ *Ariſtotle*'s Ethics. *The Patent is dated*
‘ *at* Weſtminſter, April 6, 1632, *under*
‘ *the Privy-Seal.*'

THIS *Farnaby*, according to Mr. *A. Wood*'s account, was the moſt noted School-Maſter of his time; who, for his Aſſiduity in promoting Learning, was a great Bene-

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factor to that Republick. His Father was a Carpenter of *London*, his Grandfather Mayor of *Truro* in *Cornwall*, and his Great Grandfather an *Italian* Muſician. Our Patentee, who was born in *London* about 1575, became a Student in *Merton-College* in the beginning of 1590, and being a very hopeful Youth, was entertained by Mr. *Thomas French*, a learned Fellow of that Houſe, who made him his Poſt-Maſter, and conſequently his Servitor; it being the Faſhion then for Poſt-Maſters to ſerve thoſe Fellows from whom they received their Places.

BUT young *Farnaby* being very wild, tho' of pregnant Parts, and having a Temptation to forſake both his Religion and Country, left the College abruptly, went into *Spain*, and was for ſome time educated there in a College of the Jeſuits. At length, being weary of their ſevere Diſcipline, he left them; and having a fancy to take a Ramble, went with his Friend Sir *Francis Drake*, and Sir *John Hawkins*, in their laſt Voyage, when he was about twenty Years old. 'Tis ſaid, that afterwards he turn'd Soldier in the *Low-Countries*, being more addicted to the Military than the Literary Life; and that being reduced to Poverty, he made a ſhift to be ſet aſhore in the Weſt part of *England*, where after wandering to-and-fro under the Name of *Baynraf*, (the Anagram of his Surname) he ſettled at *Martock* in *Somerſetſhire*, and taught the Grammar-School there for ſome time, with good ſucceſs; for in the Year 1646, when Mr. *Charles Darby* was call'd to teach that School, he found in that Town and Neighbourhood many that had been Mr. *Farnaby*'s Scholars, ingenious Men and good Grammarians, even in their grey Heirs; among whom it was then reported, that when he landed in *Cornwall*, his Diſtreſſes made him ſtoop to teach Children the Horn-book. After he had got ſome Feathers at *Martock*, ſays *Anthony Wood*, he took his flight to *London*, and taught a long time in *Goldſmith's-Rents* behind *Redcroſs-ſtreet*, where were large Gardens and handſome Houſes, with great Accommodations for the young Noblemen and Gentlemen, his Pupils, who at one time amounted to at leaſt three hundred. In this time he was *A. M.* of *Cambridge*, and ſoon after incorporated at *Oxford*. At length, upon occaſion of ſome under-hand dealing of his Landlord's, and frequent Sickneſſes in the City, he removed about 1636, to *Sevenoak* in *Kent*, bought a little Eſtate at *Otford*, taught the Sons of ſeveral Noblemen, *&c.* (who boarded with him at *Sevenoak*) with great eſteem; grew rich, made a purchaſe there alſo, and another near *Horſham* in *Suſſex*.

OUR Author ſays, that in 1641, when the Proteſtation was urged to Mr. *Farnaby*, he ſaid, *It was better to have one King than five hundred*; and that afterwards being ſuſpected to have favoured the riſing of the Country about *Tunbridge* for the King, he was impriſoned firſt in *Newgate*, and thence removed on board a Ship, upon a Motion in the Houſe of Commons, to tranſport him to *America*; but it dropt, and he was ſent to *Ely-Houſe* in *Holborn*, where he was for about a Year before his Death, which happened in 1647, and he was buried in the Chancel of the Church at *Sevenoak*, with this Epitaph over his Grave:

CHARLES I.

P. M. Viri ornatiſſimi, Thomæ Farnabii Armigeri, cauſæ olim Regiæ, reique publicæ ſed literariæ vindicis acerrimi. Obiit 12 Junii 1647.

Vatibus hic ſacris qui lux Farnabius olim
Vate carens ſaxo nunc ſine luce jacet.

HE was the chief Grammarian, Rhetorician, Poet, Latiniſt, and Grecian of his time, and his School was ſo much frequented, that more Churchmen and Stateſmen iſſued from it, than from any School taught by one Man in *England*. He wrote ſeveral Pieces, beſides the above-mentioned Commentaries; for which, the Curious may conſult *A. Wood*,

'7. A Warrant to the Warden of the 520.
'*Fleet*, to deliver *William Prynn*, Author
'of the *Hiſtrio-Maſtix*, to the Lieutenant
'of the *Tower*. And,

'8. Another to the Lieutenant of the
'*Tower*, to receive and keep him Priſoner
'for Life. Both dated 24 *Febr.* 1634.

'9. A ſpecial Licence under the Privy- 642.
'Seal to *Francis Holyoak* Clerk, for the
'ſole printing and publiſhing, during the
'term of fourteen Years, of a Book by him
'compiled; with the Title of *Dictiona-*
'*rium Etymologicum Latinum.* Dated
'*July* 4, 1635, at *Weſtminſter*.'

THIS Clergyman, who was alſo an eminent School-Maſter, was born at *Nether Whitacre* in *Warwickſhire*, and had his Education about the Year 1582, in *Queen's* College in *Oxford*, in which City he taught School a little while, but moſtly in his own Country, where in *February* 1604, he was made Rector of *Southam*, and being eſteemed a grave and learned Perſon, was elected a Member of the Convocation of the Clergy, 1 *Car.* I. for whoſe Cauſe he was a conſiderable Sufferer in the time of the Civil War; and dying on the 13th of *November* 1653, was buried in St. *Mary's* Church in *Warwick*.

'10. A

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'10. A Grant of a Privy-Seal to *George* '*Sandys* Eſq; for the ſole printing and 'publiſhing his *Paraphraſe upon David's* '*Pſalms*, &c. for the term of fourteen 'Years. Dated at *Weſtminſter*, *Dec.* 4.'

THIS Poet generally liv'd at *Caſwel* near *Witney* in *Oxfordſhire*, at the Houſe of Sir *Francis Wenman* Bart. who married his Siſter. He was the Son of *Edwin* Archbiſhop of *York*, and born at *Biſhop's-Thorp* in that County. At eleven Years of Age he was ſent to the Univerſity of *Oxford*, and enter'd in *St. Mary's-Hall*. In the Year 1610, he made the Tour of *France*, *Italy*, *Turkey*, *Paleſtine*, &c. and on his Return, publiſhed an Account of his Travels, and a Play, intitled *Chriſt's Paſſion*, a Tragedy, which is dated 1640, dedicated to King *Charles*, and tranſlated from the *Latin* of *Hugo Grotius*, with Annotations. It was excellently well done, and in 1688 reprinted. He alſo tranſlated the fifteen Books of *Ovid's Metamorphoſis*, (for which he had the Grant mentioned in *p.* 679.) and the firſt of *Virgil's Æneid*; died at *Boxley-Abbey* in *Kent* (being the Seat of his Nephew Mr. *Wyat*) in 1643, and was buried in the Chancel.

Churches and Chapels.

105. '1. A Proclamation for preventing the 'Decays of Churches and Chapels, for 'time to come.'

THE Archbiſhops, Biſhops, Archdeacons, *&c.* were hereby commanded not to rely upon the Church-Wardens Preſentments, but to take a view by themſelves, or their Officials, of all Churches and Chapels within their Juriſdiction. And, becauſe Collections had lately been very frequent, the Lord-Keeper was commanded to paſs no Letters-Patent for any Collection for repairing or rebuilding any Churches, or Chapels, or Steeples thereof, except the ſame be ſuddenly ſo damaged by Fire or Tempeſt, that the Inhabitants and Landholders are not able to repair the ſame without the Help of others. 'Tis dated at *Hampton-Court*, *October* 11, 1629.

171. '2. A ſpecial Commiſſion for the Re- 'pair of St. *Paul's* Cathedral at *London*. 'Dated at *Canbury*, *April* 10, 1631.

IT commanded, that all Moneys to be raiſed for maintaining or repairing this Fabrick ſhould be depoſited in the Chamber of *London*; and that Dr. *Laud*, the preſent Biſhop of *London*, (who offer'd 100 *l.* a Year for the ſaid Repair) and his Succeſſors in that See, ſhould keep a Book to regiſter the Names of all Subſcribers, and the Sums they were willing to contribute to the Work. Biſhop *Laud*, who had ſet his Heart upon the Strength and Beauty of this Cathedral, obtained this Commiſſion, which was to authorize the two Archbiſhops of *England*, the Biſhops of *London* and *Wincheſter*, all the Lords of the Council, the Lords Chief-Juſtices, the Lord-Mayor and Aldermen of *London*, the Dean and Reſidentiaries of St. *Paul's*, *&c.* to purſue this Work. CHARLES I.

IT appears from this Commiſſion, that Dr. *George Mountaine*, the late Biſhop, had laid in good Store of large *Purbeck* Stones, at his own Expence, towards the Repairs.

Whitelock ſays, that new Images and Ornaments were now ſet up in this Cathedral, to the great diſcontent of many People.

'3. A Commiſſion or Warrant of the At- 389. 'torney-General, to ſurvey, and take an 'Inventory of the Books, Veſtments and 'Ornaments of the King's Chapel at *White-* 'hall. Dated *October* 5, 1632.'

'4. Another to the Archbiſhop of 630. 'Canterbury, &c. to viſit St. *Peter's* at 'Weſtminſter. Dated *April* 20, 1635, at 'Weſtminſter.'

THE Preamble ſets forth, how much this Church had ſuffered in its Revenue, in matters appertaining to Divine Service, and in many other reſpects, under the Adminiſtration of *Williams* Biſhop of *Lincoln*, who held the Deanery of *Weſtminſter* in *Commendam*. The Abuſes into which the Commiſſioners were hereby to enquire, were manifold, and the Dean was to be anſwerable for all.

Colonies.

'1. A Proclamation forbidding the diſ- 210. 'orderly Trading with the Salvages in 'New-England, eſpecially the furniſhing 'the Natives in thoſe and other parts of 'America, by the *Engliſh*, with Weapons, 'and other Habiliments of War. 'Tis 'dated at *Whitehall*, *Novemb.* 24, 1630. 'And took notice of a Proclamation iſſued 'to the ſame purpoſe in the Reign of 'King *James*, for preventing the inſuf- 'ferable Abuſes committed by divers Inter- 'lopers, irregular Merchants, and diſobe- 'dient Fiſhermen and Mariners; who, to 'the great Prejudice and Danger of the 'Planters, bartered away to the Salvages 'of this Country, Arms, Powder, Shot, *&c.* 'with which they deſtroy'd the *Engliſh*, 'who ſold thoſe Weapons to them.

'2. A ſpecial Commiſſion to *Edward* 301. 'Earl of *Dorſet* and others, for the better 'Plantation of the Colony of *Virginia*. 'Dated at Weſtminſter, the 27th of *June*, '1631, under the Privy-Seal.'

Commerce.

1. *A Proclamation by the King at* 1. Whitehall, October 15, 1628, *prohibiting the tranſportation of any Corn, Grain, Victuals,*

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Victuals, Ordnance, Arms, or Ammunition into France *by the Subjects of* England, *or of its Allies.*

IN the Preamble, his Majesty takes notice how much his Mildness and Facility had been abused by the King of *France*; who, by two Declarations, one on the 14th of *May* 1627, and the other on the 12th of *August* following, both full of acrimony, had prohibited all Traffick and Commerce with *England*, to his own Subjects and all others of whatsoever Quality or Nation; whereas, on the other hand, his Majesty had not only forborn such publication hitherto, but had in a sort dispensed with the carrying of Warlike Provisions, and other prohibited Commodities to *France*.

2. '2. Another commanding his Subjects to 'forbear all Acts of Hostility or Violence 'to any Persons, Ships, or Goods belong-'ing to *Algier*, *Tunis*, *Tetuan*, *Sallee*, &c. 'Tis dated the 22d of the same Month.'

27. 3. *A Commission under the King's own hand to Captain* John Harrison, *to treat with the Kings and Governors of* Barbary, *for the Redemption of* English *Captives, and settling Commerce there. 'Tis dated at* Westminster, January 21, 1629.

THIS Captain had been employ'd in the King's Service in these parts before, and he was hereby authorized, in order to facilitate the said redemption, not only to carry over the *Moorish* Prisoners that were here, to be exchanged with the *English* Prisoners there, but to take along with him six pieces of Cannon, with the necessary Carriages, Shot, *&c.* as Presents to such Governors of their Towns and Forts, as he thought fit.

94. 4. *A Proclamation against the Importation of* French *Wines* in foreign Bottoms, *before the first of* February *following. Dated at* Nonsuch, July 7, 1629.

THIS Proclamation was owing to a Complaint of the *French* Merchants and Vintners in *London*, that the quantity of *French* Wines already imported, and remaining in their Cellars, owing to the liberty taken during the late Disturbance with *France*, was so great, that they could not make sale of those Wines, unless a farther Importation was for a time prohibited. Nevertheless, the *French* Merchants, Natural-born Subjects of the *French* King, were not debarr'd the liberty of importing Wines, or any other the natural Commodities of that Kingdom, in their own Ships and Vessels.

102. '5. A special Commission under the 'Privy-Seal to the Lord High-Treasurer, '*&c.* to fit out a sufficient Naval Force a-'gainst the Pyrates and Sea-Rovers of all 'Nations that disturbed the Commerce. 'Tis dated at *Westminster*, *September* 11, '1629.'

'6. A Proclamation touching the Com- CHARLES 'pany of *Eastland* Merchants trading to I. 'the *Baltick*, for restraining the Imports 129. 'and Exports to and from those Parts en-'tirely to the Company, Corn and Grain 'excepted, which was left free for Impor-'tation by any others.' *'Tis dated* March 7, 1630, *at* Westminster; and commanded the execution of the Statutes of 5 *Ric.* II. 4 *Hen.* VII. and 32 *Hen.* VIII. which restrain'd the Subjects from shipping any Commodities in foreign Bottoms.

'7. A Proclamation for preventing the 155. 'Exportation of Wool, Woolfells, Yarn, '*Cornish* Hair, Fullers-Earth, Wood-'Ashes, and Hides both tann'd and raw. '*Dated at* Whitehall, April 17.'

IT appears by this Act, that Complaints had been made to the late King, that the Wools were very much sunk in value, and the Manufacture thereof in the vent it had abroad formerly; that upon enquiry into the Causes of it, he was convinced, that the Exportation of the above-mentioned Commodities was a great means of the foreign Manufacture of Cloth, and a principal impediment to the vent of *English* Cloths; and that the false and deceitful making, dying, and dressing home-made Cloth and Woollen-Stuff, did exceedingly disgrace and discredit the Drapery of this Kingdom, and hinder the vent of it; and that therefore he published a Proclamation on the 20th of *July*, in the twentieth Year of his Reign, prohibiting the Exportation of Wools, *Cornish* Hair, and the other Commodities above-mentioned, from *England*, *Ireland* and *Wales*, to any foreign Parts, or into the Kingdom of *Scotland*. King *Charles*'s Act, whereby the said Proclamation was renewed for the further Encouragement of the Manufacture, enjoin'd, that all black Cloth and Stuffs for Mourning, be made only of *English* Wool, and strictly prohibited the Use of Logwood and Blockwood in the dying of any Cloth or Stuffs whatsoever.

'8. A special Commission under the 168. 'Privy-Seal, to *Fabian Smith* Esq; Agent 'in *Russia*, to transact and perform all 'Matters that he shall think proper for 'preserving the Amity, and supporting the 'Trade with that Country. *'Tis dated at* 'Westminster, June 12.'

'19. A Proclamation prohibiting the 169. 'Exportation of Corn and Grain, from '*England* and *Wales*, dated *June* 13, at '*Whitehall.*'

The Weather had been so unseasonable, that a bad Harvest was expected, at the same time that there was an actual Scarcity in the neighbouring Kingdoms. The Proclamation concludes with an Order, for apprehending one *Abraham*, or *Arthur*

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Rutter, who, by counterfeiting of divers Licences, had been the Cauſe of the undue tranſporting of much Corn. There is another to inforce it, dated *March* 25, 1631.

205. ‘ 11. A ſpecial Licence, under the Privy-Seal, to two of the King's Coachmen, ‘ during their Lives, to import Coach-Horſes, Coach-Mares, and Coach Geldings, from beyond Sea, for the Uſe of the King, the Nobility and Gentry of this Realm, without paying any Cuſtom. It is dated *November* 15, at *Weſtminſter*.’

They were to import none under fourteen Hands high, and three Years of Age, nor above ſeven Years; and they were to ſell none, ſo imported, 'till the Maſter of the Horſe, or ſuch as he ſhould appoint, had ſeen whether they were fit for the King's Service.

283. 12. Another to Sir *Thomas Badger*, Maſter of the old Harriers; Sir *Timothy Tyrrel*, Maſter of the Buck-hounds; and *Thomas Potts*, Eſq; Maſter of the Privy Harriers, to have the ſole Exportation of as many Hounds, Beagles, or Hunting-Dogs, as they think fit; and to ſell, or otherwiſe diſpoſe of the ſame, without accounting for them to the King, or paying any Cuſtom or Duty, dated *May* 8.

335. ‘ 13. A Proclamation for the better Encouragement and Advancement of the ‘ Trade to the *Eaſt-Indies*, and for preventing the Exceſs of private Trade, ‘ dated at *Weſtminſter*, *February* 19, 1632.’

It recites the Wares and Merchandize licenſed to be exported and imported, and mentions the Size and Number of the Cheſts allowed by the Company to their Officers, for packing up their Goods. The ſaid Cheſts, of which the Commanders, Captains and Factors, were allowed four a-piece; the Maſters three a-piece, and every of the Purſers Mates, Maſters Mates, Boatſwains, Carpenters, Gunners, and Stewards, two a-piece; were to be four Feet long, one Foot and a half in breadth, and the ſame in depth.

337. 14. Another for enabling all his Majeſty's Subjects, *Engliſh*, or *Scots*, to trade within his ſeveral Dominions, without being further charged with Cuſtoms, or other Duties, than they of that Kingdom in which they trade, are liable to pay. Dated at *Whitehall*, *February* 2, 1632.

370. 15. A Privy-Seal of Protection to Sir *Richard Young*; Sir *Kenelm Digby*; *George Kirk*, Eſq; *Nicholas Criſpe*, and other Merchants; to whom the King had granted the ſole Trade, for thirty-one Years, to *Guiney*, *Angola*, and all the Coaſt of *Africa*, between Cape *Blanco*, in North Latitude 20, and the Cape of *Good-Hope*, in South Latitude 34, by Letters Patent, under the Great-Seal, bearing date the twenty-fifth of *June* laſt. This Protection is dated at *Weſtminſter*, *April* 23, 1632. CHARLES I. 386.

‘ 16. A ſpecial Licence, under the Privy-Seal, to the Governor and Company ‘ of Merchants of *London*, trading to ‘ the *Eaſt-Indies*. Dated at *Canbury*, ‘ *September* 25.’

In regard the Company was to trade this Year to *Perſia*, as well as the *Indies*, the King gave them a Liberty to take up, within this Realm, and the Dominions thereunto belonging, the Sum of 40,000 *l.* in foreign Gold, and to tranſport the ſame to the *Eaſt-Indies*, or *Perſia*, or both, as they ſhall think fit, for this preſent Year: And if they could not take up ſo much foreign Gold, they were allowed to make up what was wanting with *Engliſh* Gold, and tranſport the ſame, for their preſent ſupply in the ſaid intended Voyage. But they were forbid to tranſport ſo much Silver, out of the Sum of 100,000 *l.* of foreign Silver, which they were allowed to export in any one Year, as ſhould equal the Amount of the Gold which they ſhould then tranſport.

‘ 17. A Proclamation to reſtrain the Ex- 387. ‘ portation of Corn, Wool, Wool-Fells, ‘ Fullers-Earth, and Leather. Dated at ‘ *Hampton-Court*, *September* 30.’

It takes notice of the Practices of Corn-Maſters, and Hoarders of Corn, and of the Merchants, *&c.* to inhance the Prices of Corn and Grain, tho' the laſt was as plentiful a Harveſt as was almoſt ever known; and of the falſe Rumours ſpread of great Tranſportation of Corn, *licenſed* and *authoriſed*; the Authors of which ſcandalous Report, his Majeſty requires to be ſeverely puniſhed: And all Perſons who tranſported Corn, and the other Commodities above-mentioned, from Port to Port, within this Realm, were to give Bonds, with ſufficient Securities, reſident in the Kingdom, for whoſe Sufficiency, the Officers of the Cuſtoms taking the ſame were to be anſwerable; in the Condition of which Bonds the true Quantity of Corn and Fullers-Earth, and the other Commodities ſhipped on board, was to be ſpecified: And thoſe Cuſtomers, or other Officers, who acted by Deputies, or other Servants, were to be anſwerable for their Offences.

18. A ſpecial Warrant, under the Privy-Seal, to give licence to the Merchants of *Flanders*, living under the Dominion of *Philip*, King of *Spain*, to fetch our Gold and Silver, in Money, or otherwiſe, in return for their Merchandize, on the ſame Bottoms that brought their Goods, provided it be within one hundred Days after the unlading of the Goods, and that they do not carry off above 2000 *l. Engliſh* Money, in any one Ship. Dated at *Weſtminſter*, *December* 1. 396.

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19. A Commiſſion to *Thomas Young*, of *London*, Gent. to make new Diſcoveries in *Virginia*, and other adjacent Parts of *America*. Dated at *Canbury*, *Sept.* 23, 1633.

583. ‘ 20. A Proclamation prohibiting the ‘ Tranſportation of Woollen-Cloth, or ‘ other Woollen Commodities, to *Germa-* ‘ *ny*, or the *Netherlands*. Dated at *White-* ‘ *hall*, *December* 7, 1634.’ There was an Exception, as to the Mart and Staple Towns of the Fellowſhip of Merchant Adventurers, who were hereby allowed to admit into their Freedom, all Perſons dwelling in the City of *London*, exerciſing the Profeſſion of Merchandize, but not Shopkeepers, on paying 50 *l.* Fine, provided they took up their Freedom before *Midſummer* next. And they were allowed to admit into their Freedom, ſuch Perſons of the Out-Ports, exerciſing the Trade of Merchandize, on their paying 25 *l.* Fine, provided they took up their Freedom before *Michaelmas* next; and, that the Sons and Servants of Perſons ſo admitted, pay to the ſaid Fellowſhip, at their ſeveral Admiſſions, twenty Nobles a-piece; and, that Perſons admitted after the Days aforeſaid, pay double of the Fines before limited reſpectively,

651. ‘ 21. A Licence, under the Privy-Seal, ‘ for two Years, for a Collection through- ‘ out *England*, *Scotland*, and *Ireland*, for ‘ making a Harbour and Key, at Port-*Pa-* ‘ *trick* in *Scotland*. Dated at *Canbury*, ‘ *Auguſt* 4, 1635.’

It was computed that the Expence would amount to above 5000 *l.* in regard of the Violence of the Seas there, the Scarcity of Timber, and the great Rocks that were to be cut. This was reckoned a convenient Port, becauſe of its Situation near to the Point, where *England* and *Scotland* join towards *Ireland*, to which the Paſſage is but three or four Hours.

Councils.

278. ‘ 1. Letters Patent conſtituting a Coun- ‘ cil in the North of *England*, with a Com- ‘ miſſion of Oyer and Terminer, *&c.* Da- ‘ ted, *December* 15, 1628, at *Weſtmin-* ‘ *ſter*.’

Thomas, Viſcount *Wentworth*, was appointed Preſident of the ſaid Council, with more ample Powers, ſays *Rapin*, than any of his Predeceſſors were ever inveſted with. In this Commiſſion are no leſs than fifty-ſix Articles of Inſtructions, drawn up by the King's Order, to be obſerved by him and the reſt of the Council. Our Hiſtorian ſays, this was only a renewal of the Commiſſions granted in ſome former Reigns for eſtabliſhing this Northern Council, otherwiſe called the *Court of York*; which being one of the greateſt Grievances complained of by the *Engliſh* againſt *Charles* I. and one of the moſt noted Occaſions wherein that Prince diſcovered his Deſign to ſet up unlimited Power; it may be neceſſary to give a brief Account, from Mr. *Rapin*, of the Origin and Nature of this Council in the North, and how the King would have made uſe of it, to ſubject his People to a deſpotic Power. CHARLES I.

THERE being ſeveral Inſurrections in the North, upon the Suppreſſion of the leſſer Monaſteries, by King *Henry* VIII. he eſtabliſhed a Court of Juſtice, at *York*, under pretence of eaſing his poor Subjects, who had not wherewithal to go and proſecute their Suits in the Courts at *Weſtminſter*: But his real Intent was, that this Court ſhould have an eye upon the Lords and Gentlemen in the North, who were ſuſpected of a deſign to raiſe freſh Commotions; and, that they ſhould puniſh them on the Spot, as ſoon as they attempted it. The Juriſdiction of this Court extended over *Yorkſhire*, *Northumberland*, *Cumberland*, *Weſtmoreland*, the County and City of *Durham*, the County and City of *York*, *Carliſle*, *Kingſton upon Hull*, *Newcaſtle upon Tyne*, and *Berwick upon Tweed*. Tho' it was no other than a Commiſſion of Oyer and Terminer, it had an illegal Clauſe at the end, whereby the Council was impowered to hear all Cauſes, Real and Perſonal, in caſe either of the Parties was too poor to proſecute their Rights elſewhere, according to the Laws of the Land: And whenever the Commiſſion was renewed, which was upon every change of Preſident, or any Counſellor, the King ſent new Inſtructions, which tended to render the Court of *York* independent not only of the Courts of *Weſtminſter*, which were for the whole Kingdom, but even of all Sorts of Laws: So that it is evident, that by making the Power of this Court depend upon the King's Inſtructions, the Intent was, that its Deciſions ſhould not be made ſo much according to the Laws, as according to his Majeſty's private Orders.

IN the ſecond Commiſſion, which was granted by King *James* I. to Lord *Sheffield*, the Preſident of this Council, or Court, the Clauſes that they ſhould inquire *per ſacramentum bonorum & legalium hominum*, and hear, and determine, *ſecundum leges Angliæ*, were left out.

279. ‘ 2. A ſpecial Commiſſion to the Arch- ‘ biſhop of *Canterbury*, &c. to hear, and ‘ determine all Diſputes concerning the ‘ Juriſdiction of Courts. It is dated at ‘ *Weſtminſter*, *May* 6, 1631.’ They were likewiſe to reform the Diſorders of Priſons, and their Keepers, by whoſe ſuffering their Priſoners to go abroad, Prieſts and

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and Jeſuits were let looſe, to ſay Maſſes, to uſe Superſtitious Rites, to exerciſe foreign Juriſdiction, and to ſeduce the People; and by whoſe admitting all manner of Perſons freely to the Priſons, they were become Places of Riot, Gaming and Diſorder, and Nurſeries of Hereſy, Schiſm and Corruption, inſtead of being Places of Reſtraint from, and Puniſhment for ſuch Vices.

410. '3. A Renewal of the Commiſſion, conſtituting a Council in the North of *England*. Dated at *Weſtminſter*, *March* 21, 1633.'

To this Commiſſion a Clauſe was added, impowering the Lord *Wentworth*, the Preſident, to hear and determine all Offences and Miſdemeanors, Suits, Debates, Controverſies and Demands, Cauſes and Matters, contained in the Inſtructions annexed to the Commiſſion.

AMONG other Matters in the Inſtructions, the ſaid Preſident was to hear, and determine according to the Courſe of Proceedings in the Star-Chamber, divers Offences, Deceits and Frauds, whether the ſame were provided againſt by Act of Parliament or not: Likewiſe to hear, and determine according to the Courſe of Proceedings in the Court of Chancery, all manner of Complaints, as well concerning Lands, Tenements, Hereditaments, *&c.* and to ſtay Proceedings in the Courts of Common-Law, by Injunctions, or otherwiſe, as is uſed in the Courts of Chancery. And that no Prohibition ſhould be granted at all, but in Caſes where the Preſident exceeded the Limits of the ſaid Inſtructions. And, that if a *Habeas Corpus* be granted, the Party was not to be diſcharged 'till he performed the Decree of the Council.

IN the Parliament of 1640, this Court was aboliſhed, when Mr. *Edward Hyde* (afterwards Earl of *Clarendon*) being ſent by the Commons to the Lords, concerning this Court of *York*, ſaid, in his Speech to them, that in theſe *Inſtructions* there was *ſcarce one that was not againſt, or beſide the Law.* From whence he took occaſion to ask, *What have the good Northern People done, that they only muſt be diſfranchiſed of all their Privileges, and be governed according to the Diſcretion of the Court of* York? Nay, tho' this Court might proceed according to their Diſcretion, ſpecial Proviſion was made in the King's Inſtructions, that no Fine, no Puniſhment ſhould be leſs than by Law appointed: 'But, added Mr. *Hyde*, as much 'greater as your *Diſcretion* ſhall think 'fit; and indeed, ſays he, in this Improve-'ment we find *arbitrary Courts* are very 'pregnant. If the Law require my good 'Behaviour, this *Diſcretion* makes me 'cloſe Priſoner: If the Law ſets me in 'the Pillory, this *Diſcretion* appoints me 'to leave my Ears there. And ſuch Con-'fuſion hath this *Diſcretion*, in theſe *In-'ſtructions*, produced, as if *Diſcretion* 'were only to act with Rage and Fury.' The Proceedings at large are reported by *Ruſhworth*, Vol. II. from p. 159, to 165.

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449. '4. The King's Inſtructions to the Preſident, and Council of the Dominion and 'Principality of *Wales*, and the Marches, 'ſigned at *Theobalds*, *May* 12.

JOHN, Earl of *Bridgwater*, was the Preſident of this Council.

THE Inſtructions conſiſted of fifty-five Articles, not much unlike thoſe given to the Council of the North.

Courts.

551. '1. Letters Patent, eſtabliſhing a Court 'of Juſtice for Q. *Henrietta Maria*, and di-'recting the Form of Proceeding therein. 'Dated at *Weſtminſter*, *June* 15, 1634.'

This Act is directed to ſeveral Lords of the King's Council, particularly to * *Henry*, Earl of *Holland*, High Steward of the Queen's Revenues; *Edward*, Earl of *Dorſet*, Lord-Chamberlain of her Houſhold †; *Thomas*, Viſcount *Savage*, Keeper of her Great-Seal ‡; *George*, Lord *Goring*, her Maſter of the Horſe; Sir *Thomas Jermyn*, Vice-Chamberlain of the King's Houſhold, and Maſter of the Queen's Game; Sir *Robert Ayton*, Knight, her Secretary; Sir *Richard Wynn*, Bart. her Treaſurer, and Receiver-General **; Sir *Thomas Hatton*, Knt. Surveyor-General of her Lands ††; and Sir *John Finch*, Knight, her Attorney-General |||.

HER

* At the Creation of *Henry* Prince of *Wales*, in the late Reign, this Lord was made Knight of the *Bath*; Captain of the King's Guards in the 15th of that Reign, and created a Baron in the 20th, by the Title of Lord *Kenſington*, (that called *Holland-Houſe* at *Kenſington*, being the Seat of the Family;) and having been ſent into *Spain* to promote the Match between Prince *Charles* and the Infanta, he was, on his Return, created Earl of *Holland*, and inſtalled Knight of the Garter. Upon the firſt Inſurrection of the *Scots*, he was made Conſtable of *Windſor*-Caſtle, and when King *Charles* I. was made Priſoner in the *Iſle of Wight*, he took Arms for his Deliverance; but miſcarrying in his Deſign at *Kingſton* upon *Thames*, he was taken Priſoner, and by Sentence of the High-Court of Juſtice, beheaded before *Weſtminſter-Hall*, on the 9th of *March*, 1648-9.

† He was created Knight of the *Bath* at this King's Birth.

‡ He was created a Viſcount and Earl by this King, *Nov.* 1, 1626.

** This Gentleman's Father, Sir *John Wynn*, who was created a Bart. in 1611; was a Lover of Learning, and collected from Chronicles and Records ſuch a Hiſtory of his Family, as ſhews he had examined the ſeveral Hiſtories of his Country, and was well verſed in its Laws and Cuſtoms.

†† He was afterwards created a Baronet by this King. He was of the Branch of *Long-Stanton*, in *Cambridgeſhire*.

||| This was he, that was afterwards Lord-Keeper of the Great-Seal, and Lord *Finch* of *Fordwych*.

HER Court was to be held in that called the Queen's Council-Chamber at *Weſtminſter*, by her Chancellor, Attorney-General, and one, or more, at leaſt of her Council. All Proceſſes, Attachments, Commiſſions, *&c.* were to be granted and awarded, in and out of the ſaid Court, as it is uſed in the Court of the Dutchy of *Lancaſter*. They were to be in the King's Name, but to bear the Queen's *Teſte*, and paſs under her Great-Seal.

Coinage.

287. ' 1. A ſpecial Commiſſion for making ' trial of the Experience, Skill, and In- ' duſtry of *Nicholas Bryott* (a Native of ' *Lorrain*) in the Coinage of Money, at ' the Mint. Dated *June* 13, 1631, at ' *Weſtminſter*.' This Gentleman propoſed by the Inſtruments, Mills, and Preſſes, in his hands, to make better Money, and with leſs Expence to the Crown, than by the ordinary way of Hammering.

390. 2. A Patent, under the Privy-Seal, granted to Sir *Thomas Aylesbury* (Surveyor of the King's Ships upon the Death of Sir *Richard Bingley*) for the making of all the Weights, and licenſing all the Ballances for the Gold Coin of *England*, during his Life, on paying 20*s.* yearly Rent to the Exchequer. Dated at *Weſtminſter*, *Oct.* 20, 1632 *.

401. 3. A Proclamation to the ſame Effect, dated at *Whitehall*, *Dec.* 20.

550. 4. Another, dated at *Greenwich*, *May* 5, 1634.

718. 5. A Proclamation for reſtraint of the Conſumption of the Coin and Bullion of this Realm, and the deceitful making of Gold and Silver Thread. Dated at *Whitehall*, *Jan.* 18, 1636.

760. ' 6. A Grant to *Henry*, Lord *Maltra-* ' *vers*, and Sir *Francis Crane*, (Chancellor ' of the moſt noble Order of the Garter) ' of a Patent for the ſole Coinage of Braſs ' Farthings. Dated at *Weſtminſter*, *March* ' 1, 1636.'

It was hereby provided, in purſuance of an Order of the Star-Chamber of the 20th of *June*, 1634, that the ſame ſhould not be forced upon poor Labourers, or Workmen, or other Perſons, in any Payment againſt their Wills; the poor People having been heretofore compelled to take all, or moſt of their Wages, in Farthings, from ſuch as bought up great Quantities, at a low Rate, and made a profit by the Sale.

Cuſtoms.

369. 1. The King's Declaration, under the Privy-Seal, that no greater Cuſtoms, or Fees, ſhall be taken by the Officers of the Cuſtom-houſe, of *Scotſmen*, than of *Engliſhmen*. It is dated *April* 19, 1632, at *Weſtminſter*.

547. 2. Another for impoſing a Duty of 4*s.* on every Chaldron of Sea-Coal, Pit-Coal, or Stone-Coal, to be tranſported into foreign Parts, over and above all the Cuſtoms, Impoſts, Tolls, and other Port-Duties, before this time, uſed to be collected, paid, or anſwered for ſuch Coals. Dated *April* 11, 1634.

Diſpenſations and Faculties.

54. 1. A General Liſt of Diſpenſations and Faculties, granted in the fourth Year of King *Charles*.

66. 2. A Diſpenſation, under the Privy-Seal, to *Daniel Collins*, D. D. to hold a Prebend of *Windſor*, together with his Fellowſhip of *Eaton* College. Dated at *Weſtminſter*, *May* 12, 1629.

282. ' 3. A ſpecial Exemption, under the ' Privy-Seal, of Sir *George Paule*, Knt. ' a Juſtice of the Peace for *Surry*, from ' ſerving as Sheriff of any County in *Eng-* ' *land*, and from attendance at any Aſſizes, ' or Seſſions, by reaſon of his great Age ' and Infirmities. It is dated *May* 7, 1631.' This was granted as an Acknowledgment for his Surrender of the Office of Prothonotary of the Pleas, which he held in Truſt for the late Duke of *Bucks*.

403. ' 4. A Grant of a Diſpenſation, under ' the Privy-Seal, to certain Citizens and ' Merchants of *London*, who had been ' free of the Fellowſhip of Merchant Ad- ' venturers of *England*, but were diſfran- ' chiſed purſuant to an Act of Queen *E-* ' *lizabeth*, by marrying Women born out ' of the Realm, and purchaſing Eſtates be- ' yond Sea.' This Diſpenſation, which gave Licence for their Re-admiſſion to the ſaid

* *Ruſhworth* ſays there was, at this time, ſuch plenty of Gold in the Kingdom, and ſuch ſcarcity of Silver, that the Drovers, and Farmers, who brought their Cattle to be ſold in *Smithfield*, would commonly bargain to be paid in Silver, and not in Gold; and, that People generally gave two Pence, and ſometimes more, to get twenty Shillings in Silver for the Exchange of a Twenty-Shilling-Piece, in Gold, full Weight. He adds, that in and about *London* and *Weſtminſter*, as well as in other Parts, moſt People carried in their pockets the Gold Scales, made at the Office, erected in purſuance of this Patent. The Patentee, who was, according to *A. Wood*, bred at *Chriſt-Church* in *Oxford*, had been Secretary to two Lord High-Admirals, viz. *Charles*, Earl of *Nottingham*, and *George*, Duke of *Bucks*; by the Endeavours of which laſt he was made one of the Maſters of the Requeſts, and Maſter of the Mint (being about that time a Baronet) which Places he held 'till the Civil Wars, when he retired, with his Family, to *Flanders*. Sir *Thomas* was a learned Man himſelf, and a great Encourager of Learning and learned Men, as any in his time; and particularly of one *Walter Warner*, who was a good Mathematician, and wrote a *Treatiſe of Coins and Coinage, in relation to Mint-Affairs*. He generally entertained him, in the Summer-time, at his Houſe in *Windſor* Park, and gave him a ſmall Penſion, but procured him a larger from *Algernon*, Earl of *Northumberland*.

Plenty of Gold.

Sir Thomas Aylesbury.

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said Fellowship, and to their keeping their Wives within the Realm, on their making sale of those Estates beyond Sea, which they were intitled to, in right of their Wives, is dated the fifteenth of *February* 1633, at *Westminster*.

THEIR Names were *Francis Langstone*, *John Kenrick*, *William Farrington* and *Richard Williams*.

Ecclesiastical Commissions.

470. ' 1. THE King's Instructions for *Laud*, ' the Archbishop of *Canterbury*, concern- ' ing certain Orders to be observed and ' executed by the several Bishops of his ' Province, *A. D.* 1633.'

THE Bishops were hereby commanded to their several Sees, except those whose Attendance was necessary at Court; and they were to reside in their Episcopal Houses, and not on any Estates by them purchased, nor on their *Commendams*. The Afternoon Sermons, in all Parish-Churches, were to be turned into Catechising. All Lecturers were to read Divine-Service according to the Liturgy, in their Surplices and Hoods before the Lecture; and they were to preach in seemly Habits belonging to their Degrees, and not in Cloaks. The Bishops were to suffer none but Noblemen, or others qualified by Law, to keep Chaplains. Particular notice was to be taken of all Persons, both Recusants and others, who absented from Divine-Service. No Bishop nominated to any other See should, from the Day of his Nomination, make any Lease for three Lives, or twenty one Years, or concurrent Lease, or any ways renew any Estate, or cut any Wood or Timber, but merely receive the Rents and quit the Place, it being deemed by his Majesty a hateful thing, that any Man's Translation to a better Bishoprick should almost undo the Successor: wherefore his Majesty declared, that if any presumed to break this Order, he would refuse him the Royal Assent, and keep him at the Place which he hath so abused. Every Bishop was to give a strict Account, yearly, to his Metropolitan, of their Obedience to the King's late Letters, prohibiting them to change any Leases from Years into Lives, and the Bishops were also to certify all Transgressions of the King's Commands aforesaid, by the Dean, or Dean and Chapter, or any Archdeacon, or Prebendary, within their Dioceses. The Bishops were likewise, in their yearly Accounts to their Metropolitan, to give notice of any remarkable Alteration, or other Accident, within their respective Dioceses, which might any ways concern the Doctrine, or Discipline of the established Church. The House built by Dr. *Bancroft*, Bishop of *Oxford*, upon the Vicarage of *Cudsden*, near *Oxford*, which was in the Patronage and Gift of him and his Successors, was to be for ever held in *Commendam*, together with the said Vicarage, by all future Bishops of *Oxford*. And finally, the Archbishop of *Canterbury* was from the said yearly Accounts (which were to be sent in by the tenth of *December*) to draw out a Brief, and present it by the second of *January* following to the King, that his Majesty might see how the Church was governed, and his Commands obeyed.

CHARLES I.

2. A special Commission to *William Laud*, Archbishop of *Canterbury*, and others, for Causes Ecclesiastical. It is dated at *Westminster*, *Dec.* 17, 1633. 487.

3. A Commission to the Archbishop of *Canterbury*, &c. for a Visitation in his Province. Dated *March* 31, 1634. 544.

' 4. Archbishop *Laud*'s Certificate upon ' his Majesty's Instructions. It is dated the ' second of *January* 1634-5. 583

The Archbishop sent annual Accounts of his Province to the King; some of which are well worth the Reader's Perusal. In that of 1633, as it is related by Dr. *Kennet*, he certifieth his Majesty, that as to the former part of the Year, when he was Bishop of *London*, he left Mr. *Nathaniel Ward*, under the Censure of Excommunication, for refusing to subscribe to the Articles; had convented Mr. *John Beadle*, Rector of *Barnston* in *Essex*, for omitting some Parts of Divine Service, and had dismissed him with canonical Admonition only; and that he found Mr. *John Davenport*, Vicar of *St. Stephen's Coleman-Street* (whom he had used with all Moderation) had now resigned his Vicarage, and declared his Judgment against Conformity.

As for *Bath* and *Wells*, he found the Bishop had, in his late Visitation, taken a great deal of pains to see all his Majesty's Instructions observed; and particularly had put down divers Lecturers, in Market-Towns, who were beneficed Men in other Bishops Dioceses, and had sent up a List of *Romish* Recusants.

IN the Diocese of *Rochester*, the Town of *Malling*, and that whole Deanry were very much out of order, 'till the Archdeacon, by the Bishop's Command, had settled them; the Bishop complained, that the Cathedral suffered much for want of Glass in the Windows, and the Churchyard lay very indecently, and the Gates down; and that he had no power to remedy these things, because the Dean and Chapter refused to be visited by him, on pretence, that the Statutes were not confirmed under the Broad Seal. [To which the King wrote this Postill in the Margin,] *This must be remedied one way or other, concerning which I expect a particular Account of you.*

CONCERNING *Peterborough* Dioceſe, whereas his Majeſty's Inſtructions required that Lecturers ſhould turn their Afternoon-Sermons into Catechiſing, ſome Parſons and Vicars made a queſtion, whether they were bound to that Order, becauſe Lecturers only are named.

As to *Coventry* and *Litchfield*, the Biſhop complain'd, that the Peculiars of his Dioceſe, (wherein he had no power) were much out of order; that he had ſuppreſs'd a ſeditious Lecture at *Repon*, and divers Monthly-Lectures, with a Faſt and a Moderator, as alſo the Running-Lecture, (ſo called, becauſe the Lecturer went from Village to Village) ordain'd, as they ſaid, to illuminate the dark Corners of the Dioceſe. [To which the King noted in the Margin,] *If there be dark Corners in this Dioceſe, it were fit a true Light ſhould illuminate it, and not this that is falſe and uncertain.*

MY Lord of *St. David's*, who was now Reſident in his Dioceſe, had ſuſpended a Lecturer for his Inconformity; and found but few *Romiſh* Recuſants.

IN *St. Aſaph*, all was exceeding well, ſave only that the Number and Boldneſs of ſome *Romiſh* Recuſants increaſed much in many places, and was encouraged by the ſuperſtitious and frequent Concourſe of that Party to *Holy-Well*, long complain'd of without Remedy.

THE Biſhop of *Llandaff* had certified, that he had not one refractory Non-conformiſt, or ſchiſmatical Miniſter within his Dioceſe, but two Lecturers who were both licenſed Preachers.

THE Biſhop of *Lincoln* had ſignified, that the *Mercers* Company in *London*, truſted with the Gift of one Mr. *Fiſhburn*, had ſet up a Lecturer in *Huntingdon*, to be retained or removed without any relation to Biſhop or Archbiſhop. His moſt humble Suit to his Majeſty is, that no Layman whatſoever, and leaſt of all, Companies or Corporations ſhould have power to put in or put out any Lecturer, or other Miniſter. [To which his Majeſty remark'd in the Margin,] *Certainly I cannot hold fit that any Lay Perſon or Corporation whatſoever, ſhould have the power theſe Men take to themſelves: For I will have no Prieſt have any neceſſity of a Lay-dependency. Wherefore I command you to ſhew me the way to overthrow this, and to hinder the performance of all ſuch Intentions in time.*

THE ſecond yearly Account which the Archbiſhop gave of his Province, was that contained in the Certificate above-mention'd for the Year 1634, inſerted in the *Fœdera* from *Bibliotheque Harley*.

THE Archbiſhop held a Metropolitical Viſitation this Year thro' his whole Province, by his Vicar-General, Sir *Nathanael Brent*: And upon Articles of Inquiry, a great many Defects and Abuſes were reformed, as to the Fabrick and Ornaments of Churches, and the decent Habit of the Clergy, who in the Country had almoſt loſt that apparent diſtinction of their Order. Whence we find Sir *Nathaniel* giving this Admonition to the Clergy of the Dioceſe of *Lincoln*, on the 11th of *Auguſt* 1634, 'That 'all who wanted Canonical Cloaks, com-'monly called Prieſts Cloaks, ſhould pro-'vide themſelves before *Allhallowtide* 'next, on pain of Eccleſiaſtical Cenſure.'

THE Archbiſhop repreſents to the King in this, which is the ſecond yearly Account, that he had this Year, partly by his Vicar-General, and partly by the Dean of the Arches, viſited ſeven Dioceſes, beginning (as he was bound by the Eccleſiaſtical Laws) at his own Metropolitan Church of *Canterbury*: That he found in his own Dioceſe, eſpecially towards *Aſhford*, divers profeſſed Separatiſts, with whom he ſhould take Order; ſome of them, and ſome of *Maidſtone*, (where much Un-conformity hath of late Years prevailed and ſpread) being already called into the High Commiſſion-Court; where, if they are prov'd as guilty, as it is reported they are, he ſhould not fail to do them juſtice.

THAT he conceived the *Dutch* Churches in *Canterbury* and *Sandwich* to be great Nurſeries of Inconformity, of which he had before complained to his Majeſty and the Council-Board, and had humbly deſir'd, that they both of the *French*, *Italian* and *Dutch* Congregations, which were born Subjects, might not be any longer ſuffer'd to live in ſuch a Separation both from Church and State. [The King remark'd in the Margin,] *Put me in mind of this at ſome convenient time, when I am at Council, and I ſhall redreſs it.*

THAT he found the greateſt part of *Wiltſhire* overgrown with the Humours of thoſe Men who do not conform, and are as backward, both Clergy and Laity, towards the Repair of St. *Paul's* Church, as thoſe of any part of *England*. That the Cathedral of *Salisbury* was much peſter'd with Seats, which he had given orders to remove, and hoped his Majeſty would approve, as he did at *York* and *Durham*, and add the Royal Power, if his own were not ſufficient.

THAT the Biſhop of *Briſtol* had taken great pains and care ſince his coming thither; and that ſome Clergymen in *Dorſetſhire*, who gave great cauſe of ſuſpicion, had acquitted themſelves in a better manner than was expected: tho' all was not right in thoſe parts.

AS to *Bath* and *Wells*, all his Majeſty's Inſtructions had been punctually obſerved.

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AND as to *Exeter*, he declares in juſtice to the Biſhop, that his Majeſty's Inſtructions had alſo been carefully obſerved; but there was a great Diviſion betwixt the Dean and Chapter, which he had healed twice, but it was broke out again; and he (the Archbiſhop) doubts, there being ſo many Brothers and Brothers-in-law in that Chapter, is not the leaſt Cauſe of it; the reſt ſiding together for fear of Oppreſſion. He took notice of another great Difference betwixt the Dean and Chapter and the City, about Burial within the Church-yard of the Cathedral, which he fears he ſhall not be able to reconcile; and that he muſt therefore be obliged to be an humble Suitor to his Majeſty, that he would take it into Conſideration.

THAT he found *Bedfordſhire* moſt tainted of any part of the Dioceſe of *Lincoln*; and that in particular Mr. *Barkley* was ſent to the High-Commiſſion for Inconformity; and in *Leiceſter*, the Dean of the Arches ſent one Mr. *Angel*, who hath continued a Lecturer in that great Town for divers Years without any Licence at all to preach, yet took ſuch liberty that the Archbiſhop doubts his Violence hath crack'd his Brain; and therefore doth uſe him the more tenderly, becauſe he ſees the hand of God hath overtaken him.

THAT there are many Anabaptiſts in *Lincoln*, whoſe Leader is one *Johnſon*, a Baker; and that in divers parts of that Dioceſe, many, both of Clergy and Laity, are exceſſively given to Drunkenneſs: That the Town of *Boſton*, which was a great Nurſery for Inconformity, is, ſince the calling of ſome of the Magiſtrates into the High-Commiſſion, become very orderly; but the Town of *Lowth* is ſtill ſomewhat to blame.

AT *Kelſtern*, (ſays the Archbiſhop) dwells the wild, young Gentleman, Mr. *South*, (concerning whom, I have lately ſpoken, and that often with your Majeſty) who hath committed a horrible Inceſt, and gotten two Siſters with Child. I have called him to the High-Commiſſion againſt the next Term, and I hope your Majeſty will give me leave to make *South* blow Weſt for St. *Paul*'s. [The King remark'd in the Margin,] *The South-Weſt Wind is commonly the beſt, therefore I will not hinder the blowing that way.*

AT *Kenſworth* in *Hertfordſhire*, and ſome other places, many gad from their own Churches by Troops after other Miniſters, which is a common fault in the South parts of that Dioceſe, where the People are ſaid to be very giddy in matters of Religion.

THAT in all the Dioceſes which he hath viſited this Year, he finds one great Complaint, that is fit to be redreſſed; 'tis the general Grievance of the poor Vicars, that their Stipends are ſcarce able to feed and cloath them; and that in great Market-Towns, the Vicars are commonly worſt provided for.

THAT in the Dioceſe of *Wincheſter*, the Biſhop has been very careful of his Majeſty's Inſtructions, ſave only that in two Pariſhes the Biſhop finds ſome Defect about Catechiſing in the Afternoon, which he will take care to remedy; and that in thoſe parts there were divers obſtinate Recuſants.

THAT the Biſhop of *London*, who had viſited his Dioceſe this Year in Perſon, found divers Complaints about Inconformity to the Church-Diſcipline; but the Proofs came home only againſt four, three Curates and a Vicar; of whom, the Vicar and two Curates had ſubmitted; but the third, one *Philip Saunders* of *Hutton* in *Eſſex*, being refractory, was ſuſpended, and had forſaken the Dioceſe.

AS to *Norwich*, the Biſhop had certified, that he had put down ſome Lectures where factious Men perform'd them, and particularly that he had ſuſpended one *Bridges*, Curate of St. *George*'s Pariſh in *Norwich*, for tranſgreſſing the King's Declaration in his Lecture; but that upon his Submiſſion, he had taken off his Suſpenſion. That he had heard complaint of Mr. *Ward* of *Ipſwich*, for Words in ſome Sermons of his, for which he is now called into the High-Commiſſion: That he had ſuſpended one *Enoch Grey* for unſound Doctrine; and that having ſummoned two wandring Preachers, *viz.* one *Simon Jacob*, alias *Bradſhaw*, and *Ralph Smith*, they are run out of the Dioceſe.

THAT in the Dioceſe of *Ely*, all his Majeſty's Inſtructions had been carefully obſerved.

THAT the Biſhop of *St. David's* had been forced to ſuſpend and diſmiſs one *Roberts* a *Welch* Lecturer for Inconformity, and hath likewiſe driven out of his Dioceſe one or two others, who with their giddineſs have offered to diſtemper the People. That this Biſhop complained grievouſly, and not without cauſe, that divers Impropriators in thoſe Parts, have either pull'd down the Chancels, or ſuffered them to fall, to the great debaſing of their Churches, and leaving them ſo open and cold, that the People in thoſe mountainous Parts muſt endure a great deal of Hardſhip, as well in the Churches, as in their way to them.

THAT the Biſhop of *St. Aſaph* wiſhes his Dioceſe were as free of Superſtition and Prophaneneſs, as it is of Inconformity.

THAT the Biſhop of *Landaff* found *William Erbury*, Vicar of St. *Mary*'s in *Cardiff*, and *Walter Cradock* his Curate, very diſobedient and dangerous ſchiſmatical

Preachers,

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Preachers; for which he had given the Vicar a judicial Admonition: And as for his Curate, being a bold, ignorant, young Fellow, he hath ſuſpended him, and taken away his Licence to ſerve the Cure; for that amongſt other things, he uſed this baſe and unchriſtian Paſſage in the Pulpit, viz. *That God ſo loved the World, that for it, he ſent his Son to live like a Slave, and die like a Beaſt.* [The King notes in the Margin,] *This is not much unlike that which was not long ſince utter'd elſewhere*; *viz.* 'That the *Jews* crucified Chriſt like 'a d—n'd R—ue between two Thieves, '*&c.*'

THAT the Biſhop deſired leave to bring *William Newport*, Rector of *Languare* in *Monmouthſhire*, into the High-Commiſſion, for having pull'd down the Partition between the Chancel and the Church, and ſold part, and diſpoſed of the reſt to his own Uſe; with ſome other Violences, to the great Prophanation of the Place.

THAT the Biſhop of *Glouceſter* certified, that he is forced to ordain ſome very mean Miniſters in his Dioceſe, to ſupply Cures as mean; and that he hath put down ſome Lectures, and ſet up others; which he conceived he did without offence, being done upon different occaſions. [The King noted in the Margin,] *I muſt be ſatisfied that the Occaſions were very neceſſary, otherwiſe he ſhall anſwer it.*

THAT the Biſhop of *Oxford*, as he had promiſed his Majeſty, had built a Houſe at *Cudſden*, a Vicarage in his own Dioceſe and Giſt, which he now holds in *Commendam*, and deſires his Majeſty to annex for ever to the See of *Oxford*. And that he had ſuppreſſed two Lectures, which were not perform'd as they ought, *viz.* at *Dedington* and *Woodſtock*.

THAT the Biſhop of *Chicheſter* had certified, all was very well in his Dioceſe, except the Eaſt part, where ſome Puritan Juſtices of the Peace had gain'd ſome of the Clergy into like Opinions with themſelves.

Fiſhery.

286. '1. A Proclamation for the better ordering of Fiſhing upon the Coaſts of his 'Majeſty's Dominions.' *Dated at* Greenwich, May 24, 1631.

THE Preamble takes notice of the Abuſes committed by the Fiſhermen, who had ſo far deſtroy'd both the Fiſh-Fry and Spawn, that they were forced to ſeek other Buſineſs for a Livelihood; that the Fiſh-days were not obſerved as they ought; and that not only the City of *London*, but the Court was often unprovided of their neceſſary Diet, by reaſon of the Scarcity and Dearneſs of Fiſh.

'2. Another againſt the Uſe of a Trawl- CHARLES 'Net in Fiſhing whereby not only ſmall I. 'and unſizable Fiſh, but even the Fry and 625. 'Spawn were utterly deſtroy'd.' *Dated at* Whitehall, April 2, 1635.

Foreſt-Laws.

'A ſpecial Commiſſion to *Henry* Earl 638. 'of *Holland*, Lord Chief-Juſtice in Eyre 'on this ſide *Trent*, and others, to com- 'pound for Pardons for Incroachments and 'Offences committed in the Foreſts of '*Deane* in *Glouceſterſhire*, and *Epping* in 'the County of *Eſſex*.' *Dated at* Canbury, September 28, 1635.

Game.

1. 'A Proclamation prohibiting the 574. 'keeping and uſing of Setting-Dogs; da- 'ted at *Hampton-Court*, *Oct.* 7, 1634.'

THE Preamble took notice, that the Game of Partridge was of late Years almoſt utterly deſtroyed in many parts of the Realm by the Setting-Dogs, trained up and kept by Perſons of ſundry Qualities, for the taking of Partridges. Therefore the Maſter of the King's Hawks, his Deputy or Deputies, and all other Perſons whom it ſhould concern, were to take, kill, and deſtroy the ſaid Setting-Dogs, and all Dogs of that kind uſed for the taking of Partridges with Nets or Snares, and to cut all Nets and Snares that were uſed for that purpoſe to pieces.

2. ANOTHER prohibiting the Uſe of 584. any Nets, Inſtruments, or Engines, for the taking of Pheaſants or Partridges; dated at *Weſtminſter*, *Dec.* 11.

Gardeners.

A Proclamation prohibiting all Perſons, 582. who had not ſerved ſeven Years Apprenticeſhip to ſome Freeman of the Company of the Gardeners of *London*, incorporated by King *James* I. in the third Year of his Reign, from uſing or exerciſing the Art or Science of Gardening within ſix Miles of *London*, further than for the neceſſary Occaſion of his Family; and from oppoſing the ſaid Company in their taking away, cutting, burning, or deſtroying of any dead, corrupt, or unwholeſome Plants, Stocks, Trees, Sets, Slips, Flowers, Roots, Herbs and Seeds; and from ingroſſing the ſaid Commodities, by buying Crops upon the Ground, or ſelling ſuch bad and unwholeſome Plants, Trees, Stocks, *&c.* to the deſrauding of the Buyer; dated at *Whitehall*, *Dec.* 3, 1634.

Grants.

1. 'LETTERS-PATENT under the 67. 'Privy-Seal, containing certain Articles to

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CONCERNING *Peterborough* Dioceſe, whereas his Majeſty's Inſtructions required that Lecturers ſhould turn their Afternoon-Sermons into Catechiſing, ſome Parſons and Vicars made a queſtion, whether they were bound to that Order, becauſe Lecturers only are named.

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THE Biſhop of *Lincoln* had ſignified, that the *Mercers* Company in *London*, truſted with the Gift of one Mr. *Fiſhburn*, had ſet up a Lecturer in *Huntingdon*, to be retained or removed without any relation to Biſhop or Archbiſhop. His moſt humble Suit to his Majeſty is, that no Layman whatſoever, and leaſt of all, Companies or Corporations ſhould have power to put in or put out any Lecturer, or other Miniſter. [To which his Majeſty remark'd in the Margin,] *Certainly I cannot hold fit that any Lay Perſon or Corporation whatſoever, ſhould have the power theſe Men take to themſelves: For I will have no Prieſt have any neceſſity of a Lay-dependency. Wherefore I command you to ſhew me the way to overthrow this, and to hinder the performance of all ſuch Intentions in time.*

THE ſecond yearly Account which the Archbiſhop gave of his Province, was that contained in the Certificate above-mention'd for the Year 1634, inſerted in the *Fœdera* from *Bibliotheque Harley*.

THE Archbiſhop held a Metropolitical Viſitation this Year thro' his whole Province, by his Vicar-General, Sir *Nathanael Brent*: And upon Articles of Inquiry, a great many Defects and Abuſes were reformed, as to the Fabrick and Ornaments of Churches, and the decent Habit of the Clergy, who in the Country had almoſt loſt that apparent diſtinction of their Order. Whence we find Sir *Nathaniel* giving this Admonition to the Clergy of the Dioceſe of *Lincoln*, on the 11th of *Auguſt* 1634, 'That 'all who wanted Canonical Cloaks, com-'monly called Prieſts Cloaks, ſhould pro-'vide themſelves before *Allhallowtide* 'next, on pain of Eccleſiaſtical Cenſure.'

CHARLES I.

THE Archbiſhop repreſents to the King in this, which is the ſecond yearly Account, that he had this Year, partly by his Vicar-General, and partly by the Dean of the Arches, viſited ſeven Dioceſes, beginning (as he was bound by the Eccleſiaſtical Laws) at his own Metropolitan Church of *Canterbury*: That he found in his own Dioceſe, eſpecially towards *Aſhford*, divers profeſſed Separatiſts, with whom he ſhould take Order; ſome of them, and ſome of *Maidſtone*, (where much Un-conformity hath of late Years prevailed and ſpread) being already called into the High Commiſſion-Court; where, if they are prov'd as guilty, as it is reported they are, he ſhould not fail to do them juſtice.

THAT he conceived the *Dutch* Churches in *Canterbury* and *Sandwich* to be great Nurſeries of Inconformity, of which he had before complained to his Majeſty and the Council-Board, and had humbly deſir'd, that they both of the *French*, *Italian* and *Dutch* Congregations, which were born Subjects, might not be any longer ſuffer'd to live in ſuch a Separation both from Church and State. [The King remark'd in the Margin,] *Put me in mind of this at ſome convenient time, when I am at Council, and I ſhall redreſs it.*

THAT he found the greateſt part of *Wiltſhire* overgrown with the Humours of thoſe Men who do not conform, and are as backward, both Clergy and Laity, towards the Repair of St. *Paul's* Church, as thoſe of any part of *England*. That the Cathedral of *Salisbury* was much peſter'd with Seats, which he had given orders to remove, and hoped his Majeſty would approve, as he did at *York* and *Durham*, and add the Royal Power, if his own were not ſufficient.

THAT the Biſhop of *Briſtol* had taken great pains and care ſince his coming thither; and that ſome Clergymen in *Dorſetſhire*, who gave great cauſe of ſuſpicion, had acquitted themſelves in a better manner than was expected: tho' all was not right in thoſe parts.

AS to *Bath* and *Wells*, all his Majeſty's Inſtructions had been punctually obſerved.

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AND as to *Exeter*, he declares in juſtice to the Biſhop, that his Majeſty's Inſtructions had alſo been carefully obſerved; but there was a great Diviſion betwixt the Dean and Chapter, which he had healed twice, but it was broke out again; and he (the Archbiſhop) doubts, there being ſo many Brothers and Brothers-in-law in that Chapter, is not the leaſt Cauſe of it; the reſt ſiding together for fear of Oppreſſion. He took notice of another great Difference betwixt the Dean and Chapter and the City, about Burial within the Church-yard of the Cathedral, which he fears he ſhall not be able to reconcile; and that he muſt therefore be obliged to be an humble Suitor to his Majeſty, that he would take it into Conſideration.

THAT he found *Bedfordſhire* moſt tainted of any part of the Dioceſe of *Lincoln*; and that in particular Mr. *Barkley* was ſent to the High-Commiſſion for Inconformity; and in *Leiceſter*, the Dean of the Arches ſent one Mr. *Angel*, who hath continued a Lecturer in that great Town for divers Years without any Licence at all to preach, yet took ſuch liberty that the Archbiſhop doubts his Violence hath crack'd his Brain; and therefore doth uſe him the more tenderly, becauſe he ſees the hand of God hath overtaken him.

THAT there are many Anabaptiſts in *Lincoln*, whoſe Leader is one *Johnſon*, a Baker; and that in divers parts of that Dioceſe, many, both of Clergy and Laity, are exceſſively given to Drunkenneſs: That the Town of *Boſton*, which was a great Nurſery for Inconformity, is, ſince the calling of ſome of the Magiſtrates into the High-Commiſſion, become very orderly; but the Town of *Lowth* is ſtill ſomewhat to blame.

AT *Kelſtern*, (ſays the Archbiſhop) dwells the wild, young Gentleman, Mr. *South*, (concerning whom, I have lately ſpoken, and that often with your Majeſty) who hath committed a horrible Inceſt, and gotten two Siſters with Child. I have called him to the High-Commiſſion againſt the next Term, and I hope your Majeſty will give me leave to make *South* blow Weſt for St. *Paul's*. [The King remark'd in the Margin,] *The South-Weſt Wind is commonly the beſt, therefore I will not hinder the blowing that way.*

AT *Kenſworth* in *Hertfordſhire*, and ſome other places, many gad from their own Churches by Troops after other Miniſters, which is a common fault in the South parts of that Dioceſe, where the People are ſaid to be very giddy in matters of Religion.

THAT in all the Dioceſes which he hath viſited this Year, he finds one great Complaint, that is fit to be redreſſed; 'tis the general Grievance of the poor Vicars, that their Stipends are ſcarce able to feed and cloath them; and that in great Market-Towns, the Vicars are commonly worſt provided for. CHARLES I.

THAT in the Dioceſe of *Wincheſter*, the Biſhop has been very careful of his Majeſty's Inſtructions, ſave only that in two Pariſhes the Biſhop finds ſome Defect about Catechiſing in the Afternoon, which he will take care to remedy; and that in thoſe parts there were divers obſtinate Recuſants.

THAT the Biſhop of *London*, who had viſited his Dioceſe this Year in Perſon, found divers Complaints about Inconformity to the Church-Diſcipline; but the Proofs came home only againſt four, three Curates and a Vicar; of whom, the Vicar and two Curates had ſubmitted; but the third, one *Philip Saunders* of *Hutton* in *Eſſex*, being refractory, was ſuſpended, and had forſaken the Dioceſe.

AS to *Norwich*, the Biſhop had certified, that he had put down ſome Lectures where factious Men perform'd them, and particularly that he had ſuſpended one *Bridges*, Curate of St. *George's* Pariſh in *Norwich*, for tranſgreſſing the King's Declaration in his Lecture; but that upon his Submiſſion, he had taken off his Suſpenſion. That he had heard complaint of Mr. *Ward* of *Ipſwich*, for Words in ſome Sermons of his, for which he is now called into the High-Commiſſion: That he had ſuſpended one *Enoch Grey* for unſound Doctrine; and that having ſummoned two wandring Preachers, *viz.* one *Simon Jacob*, alias *Bradſhaw*, and *Ralph Smith*, they are run out of the Dioceſe.

THAT in the Dioceſe of *Ely*, all his Majeſty's Inſtructions had been carefully obſerved.

THAT the Biſhop of *St. David's* had been forced to ſuſpend and diſmiſs one *Roberts* a *Welch* Lecturer for Inconformity, and hath likewiſe driven out of his Dioceſe one or two others, who with their giddineſs have offered to diſtemper the People. That this Biſhop complained grievouſly, and not without cauſe, that divers Impropriators in thoſe Parts, have either pull'd down the Chancels, or ſuffered them to fall, to the great debaſing of their Churches, and leaving them ſo open and cold, that the People in thoſe mountainous Parts muſt endure a great deal of Hardſhip, as well in the Churches, as in their way to them.

THAT the Biſhop of *St. Aſaph* wiſhes his Dioceſe were as free of Superſtition and Prophaneneſs, as it is of Inconformity.

THAT the Biſhop of *Landaff* found *William Erbury*, Vicar of St. *Mary's* in *Cardiff*, and *Walter Cradock* his Curate, very diſobedient and dangerous ſchiſmatical

Preachers,

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Preachers; for which he had given the Vicar a judicial Admonition: And as for his Curate, being a bold, ignorant, young Fellow, he hath ſuſpended him, and taken away his Licence to ſerve the Cure; for that amongſt other things, he uſed this baſe and unchriſtian Paſſage in the Pulpit, viz. *That God ſo loved the World, that for it, he ſent his Son to live like a Slave, and die like a Beaſt.* [The King notes in the Margin,] *This is not much unlike that which was not long ſince utter'd elſewhere; viz.* 'That the *Jews* crucified Chriſt like 'a d—n'd R—ue between two Thieves, '*&c.*'

THAT the Biſhop deſired leave to bring *William Newport*, Rector of *Languare* in *Monmouthſhire*, into the High-Commiſſion, for having pull'd down the Partition between the Chancel and the Church, and ſold part, and diſpoſed of the reſt to his own Uſe; with ſome other Violences, to the great Prophanation of the Place.

THAT the Biſhop of *Glouceſter* certified, that he is forced to ordain ſome very mean Miniſters in his Dioceſe, to ſupply Cures as mean; and that he hath put down ſome Lectures, and ſet up others; which he conceived he did without offence, being done upon different occaſions. [The King noted in the Margin,] *I muſt be ſatisfied that the Occaſions were very neceſſary, otherwiſe he ſhall anſwer it.*

THAT the Biſhop of *Oxford*, as he had promiſed his Majeſty, had built a Houſe at *Cudſden*, a Vicarage in his own Dioceſe and Giſt, which he now holds in *Commendam*, and deſires his Majeſty to annex for ever to the See of *Oxford*. And that he had ſuppreſſed two Lectures, which were not perform'd as they ought, *viz.* at *Dedington* and *Woodſtock*.

THAT the Biſhop of *Chicheſter* had certified, all was very well in his Dioceſe, except the Eaſt part, where ſome Puritan Juſtices of the Peace had gain'd ſome of the Clergy into like Opinions with themſelves.

Fiſhery.

286. '1. A Proclamation for the better ordering of Fiſhing upon the Coaſts of his 'Majeſty's Dominions.' *Dated at* Greenwich, May 24, 1631.

THE Preamble takes notice of the Abuſes committed by the Fiſhermen, who had ſo far deſtroy'd both the Fiſh-Fry and Spawn, that they were forced to ſeek other Buſineſs for a Livelihood; that the Fiſh-days were not obſerved as they ought; and that not only the City of *London*, but the Court was often unprovided of their neceſſary Diet, by reaſon of the Scarcity and Dearneſs of Fiſh.

'2. Another againſt the Uſe of a Trawl- CHARLES I.
'Net in Fiſhing whereby not only ſmall
'and unſizable Fiſh, but even the Fry and 625.
'Spawn were utterly deſtroy'd.' *Dated at* Whitehall, April 2, 1635.

Foreſt-Laws.

'A ſpecial Commiſſion to *Henry* Earl 688.
'of *Holland*, Lord Chief-Juſtice in Eyre
'on this ſide *Trent*, and others, to com-
'pound for Pardons for Incroachments and
'Offences committed in the Foreſts of
'*Deane* in *Glouceſterſhire*, and *Epping* in
'the County of *Eſſex*.' *Dated at* Canbury, September 28, 1635.

Game.

1. 'A Proclamation prohibiting the 574.
'keeping and uſing of Setting-Dogs; da-
'ted at *Hampton-Court*, *Oct.* 7, 1634.'

THE Preamble took notice, that the 595.
Game of Partridge was of late Years almoſt utterly deſtroyed in many parts of the Realm by the Setting-Dogs, trained up and kept by Perſons of ſundry Qualities, for the taking of Partridges. Therefore the Maſter of the King's Hawks, his Deputy or Deputies, and all other Perſons whom it ſhould concern, were to take, kill, and deſtroy the ſaid Setting-Dogs, and all Dogs of that kind uſed for the taking of Partridges with Nets or Snares, and to cut all Nets and Snares that were uſed for that purpoſe to pieces.

2. ANOTHER prohibiting the Uſe of 584.
any Nets, Inſtruments, or Engines, for the taking of Pheaſants or Partridges; dated at *Weſtminſter*, *Dec.* 11.

Gardeners.

A Proclamation prohibiting all Perſons, 582.
who had not ſerved ſeven Years Apprenticeſhip to ſome Freeman of the Company of the Gardeners of *London*, incorporated by King *James* I. in the third Year of his Reign, from uſing or exerciſing the Art or Science of Gardening within ſix Miles of *London*, further than for the neceſſary Occaſion of his Family; and from oppoſing the ſaid Company in their taking away, cutting, burning, or deſtroying of any dead, corrupt, or unwholeſome Plants, Stocks, Trees, Sets, Slips, Flowers, Roots, Herbs and Seeds; and from ingroſſing the ſaid Commodities, by buying Crops upon the Ground, or ſelling ſuch bad and unwholeſome Plants, Trees, Stocks, *&c.* to 697.
the deſrauding of the Buyer; dated at *Whitehall*, *Dec.* 3, 1634.

Grants.

1. 'LETTERS-PATENT under the 67.
'Privy-Seal, containing certain Articles to
'be

'be obſerved by the Dean and Prebendaries of the Cathedral of *Norwich*; dated at *Weſtminſter*, *May* 15, 1629.'

'TIS a Confirmation and Declaration of Statutes granted them by King *James* I.

290. 2. A Commiſſion to the Lord Treaſurer *Weſton*, for making Leaſes of the forfeited Eſtates of Popiſh Recuſants convict; dated *June* 13, 1631, at *Weſtminſter*.

292. 3. THE Form of thoſe Leaſes.

383. 4. A Grant under the Privy-Seal to *Thomas Elliot* and *Thomas Killigrew*, Eſqs; two of the King's Pages, of a Fine of 500*l.* impoſed upon Sir *James Winkfield*, and of another of 500 Marks impoſed on Sir *Francis Bodenham*, for certain Treſpaſſes and Contempts by them committed on the Under-Sheriff of *Middleſex*, in the Execution of the King's Proceſs; dated *July* 3, 1632.

595. 5. 'ANOTHER to the Feodaries of the 'ſeveral Counties of *England* and *Wales*, 'and their Succeſſors, of divers Fees on the 'finding of Offices, *&c.* dated at *Weſtmin-'ſter*, *Feb.* 3, 1635.'

THEY were to have a Fee of 40*s.* beſides 2*s.* for their Dinner at every Inquiſition or Office, to be found of any Lands held of the Crown, and the like Fee of 40*s.* for, and upon every Survey to be by them had and made. And as for other Services to be perform'd by the ſaid Feodaries to the King, they were to be paid for ſuch Service and Attendance *quantum meruit* by the Maſter of the Court of Wards and Liveries. Every Juror was to have only 18*d.* for his Dinner, at the finding of every Office; which ſaid Sums, both to the Feodary and Juror, were to be paid by thoſe who make the Inquiſition, if a Title be found for the King; or by thoſe who ſhall proſecute or defend any Office or Offices of ſuch Lands, in caſe the ſame ſhall be found againſt the King.

Highway.

1. 'A Proclamation for the preventing 'of exceſſive Carriages, to the Deſtruction 'of the Highways; dated *March* 9, 1630.'

IT refers to a Proclamation of the like Tenor on the 6th of *Auguſt*, in the 20th Year of the late Reign, and orders that no Wain, Cart, or Carriage, ſhould go with more than two Wheels, or above a Tun-weight at once, nor be drawn by above five Horſes.

697. 2. ANOTHER of the like kind; dated at *Hampton-Court*, *Nov.* 1, 1635; whereby no Waggon, Cart, or other Carriage, was to be drawn by above five Horſes, or above four Oxen and two Horſes, or above ſix Oxen without Horſes at any one time.

Jewels.

90. 1. A Commiſſion to Sir *Francis Cottington*, Bart. Chancellor and Under-Treaſurer of the Exchequer, *&c.* *James Maxwell*, Eſq; Groom of the Bed-Chamber, and *George Bingley*, Eſq; Deputy-Auditor of the Impreſts, to make Sale of divers Jewels that remained in the Jewel-Houſe in the *Tower*, and were thought unfit for the King's Uſe and Service; dated at *Weſtminſter*, *June* 20, 1629.

146. 2. THEIR Releaſe and Diſcharge for the Jewels by them ſold. 'Tis dated *Apr.* 3. 1630, at *Weſtminſter*.

586. 3. A ſpecial Commiſſion to Sir *William Boſwell*, who was the *Engliſh* Agent and Reſident at the *Hague*, and *Nathaniel Gerrard* of *London*, Merchant and Jeweller, for the Diſpoſal and Sale of divers Jewels, which, by virtue of a Commiſſion granted to the late Duke of *Bucks*, were by him pawned to two Merchants of *Amſterdam* for 13,500*l.* and with the Produce thereof, to redeem other Jewels to the value of 33,000*l.* pawn'd to other Perſons in *Holland*; and alſo one other Jewel pawn'd to the Queen of *Bohemia* for 30,000*l.* 'Tis dated at *Weſtminſter*, *Dec.* 15, 1634.

Informers.

682. 1. 'A Proclamation for preventing the 'Abuſes of Informers, Clerks, and others, 'in their Proſecution upon the Laws and 'Statutes of this Realm; dated at *Windſor*, '*Sept.* 6, 1635.'

THESE Informers were Perſons who watch'd People's Actions, in order to inform againſt them, if they infring'd the Laws; but they had been guilty of ſuch Abuſes, by combining with Under-Clerks to proſecute for private Gain, that the King was forced, if not to aboliſh them intirely, at leaſt to qualify them by certain Directions, which he ordered to be obſerv'd. It appears by this Proclamation, that King *Charles*, by Letters-Patent under the Great-Seal, dated at *Weſtminſter* the 20th of *February*, in the fifth Year of his Reign, confirm'd the Office of Receiver and Collector of Fines and Forfeitures, due upon Penal Laws, *&c.* erected by King *James*, in the 18th Year of his Reign, to *James Chambers*, M.D. one of his Phyſicians in Ordinary, and *Edward Brawne*, Eſq; one of his Gentlemen-Sewers in Ordinary, for the Term of their Lives, and the longeſt Liver of them: And that he thereunto annexed the Surveying, Regiſtring, Collection, and Receipt of Fines and Forfeitures, for tranſgreſſing the Common-Law, and of all Recognizances thereupon forfeited in any of the Courts of Juſtice in *England* and *Wales*, and of all Sums of Money due to the Crown, by reaſon of any Proceſs commenced and proſecuted by the Attorney-General, or by any common Informer or other Proſecutor, againſt any Offender for tranſgreſſing the ſaid Laws, or for any Recognizance

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ſo forfeited, ſince the 31ſt of Queen *Elizabeth*; excepting the Regiſtring of all Proceſs, and the collecting of Fines and Forfeitures due by any Sentence of the *Star-Chamber*, or of the Courts of the Preſident and Council of *Wales*, or the Preſident and Council of the North, or in any Court-Leet, and alſo except the Regiſtring of all Fines and Forfeitures for Cauſes of Cuſtoms and the eſtabliſhed Revenue.

Ireland.

319. 1. A ſpecial Commiſſion to the Chancellor, Treaſurers, Judges, *&c.* of *Ireland*, for the taking and ſtating of the Accounts of divers Officers of the Revenue in this Kingdom; dated at *Weſtminſter*, *Oct.* 24, 1631.

331. 2. ANOTHER to the Lord High-Treaſurer of *England*, &c. for diſpoſing of the King's Lands in *Ireland*; dated *Feb.* 11, 1632.

341. 3. A Declaration, under the Privy-Seal, for the Impoſition of divers Subſidies upon certain Merchandizes, to be brought into, and carried out of the Realm of *Ireland*; dated *March* 10.

377. 4. A ſpecial Commiſſion to *Thomas* Viſcount *Wentworth* Lord-Deputy of *Ireland*, and others, to treat and agree for the Inheritance of Eſtates in this Kingdom; and to ſettle the Fines and Compoſitions for Eſtates, held by the reputed Owners or their Anceſtors, or thoſe under whom they claim for 60 Years paſt. 'Tis dated at *Canbury*, *June* 27.

562. 5. A Commiſſion, under the Privy-Seal, to the Lord Viſcount *Wentworth*, Deputy of *Ireland*, to ſettle Diſputes for Precedency, between the Biſhops or Nobility there, to the hindrance of Proceedings in Parliament; dated at *Weſtminſter*, *June* 20, 1634.

577. 6. A Commiſſion under the King's Sign-Manual, to *Thomas* Lord *Coventry* the Lord-Keeper, and Sir *John Banks* Attorney-General, to explain, alter, and amend ſome Clauſes in certain Acts tranſmitted hither under the Great-Seal of *Ireland*, and to tranſmit the ſame, after ſuch Alteration, back to *Ireland*, under the Great-Seal of *England*; dated at *Hampton-Court*, *October* 26.

592. 7. ANOTHER of the ſame kind, under the Sign-Manual; dated *Jan.* 17, 1635.

597. 8. THE King's Royal Aſſent to Bills ſent over from *Thomas* Viſcount *Wentworth*, Lord-Lieutenant of *Ireland*; dated at *Weſtminſter*, *March* 9, 1635.

629. 9. A ſpecial Commiſſion to the Lord-Lieutenant to continue the Parliament of this Kingdom by Adjournment; dated *Apr.* 20.

Knights.

119. 1. 'A Commiſſion to the Lord-Keeper, 'Lord-High-Treaſurer, *&c.* to compound 'with thoſe who had made themſelves liable to Forfeitures, by neglecting to receive 'Knighthood according to Act of Parliament. 'Tis dated at *Weſtminſter*, *January* 28, 1630.' CHARLES I.

IT was a Commiſſion to compound with thoſe that had not appeared, not only for their Contempt of the Summons, but for their being excuſed from receiving the Order of Knighthood. Mr. *Rapin* ſays, that a great many Perſons having been ſummoned upon this Occaſion, the Compoſitions brought in the King above 100,000 *l.* but that this was looked upon as a grievous Oppreſſion; and therefore the Statute (intitled *Statutum de Militibus*) on which it was grounded, being never expreſſly aboliſhed, tho' it had been long diſuſed, was afterwards repealed by the Parliament.

175. '2. A Proclamation for the Eaſe of the 'Subjects, in making their Compoſitions 'for not receiving the Order of Knighthood 'according to Law; dated *July* 13.'

THIS was only declaring the King's Reſolution to ſend Commiſſioners to the ſeveral Counties, to take their Compoſitions on the Spot, in order to ſave them the Trouble and Expence of Journies to *London*.

WE read that *James Maliverer*, Eſq; of *Yorkſhire*, tho' he was at *Arncliff*, 180 Miles from Court, was, by the Procurement of his Countryman *Wentworth*, Preſident of the Council of the North, fined 2000 *l.* as a Compoſition for not attending at the King's Coronation to receive the Order of Knighthood, whereas he might have been a Baronet for half the Money. The Commiſſioners had this main Inſtruction, 'To take no leſs than after the Rate of 'thrice and half as much as the Perſons 'compounding were found rated in the 'Subſidy.' But as there were many in all Parts that neglected to appear, or refuſed to compound, they were ſummoned by Meſſengers to the Council-Table, and there told of ſevere Proceedings in caſe of Obſtinacy, and divers put in their Pleas into the Court of Exchequer, to be diſcharged from thoſe Fines. But the Commiſſioners in the Country were to inform themſelves of the true State of the Livelihood of each Perſon, and to admit them to Compoſition if they deſired it; otherwiſe to let them know that upon Return of Certificates, they muſt expect to undergo a legal Trial in the Exchequer. And upon conſideration of the Prejudice done to this Service by Reaſon of the partial and negligent Returns made by the Sheriffs in moſt Counties, it was ordered that the Attorney-General ſhould proceed, by Information in the Exchequer, againſt ſuch of the Sheriffs as ſhou'd appear to have been moſt negligent.

Letters of Marque, &c.

1. A Commiſſion of Appeal granted to 7. *Richard* Lord *Weſton*, Lord High-Treaſurer,

surer, and others, to be Commissioners of Appeal, in Cases of Prizes taken by virtue of Letters of Marque; dated *Dec.* 11, 1628, at *Westminster*.

581. 2. ANOTHER, under the Privy-Seal, of the same kind; dated *Nov.* 19, 1634.

London.

177. 1. 'A Proclamation concerning new 'Buildings in and about the City, and 'against the dividing of Houses into several Dwellings, and receiving and harbouring of Inmates and Lodgers. 'Tis 'dated at *Canbury*, *July* 24, 1630.

WE took notice of several Proclamations on this Head in our Account of the XVIIIth Tome, *p.* 701, *&c.* By this Proclamation the King declared that he had empowered Commissioners to punish those, who, contrary to former Prohibitions, had enlarged the City by new Buildings: And from hence Mr. *Rapin* observes, that the King drew considerable Sums, the Fines in which the Offenders were condemn'd, being all to his Use.

181. 2. THE Commission itself to Sir *James Campbell*, the Lord-Mayor, *&c.* follows the Proclamation, and bears the same date.

321. '3. A Proclamation for the Restraint of 'the Multitude and promiscuous Use of 'Coaches throughout *London* and *Westmin-* 'ster, to the great Disturbance and Impedi- 'ment of the Court, the Nobility, Gentry, '*&c.* the Damage of the Pavements, and to 'the great Increase of the Rates of Hay and 'Provender; dated at *Westminster*, *Jan.* 19, '1636.'

No Hackney-Coach was to be used in the Cities or Suburbs of *London* and *Westminster*, after *Midsummer*-Day next, unless it was to travel at least three Miles out of Town; and no Person was to go in a Coach in the Streets or Suburbs, except the same Owner of the Coach constantly keep in the said Cities and Suburbs, four able Horses, or Geldings, fit for his Majesty's Service, when his Occasions require.

IT seems that the Number of Hackney-Coaches had been prodigiously increased within eight or nine Years past, for *Rushworth* takes notice, that in the first Year of this Reign, they did not ply in the Streets as they do now, but, when wanted, were sent for to the Stables; and that of these Hackney-Coaches, there were then not more than 20 to be had.

Manufactures and Monopolies.

92. '1. A Proclamation concerning the 'making of Starch, and avoiding the An- 'noyances thereby. Dated *June* 30, 1629, 'at *Greenwich*.' It prohibited the making of Starch by any but the Members of the Company of Starchmakers, who were incorporated by King *James*, and injoined, that it should be made of nothing but Pollard and Bran, and that the Starch-houses should be remote from any City, Town, or common Road.

THIS was one of the Monopolies encouraged by the King's Ministers to increase his Revenue. For the better Regulation of this Trade, his Majesty had appointed a Surveyor to oversee it in every part, and Commissioners to hear and dispatch all Complaints, and to see that all Offenders be prosecuted in the Star-Chamber.

2. A Proclamation against the Importation of Iron-Wire, and for the Support of the *English* Manufacture of *Osmond* Iron, the best for making good Wool Cards; dated at *Whitehall*, *May* 7, 1630. 163.

'3. ANOTHER against the false Dying 'of Silk, dated at *Farnham*, *Aug.* 9.' Information had been given to the Court of Star-Chamber, of a notorious Abuse committed in the Dying of Silk, by a bad Mixture of the Ingredients used in dying, in order to make it increase in weight, by which the Silk was weakened, and spoiled both in its Substance and Colour. 187.

'4. A Commission, under the Privy- 'Seal, to *Anthony Wither*, and *Samuel* '*Lively*, Gentlemen, to survey the Manu- 'facture of white Cloth, in the Counties 'of *Glouceſter*, *Somerset*, *Wilts*, *Oxford*, '&c. dated *Dec.* 14, at *Westminster*.' It appears by this Commission, that through the Defect of the Clothiers, and the neglect of others appointed to see to the due Execution of the Laws relating to their Manufacture, the white Cloth had of late Years proved deficient in Length, Breadth and Substance, to the great Damage of the Exporter, and detriment of the Cloathing Trade in general, because the foreign Merchants took advantage of the Badness of the Cloth, to abate in the Price more than the true value of their Damage by such Cloth, and bought up other foreign Cloth in lieu of the *English*; therefore the Commissioners hereby appointed, were to examine the Searchers and Overseers of the white Cloth; and to see that those who were insufficient, or negligent, were removed by the Magistrates, and to recommend others more able in their room. And the Searchers and Overseers of the Cloth, finding any Defect in the Length, Breadth, or Substance of it, were to inform the Churchwardens and Overseers of the Poor, who were to distrain upon the Clothier, for the Penalties and Forfeitures in behalf of the Poor, according to the Statute of the twenty-first of King *James*. The Magistrates were also injoined to see to the Execution of the Statute for the true making of Cloth, passed in the thirty-ninth and forty-third Years of Queen *Elizabeth*, prohibiting the Use of the lower Bar in the Tenters, Ropes, Ringheads, Wrenches, and 213.

all

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all other Engines and Inſtruments for ſtraining, ſtretching and falſifying of Cloth, and whereby the Defects of white Cloth might be concealed from the Buyer. And the Commiſſioners were to make ſtrict Inquiry into ſuch Abuſes, and give due Information thereof to the Juſtices of the Peace and other Magiſtrates, that they might proceed accordingly.

297. '5. A Proclamation for preventing of 'Deceit uſed in the Importation of Mad-'der, dated at *Greenwich*, the fifteenth of '*June*, 1631.' The Preamble to it takes notice, that Madder was ſometimes deceitfully mixed with Sand, which not only defrauded the Buyer, but fretted the Cloth and ſpoiled the Colours. And therefore, one Mr. *George Bedford*, who had found out a way to diſcover and reform the ſaid Abuſe, was authoriſed by Letters Patent, under the Great-Seal, on the twelfth of *Jan.* 1630, and now again by this Proclamation, to be the King's Officer to ſearch all Madder, when imported, before it was put to ſale, and to diſcover and diſtinguiſh all undue Mixtures, by ſuch Marks and Deſcriptions, that neither the Buyer nor Dyer might be cheated.

323. 6. A Patent granted, under the Privy-Seal, for the ſole making of hard and ſoft Soap for the Term of fourteen Years, dated *Dec.* 17, 1631, at *Weſtminſter* *.

338. '7. A ſpecial Commiſſion for the better 'Regulation of Starchmakers. It is dated '*March* 8, 1632.' *Ruſhworth* ſays, that about this time there was a Contract between the King and the Maſter, *&c.* of this Company, whereby the ſaid Company did covenant to pay into his Majeſty's Exchequer, 1500 *l.* the firſt Year; 2500 *l.* the ſecond; and then 3500 *l.* a Year.

381 8. *A Proclamation concerning the well making of Soap.* By the King at *Greenwich, June* 28.

IT takes notice of certain Letters-Patents, which the King granted under the Great-Seal, on the 20th of *January* laſt, incorporating the Soap Makers, by the Name and Title of the Governour, Aſſiſtants and Fellows of the *Society of Soapers*, in the City of *Weſtminſter*. 'Tis ſaid this ſingle Patent was worth to him 10000 *l.* by way of Advance, beſides 8 *l.* a Tun for all Soap boil'd hereafter; of which they contracted to make 5000 Ton after the firſt Year, for his Majeſty's Uſe. And as all who did not come into this Corporation, were prohibited the Trade of Soap-boiling, it was look'd upon as a Monopoly, and all other Trades began to be jealous of the like practiſing upon them.

WE don't find the Patent in the *Fœdera*; but according to *Ruſhworth*, the Perſons to whom it was granted, were Sir *Henry Compton* Knight of the *Bath*; *Henry Gilford*, *Nicholas Forteſcue*, *Baſil Brook*, *Edward Stradling*, *Richard Weſton*, *William Ford*, Sir *James Banks*, Knts; *George Gage*, *Francis Townly*, *Beverley Bretton*, *Thomas Jones*, and *Thomas Ruſſel*, Eſqs; and their Succeſſors. That it gave them and their Succeſſors power to admit Perſons into their Society, and to purchaſe Lands and Hereditaments to them and their Succeſſors in Fee and Perpetuity, for Life or Years, and diſpoſe of the ſame as they ſhall pleaſe; and that Sir *Richard Weſton* Knt. afterwards Lord-Treaſurer, and Earl of *Portland*, was appointed the firſt Governor of the ſaid Society, and the ſaid Sir *Henry Compton*, and others his Aſſiſtants. It appears from the above Proclamation, that an Office was erected by the ſaid Patent for keeping the Patterns, and making the Eſſays of Soap; and that *Francis Coningsby* Eſq; was appointed the firſt Aſſay-Maſter, and to take an Oath for the true Execution of his Office. The Proclamation commanded the Society to uſe none but Olive and Rape Oils, that the Soap might be ſweet and ſerviceable; and that no Soap, Pot-Aſhes, *&c.* ſhould be ſold before they had been aſſay'd, and found good and ſerviceable, and ſo mark'd by the Deputies of the ſaid Society.

THERE was one Company in particular erected for making of playing Cards, of whom the King bought them at eighteen Shillings a Groſs, one Sort, and twenty-eight Shillings another Sort; and after ſealing them, ſold them again. The Duties ariſing from the Office for ſealing them, which was given to *William Watkins*, were farmed to one *Henry Cogan*. The Maſter and Wardens of the Company of Card-Makers, made ſome Oppoſition to it, but ſubmitted to a Contract with the King, that rendered the Profit anſwerable to the Project. The like Contract was made between his Majeſty and the Dice-Makers of *London*, to pay him an Allowance for every Bale of Dice, beſides other mean Projects for raiſing Money.

'9. A Proclamation againſt the making 'up of Girdles, Belts, Hangers, and other 'Wares for Men's wearing, or for War-'Service, with Braſs Buckles. Dated at '*Whitehall*, *Jan.* 12, 1633.' It was founded upon a Petition of the Company of Buckle-Forgers, Buckle-Filers, Trimmers, and Dreſſers of Buckles, Members of the Society of Girdlers of *London*, which was preſented

* The Patentees were Sir *William Ruſſel*, Bart. Sir *Baſil Brooke*, Sir *Richard Weſton*, Sir *Edward Stradling*, Sir *Richard Bettiſon*, Knts. *George Gage*, *Thomas Jones*, *Beverley Bretton*, *Thomas Ruſſel*, Eſqrs. *Thomas Jennings*, *Thomas Hicks* and *Albertus Belton*, Merchants, and *Mr. Robert Carver*

presented to the King's Highneſs, and by him referr'd to the Lord Mayor and Aldermen, who appointed Commiſſioners to take the ſame into Conſideration. And after Enquiry into the Allegations on both Sides, the Commiſſioners reported, that thoſe Buckles which are caſt in Braſs, were brittle, and not ſo ſerviceable as thoſe made of Iron; that there were three hundred Perſons in *London* who had no other way of maintaining themſelves and Families, but by forging and making of Iron Buckles and Harneſs, and that thoſe who caſt the Braſs Buckles can make more in one Day than ten Men can do who make the Iron Buckles.

445. 10. 'A PROCLAMATION for preventing 'Frauds and Deceits uſed in Drapery; 'dated at *Weſtminſter*, *April* 16.'

As this is the Staple Manufacture of the Kingdom, it concerns both the Clothier, the *Blackwell-hall* Factor, and the Merchant, to know the Regulations that were hereby enjoin'd to retrieve the Reputation which our Woollen Cloth had loſt Abroad by the Abuſes which had crept into that Manufacture, notwithſtanding the many Statutes made and provided for the true making of Cloth, and notwithſtanding the Commiſſion above-mentioned of *December* 14, 1630, to put them in Execution.

No Wools were to be boiled with Galls 'till they had been made Blue with Woad or Indico, as far as the Goodneſs of the Colour intended to be made would bear. The Spinners of Yarn were to make the ſame in Skeyns upon Reels of two Yards, or one Yard each, and of equal Wideneſs in all the Parts where the Yarn ſhall be reel'd. Every Weaver was to ſet the firſt Letters of his Chriſtian and Surname, or at leaſt the firſt Letter of his Surname, to his Cloth, and no other Mark; and the Weaver ſhall redeliver to the Clothier the Thrums, Knots and Ends, and all Yarn not woven into the Cloth; and the Clothier ſhall take in the ſame at ſuch a Price as others will give, becauſe under Colour of buying them of the Weaver, the Clothier was robb'd of much Yarn. No white Cloth was to be hang'd upon any Rack or Tenter, which had more than one Bar, *viz.* above, though it hang but by one Liſt only. All Moſing-Mills, in which the Cloths were ſtretch'd and wrought with the Teaſel, were to be taken down. No Man was to put another's Mark to his Cloth. Every Searcher was to affix a Leaden Seal at either End of the Cloth, expreſſing its Length and Breadth when meaſured wet out of the Fulling-Mill, together with the juſt Weight of it when Home-dried; and after ſuch Seal ſo affixed, with the Searcher's Chriſtian and Surname at length, the ſame Cloth ſhall not be immediately put into the Mill and thicken'd: And before the Searcher affix'd his Seal, the Clothier was to ſet on his Seal, expreſſing the Length, Breadth and Weight in manner aforeſaid, and if there be Cauſe, he was to put on the Word *Faulty*: And the Searcher was to put on but two Seals upon a Cloth, *viz.* one at each End. Thus the Searching and Sealing of Cloths, which by the Statutes was anciently done by the Clothier and Aulnager, was now to be perform'd wholly by the Clothier, Searcher, and Overſeer of the Cloth. No Workman was hereafter to fold or tack together any Cloth, and no Cloth was to be offered to Sale, or to be tranſported, before the Seal of the Overſeers or Searchers was affix'd to it. All white Cloths not ſealed as aforeſaid, were to be ſeiz'd by the Commiſſioners, and brought to Trial. The Clothier was to allow the Searcher or Overſeer Two Pence for ſearching and regiſtring every Cloth. And every Searcher was to keep a Regiſter of every Cloth by him ſearched, together with the Name of the Owner, its Contents and Weights, and the Time it was ſearch'd, that the Aulnager might not be defrauded of the Duty of Aulnage and Subſidy upon every Cloth. After the Cloth had been ſeal'd as above by the Clothier, Searcher or Overſeer, the Aulnager was alſo to put on his Seal to it, but not to reſearch the Cloth, it being by Law prohibited. The Word *Faulty* was not to be ſtamp'd becauſe the Cloth was deficient in Weight or Meaſure, but only when it was falſe made, waſted in Mill, ſqually, bandy, rowy, holely, or the like. All white *Worceſter* Cloths, and the like, that ſhould be milled in *Glouceſterſhire*, were not to be ſtamped, nor reputed narrow, if they were found to be ſix Quarters and half a Quarter wide within the Liſts, and accepted as clean Cloth by the Foreign Merchants who bought up that ſort of Cloth.

501. 11. 'A PROCLAMATION concerning 'Tin; dated at *Whitehall*, *January* 22, '1634.' All Perſons were hereby enjoin'd not to utter, ſell, receive, ſhip, carry or contract for any black Tin unblown, nor any white Tin or caſt Tin, before it be coin'd and ſtamp'd with the King's Seal and Mark. All Petty-Chapmen and Tinkers, privy to the buying or ſelling, receiving, delivering or bartering of black Tin by the Bowl, or white Tin uncoined, by the Pound Weight, or other ſmall Quantities, were to be committed to the Goal of the Stannaries of ſuch County where taken, and to be puniſhed according to the Stannary Laws: And all Perſons

sons, except such of the Pewterers of *London* as should be nominated by the Farmers of the Emption or Pre-emption of Tin for the Time being, were forbid to cast any Tin into Bars, nor even they any where but in *London*.

504. 12. 'ANOTHER Proclamation concern-'ing Soap and Soap-makers; dated at 'Whitehall, *Jan.* 26, 1634.'

566. 13. 'ANOTHER for the well-ordering 'the making of soft Soap, and settling 'the Price of it; dated at *Theobalds*, *July* '13.' It mentions the several Methods that some factious People had tried to defeat the Patent granted to the Soap-makers Corporation for making Soap with the native Commodities of the Kingdom. 1. By using *Castile*, *Venice*, *Smyrna*, and *English* hard Soap from the Western Parts, and by dissolving of it to multiply and encrease it. 2. By bringing in great Quantities of Fish-Oil, Soap, and other Soap from *Scotland*, *France*, *Holland*, *&c.* 3. By increasing the Soap Manufacture in Places where no more was made formerly than would serve the Neighbourhood, and dispersing it to such Parts of the Kingdom where it was never used before. 4. By perswading the Subjects that they could instruct Housholders and other private Persons to make Soap at easy Rates for their Use. It also takes notice, that they had so raised the Prices of the old Soap, that what used to be sold for Three Pence and Three Pence Half-penny a Pound, was risen to Six Pence, and in some Places to Eight Pence, Ten Pence and Twelve Pence a Pound; and that in order to bring the new white Soap into Dislike, they had abused and falsify'd it, and had presum'd to sell it by Retale for the like extravagant Rates.

THE Lord-Keeper, *&c.* were therefore hereby commanded to grant Commissions to proper Persons to rectify the Prices of Soap, and to punish the Importers, Carriers, and Makers of all prohibited Soap, and the Buyers, Sellers, Spenders, and Receivers of Soap at excessive Prices. The Corporation of Soap-makers was also enjoin'd to make a particular Sort of soft Soap at Three Pence a Pound, for the Silk-dyers, Woolcombers, Weavers, Say-thickers, Fullers, and the like, who had complain'd to the Privy-Council, that they required some other sort of Soap than that made and used by the said Corporation.

591. 14. 'ANOTHER of the same kind, da-'ted at *Whitehall*, *Jan.* 25, 1635.' By this Proclamation no Persons were to make Soap but such as were free of the Corporation of Soap-makers of *Westminster*, or such as acted under their Authority: Nor was any Soap to be imported into *England* or *Wales* from *Scotland*, *Ireland*, or any Foreign Parts *.

621. 15. 'A PROCLAMATION for preserving 'the Mines of Salt-petre; dated *March* 14.'

603. 16. A SPECIAL Commission to the Earl of *Arundel*, and others, for the Sale of Gun-powder, the King having monopoliz'd all the Salt-petre made or to be made in *England* and *Wales*; dated *March* 25, at *Westminster*.

626. 17. A SPECIAL Commission under the Privy-Seal to Sir *Henry Mildmay*, Master of the Jewel-House, and others, for the Inquiry and finding out of Abuses committed by Goldsmiths and others trading in Gold; dated *April* 7.

690. 18. 'A PROCLAMATION prohibiting the 'Importation of Purles, Cut-works, and 'Bone-laces made in Foreign Parts, and 'for the sealing of such as are made in '*England* and *Wales*; dated at *Hampton-'Court*, *Sept.* 30.' The Officer who was appointed by Letters Patent under the Great-Seal, to mark or seal these Home-made Manufactures, was one *Thomas Smith*, who kept his Office at the Sign of the *Red Hart* in *Forestreet* without *Cripplegate*.

693. 19. 'ANOTHER prohibiting the Impor-'tation of all sorts of Glass made in Fo-'reign Parts; dated at *Royston*, *Octob.* 14.' This was to be in Force during the Grant made by King *James* to Sir *Robert Mansel* (Lieutenant of the Admiralty) for the sole making of Glass, he having perfected the Manufacture of all Sorts of Glass with Sea-Coal or Pit-Coal, to the great saving of the Woods and Timber. But the said Sir *Robert Mansel* was not debarr'd from importing Glasses from

* IT appears from *Rushworth*, that Archbishop *Laud* was a very notable Factor for the Soap-boilers; for in the Archbishop's Diary, which he has printed for the Year 1635, there's the following Article:

July 12. 'Sunday at *Theobalds* the Soap-Business was ended and settled again upon the new Corporation, 'against my Offer for the old Soap-boilers; yet my Offer made the King's Profit double two Years after the 'new Corporation was rais'd. How it is perform'd, let them look to it whom his Majesty shall be pleased 'to trust with his Treasurer's Staff. In this Business, and some other of great Consequence, during the Com-'mission for the Treasury, my old Friend Sir *F. W.* forsook me, and join'd with the Lord *Cottington*, which 'put me to the Exercise of a great deal of Patience, *&c.*

RUSHWORTH gives an Account of a Process by the Attorney-General *Noy*, in *Trinity* Term, 1634, against certain Persons for making Soap of Fish-Oil bought of the *Greenland* Company, for not suffering the Assay-Master to try or mark their Soap, and for holding unlawful Meetings, to set a Price on their Commodities; for which Offences they were all, to the Number of fifteen, committed to the *Fleet* during his Majesty's Pleasure, and one of them fined 1500*l.* two of them 1000*l.* each, and the rest 500*l.* a piece, and all of them disabled by themselves, their Workmen, or Agents, ever to use or exercise the Trade of Soap-boiling any more.

Venice,

Venice, *Morana*, or other Parts of *Italy*.

694. 20. A SPECIAL Commiſſion to Sir *William Slingsby*, and others, for reforming the Abuſe of Logwood; ſeveral Perſons having of late Years imported great Quantities of a falſe Dying-Wood call'd Logwood or Blockwood, to the great Diſcredit of the Clothing and other Manufactures of the Kingdom. It is dated at *Weſtminſter*, *October* 15.

718. 21. 'A PROCLAMATION for the Reſtraint of the Conſumption of the Coin and Bullion of this Realm, and the deceitful making of Gold and Silver Thread, Purles, Plates, Spangles, *&c.* to the great Abuſe of the Subjects, and Prejudice of the King's Cuſtoms, by the exceſſive Quantities now made in the Realm, which formerly were brought from Foreign Parts; dated *Jan.* 18, 1636, at *Whitehall*.'

By this Proclamation no Coin, Plate or Bullion was hereafter to be uſed in the making of Gold and Silver Thread, Copper gilt or ſilvered, Gold and Silver foliat Purles, Oaes, Spangles, Wire, and the like Manufactures, but what ſhall be imported from Abroad by Perſons thereunto appointed by the King, or which ſhall ariſe from the ſame Works and Manufactures when melted again. None of the current Gold or Silver Coins of this Realm was hereafter to be melted down by any Refiner, Goldſmith, or other Perſon whatſoever, for any Uſe whatſoever. And all the Gold and Silver to be employ'd in the ſaid Manufactures was to be furniſh'd, refined, prepared and diſgroſſed by ſuch Perſons only as the King ſhould appoint, and by them ſold to all who ſhall work or uſe the ſame, according to the Standards and Rates limited by the King. No Perſons but ſuch as were licenſed by the King or his Commiſſioners, were to buy any Gold or Silver for the ſaid Manufactures, or ſo much as to make them, or to ſet up, keep or uſe any Machine or Tool for that Purpoſe. And to the Intent that all Gold and Silver Thread, Copper gilt or ſilvered Thread and Wire, and other the ſaid Manufactures, might be well made, all Thread was to be made up in Skeins, and not on Quills; and no Copper ſilvered or gilt was to be made or ſpun upon any Silk. All theſe Manufactures were to be mark'd with the King's Seal, before they were expoſed to Sale, and none was to be bought or ſold but what was made and wrought by Perſons thereunto allowed by the Commiſſioners.

730. 22. 'AN Act for regulating the Abuſes and Frauds of Weavers, Combers, Spinſters, and other Workers and Makers of Woollen Cloth and Yarn, by the daily falſifying their Yarn as well in the Length of the Reel-ſtaff as in the Number of the Threads: And for putting an End to the Difference between the Worſted Weavers and the Clothiers, Combers and Sellers of Yarn in diverſe Clothing Countries, by ſettling a conſtant Reel-ſtaff for the reeling of Yarn, to be kept in every County; and for increaſing the Poor's Wages, according to the Statutes of 5 *Eliz.* and 1 King *James*.' This Act, which is dated the 22d of *January*, under the Privy-Seal, takes notice, that by Direction of the late King, *John Elthrington*, one of the Yeomen of the Chamber, and his Partner *Henry Stracey*, ſpent many Years, and above 1100 *l.* in ſolliciting the ſaid Regulation: It order'd, that there ſhould be a conſtant Reel provided, called a Clock-Reel, or Reel-ſtaff, to be kept by every one concern'd in the Woollen or Linnen Manufacture, which was to be one Yard about the ſingle Reel, and twice as much the double Reel, every Knot thereof to contain eighty Yards for all Yarn, and to be kept and continued as a conſtant Meaſure between the Maſter and Servant, the Buyer and the Seller. The King created an Office for ſearching, ſurveying and ſealing the ſaid Reels, or Reel-ſtaffs, and granted it to the two Partners above-mentioned, who were to hold it thirty-one Years, and to exerciſe it by themſelves and their Deputies throughout *England* and *Wales*, with the ſame Fees as the Clerk of the Market of the Houſhold has for Weights and Meaſures, *i. e.* Two Pence for ſealing the ſingle Reel, and One Penny for regiſtring the Owners Names and Places of Abode, to be paid at the actual Survey and Sealing of the ſaid Reels by the Clothier, Comber, Weaver, Spinſter, or other Perſon that has or uſes them; and double that Fee for ſealing and regiſtring the conſtant Reel of two Yards or two Ells about.

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735. 23. A COMMISSION under the Privy-Seal, directed to the Archbiſhop of *Canterbury*, and others, concerning the Manufacture of Gold and Silver Thread; dated *Jan.* 26.

Mortgages.

99. 1. A COMMISSION under the Privy-Seal to *Philip Burlamachi*, a Merchant of *London*, to redeem ſeveral Jewels and Plate belonging to the King and the late Duke of *Buckingham*, which were pawned to ſeveral Perſons in *Holland*. To this end he was to propoſe to the *Dutch* to take off 4000 Tons of Iron-Ordnance in part of Payment. The Commiſſion is dated at *Weſtminſter*, the 29th of *Auguſt*, 1629. See *Jewels*.

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Navy.

1. 'A PROCLAMATION againſt ſelling 'Ships; dated at *Nonſuch, July* 12, 1629.'

THIS Order was owing to Information which his Majeſty had received that ſeveral Maſters and Owners of Ships actually ſold their Ships and other Veſſels to Foreigners, which manifeſtly tended to weaken the Navigation of the Kingdom. A Clauſe was added for preſerving of all Timber fit for Shipping, becauſe of the great Deſtruction that had been made of it of late Years. And we find in *Ruſhworth* another Proclamation by the King and Council, dated the 19th of *December* following, whereby the Tranſportation of Ship-Timber, eſpecially Knee-Timber and Pipe-Staves, is prohibited both from *England* and *Ireland*.

185. 2. A COMMISSION under the Privy-Seal, to certain Perſons to take a Survey of the State of the Royal Navy lying at *Chatham*, *Portſmouth*, *&c.* It is dated at *Canbury* the 5th of *Auguſt*, 1630.

211. 3. A COMMISSION to the Lord Treaſurer, *&c.* to erect a common Fiſhery as a Nurſery for Seamen, *&c.* dated at *Weſtminſter*, *December* 8.

394. 4. A SPECIAL Commiſſion to the Lord High-Treaſurer, *&c.* to perform the Office of Lord Admiral of *England*, *Ireland* and *Wales*; dated at *Weſtminſter*, *November* 20, 1632.

549. 5. A PROCLAMATION prohibiting Ships to carry the *Union*-Flag, and appointing Flags both for the Ships of *England* and *Scotland*; dated at *Greenwich*, *May* 5, 1634. The *Union*-Flag was St. *George*'s Croſs and St. *Andrew*'s Croſs, which was ſtill reſerv'd as an Ornament for the King's Ships and thoſe in his Service and Pay only. But the Ships of the Subjects of *South-Britain* were hereafter to carry the *Red Croſs*, or St. *George*'s Croſs, as of old Time, and thoſe of *Scotland* the *White Croſs*, commonly called the Croſs of St. *Andrew*.

6. A PROCLAMATION of the ſame Date and Page, requiring all Sea-faring Men, Shipwrights, Ship-Carpenters, *&c.* being the King's Subjects, and in the Service of any Foreign Prince, to return Home by the 1ſt of *November* following.

697. 7. A SPECIAL Commiſſion to *Robert* Earl of *Lindſey*, and others, for the preparing and furniſhing of Ships. See *Ship-Money*.

699. 8. ANOTHER to the Recorder and Cuſtom-houſe Officers of *London*, to examine upon Oath all Perſons going beyond Sea; dated at *Weſtminſter*, *Nov.* 17, 1635.

Nobility and Gentry.

1. A PROCLAMATION commanding the
3744 Nobility and Gentry to go from *London*, and its Neighbourhood within forty Days, and reſide at their Manſion-Houſes in the Country; dated at *Greenwich*, *June* 20, 1632. This Injunction was pretended to be grounded upon the King's Deſire to hinder the Nobility and Gentry from waſting their Eſtates by a needleſs Reſidence in *London*, where they were oblig'd to be at a great Expence, eſpecially in Apparel, to the enriching of Foreign Nations. But it was perceiv'd afterwards, that the King had another End in it, when ſuch were ſummon'd before the *Star-Chamber* as had neglected to obey the Proclamation, and were condemn'd in grievous Fines to the King's Uſe.

498. 2. A SPECIAL Commiſſion under the Privy-Seal to *Clarencieux* and *Norroy*, Kings at Arms, to viſit their ſeveral Provinces; dated at *Weſtminſter*, *Dec.* 25, 1633.

722. 3. ANOTHER of the ſame Effect, directed to Sir *William le Neve*, Kt. *Clarencieux* King at Arms of the South, Eaſt and Weſt Parts of *England*, from the River *Trent* Southward; dated at *Weſtminſter*, *Jan.* 20, 1636.

724. 4. ANOTHER of the ſame Kind and Date, to Sir *Henry St. George*, *Norroy* King at Arms of the Eaſt, Weſt and North Parts of *England*, from the River *Trent* Northward.

Palatinate.

628. 1. A LICENCE under the Privy-Seal for a Collection to be made for two Years throughout *England*, for the Relief of the poor Miniſters of the *Palatinate*; dated *April* 9, 1635, at *Weſtminſter*. It ſays, that they and their Families were reduced to a moſt diſtreſſed and lamentable Eſtate of Miſery and Poverty by the Invaſion of their cruel Enemies, and by the continual Incurſion of Armies, which had trodden them under Foot, and deprived them of all that Maintenance and Proviſion which they had ſcrap'd together in the little Time of Reſpite which God had lately given them; inſomuch, that they were now more afflicted than ever, ſome being baniſhed, others impriſon'd, and ſome ſhut up in Towns, where they who had formerly Plenty enough to maintain themſelves, and to be helpful to others, were reduced to the Extremity of Want, *for the Sake of their Religion*. To which Words theſe were added in a former Patent, *which we, together with them, do profeſs, and which we are all bound in Conſcience to maintain to the utmoſt of our Power*: But *Laud* prevailed to have the Patent cancell'd, and a new one granted, in which the Addition was entirely left out. According to *Ruſhworth*, the firſt Patent was paſſed in 1629, and the

FOEDERA Tom. XIX. the Annotator upon Dr. *Kennet*'s Account of this Reign, mentions a Licence paſſed for ſuch Collection on the 19th of *Auguſt*, 1630; but we find neither of theſe in the *Fœdera*.

Pardons.

40. 1. THE Pardons of *Robert Sibthorp*, *Roger Manwaring*, and *Richard Montague*, Biſhop of *Chicheſter*; dated the 3d, 9th, and 16th of *January*, 1629.

166. 2. A PARDON of *John Mawde*, for raiſing and publiſhing a falſe, ſeditious, ſcandalous, and infamous Report of the King, was by the *Star-Chamber* Court, on the 6th of *May*, committed to the Fleet-Priſon, fin'd 5000 *l.* and ſentenc'd to walk to the Bars of the ſeveral Courts of *Weſtminſter-Hall*, while the Courts were ſitting, denoting his Offence, to make the ſame Acknowledgment at the publick Aſſizes for the Counties of *Suffolk* and *Huntingdon*, and to perform the ſame Penance at *Paul*'s Croſs during Sermon-time, in which the Preacher, by Order of the Biſhop of *London*, was to reprove the Raiſers and Publiſhers of ſuch notorious, falſe and ſlanderous Reports. This Pardon was dated under the Privy-Seal at *Canbury*, the 22d of *May*, 1630.

170. 3. THE like ſpecial Pardon for *John Hunton*, of *St. Stephen's* in the County of *Cornwal*, Clerk, who on the 3d of *Auguſt*, 1629, was indicted at *Exeter* Aſſizes for having aſſerted before a large Congregation at *Chidleigh* in the County of *Devon* on the 28th of *June* preceding, *That the Pope of* Rome *is the Head of the Church, and hath ſpiritual Juriſdiction within the Territories of Chriſtian Princes*, and who was attainted and convicted in a Premunire for refuſing the Oath of Allegiance. This Pardon was granted on the 22d of *June* at *Canbury*, on a Report made to the King by Sir *Thomas Richardſon*, Chief-Juſtice of the Common-Pleas, that the ſaid *Hunton* at the laſt Aſſizes held at *Exeter* acknowledged his Crimes, and made his Submiſſion in open Court, and did then and there take the Oaths of Allegiance and Supremacy, and promiſe to behave for the future as a loyal and dutiful Subject. Nevertheleſs he was obliged to give Security for his good Behaviour according to an Act of the Tenth of *Edward* III.

321. 4. A PARDON of *Anne* Counteſs of *Caſtlehaven* in *Ireland*, late Wife of *Mervin* Lord *Audley*, Earl of *Caſtlehaven*, for the Crimes of Adultery, Fornication and Incontinency; dated at *Weſtminſter*, *November* 14, 1631, under the Privy-Seal. See *Trials*.

5. A SPECIAL Commiſſion under the Privy-Seal to the Archbiſhop of *Canterbury*, Lord-Keeper, Lord-Treaſurer, *&c.* to reprieve and ſtay from Execution ſuch Felons-Convict (wilful Murder, Rape, Witchcraft, Robbery on the Highway, Burning of Houſes, and Burglary only excepted) who were ſtrong and able enough to be employ'd in Foreign Diſcoveries and Services, and to appoint them accordingly. It is dated *February* 23, 1633, at *Weſtminſter*. CHARLES I. 406.

6. A SPECIAL Commiſſion to Sir *David Cunningham*, Bart. and others, to compound with certain Sheriffs for Miſdemeanors and Offences by them committed in their Offices; dated *Auguſt* 17, 1635, at *Canbury*. 653.

Parliament.

1. A PROCLAMATION for diſſolving the Parliament; dated *March* 2, 1629, at *Whitehall*. 29.

2. A PROCLAMATION for ſuppreſſing of falſe Rumours touching Parliaments; dated at *Whitehall*, *March* 27. 62.

3. ANOTHER for apprehending *Walter Long*, Eſq; late High-Sheriff of the County of *Wilts*, and *William Strode*, Son of Sir *William Strode*, of the County of *Devon*, two Members of the laſt Parliament, for ſeditious Practices and high Crimes againſt the King; dated *March* 27. 63.

ANSWER to the Remonſtrance of the Commons againſt the Duke of *Buckingham* in 1628, which was inſerted in *p.* 657. This Anſwer was given in the King's Name, but penn'd by *Laud* then Biſhop of *London*, and produced afterwards at his Trial. It was hinted at in *p.* 661, but after ſearching all other Hiſtories for it in vain, we met with it at the Entrance of the ſecond Volume of *Ruſhworth*, as follows.

The King's Anſwer to the Commons Remonſtrance about Biſhop Laud, &c.

'WE are not bound (ſaith his Majeſty) to give an Account of our Actions 'to any but to God only; yet out of the 'Honour and Integrity of our Grace, 'the Love and Care of our People, the 'great and hearty Deſire we have to 'take off all Fears and Jealouſies from 'our loyal and loving Subjects, we have 'thought fit to declare theſe Reaſons 'following, why we have called in this 'Remonſtrance, which yet we preſume 'and conſtantly believe was fram'd and 'delivered up unto us with good 'Intentions, though by a miſguided 'Zeal.

'FOR, firſt, that Remonſtrance begins 'at Religion, and fears Innovation of it 'by Popery: But we would have our 'Subjects of all ſorts to call to Mind what 'Difficulties and Dangers we endured

‘ not many Years ſince for Religion ſake; ‘ that we are the ſame ſtill, and our ‘ holy Religion is as precious to us as it ‘ is or can be to any of them; and we ‘ will no more admit Innovation therein, ‘ than they that think they have done ‘ well in fearing it ſo much.

‘ IT is true that all Effects expected ‘ have not followed upon the Petition ‘ delivered at *Oxford*; but we are in ‘ leaſt Fault: For that Supply being not ‘ afforded us, diſenabled us to execute ‘ all that was deſired, and cauſed the ‘ Stay of thoſe legal Proceedings which ‘ have help'd to ſwell up this Remon- ‘ ſtrance: Yet let all the Counties of ‘ *England* be examined, and *London* ‘ and the Suburbs with them, neither is ‘ there ſuch a noted Increaſe of *Papiſts*, ‘ nor ſuch Cauſe of Fear as is made, ‘ nor hath any amounted to ſuch an odi- ‘ ous tolerating as is charged upon it, nor ‘ near any ſuch.

‘ FOR that Commiſſion ſo much com- ‘ plained of, both the Matter and Intent ‘ of it are utterly miſtaken; for it ‘ doth not diſpenſe with any Penalty, ‘ or any Courſe to be taken with any ‘ *Papiſts* for the Exerciſe of their Re- ‘ ligion; no nor with the pecuniary ‘ Mulct, or not Conformity to ours. It ‘ was adviſed, for the Increaſe of our ‘ Profit, and the returning of that into ‘ our Purſe, which Abuſe or Conni- ‘ vance of inferiour Miniſters might, ‘ perhaps, divert another way; if that ‘ or any other ſhall be abuſed in the Ex- ‘ ecution, we will be ready to puniſh ‘ upon any juſt Complaint.

‘ THE next Fear is the daily Growth ‘ and Spreading of the *Arminian Facti:* ‘ *on*, called a cunning Way to bring in ‘ *Popery*; but we hold this Charge as ‘ great a Wrong to our ſelf and our ‘ Government as the former; for our ‘ People muſt not be taught by a *Par-* ‘ *liament-Remonſtrance*, or any other ‘ Way, that we are ſo ignorant of Truth, ‘ or ſo careleſs of the Profeſſion of it, ‘ that any Opinion or Faction, or what- ‘ ſoever it be called, ſhould thruſt it ‘ ſelf ſo far, and ſo faſt into our King- ‘ doms without our Knowledge of it: ‘ This is a meer Dream of them that ‘ make, or would make our loyal and ‘ loving People think we ſleep the ‘ while.

‘ IN this Charge there is great Wrong ‘ done to two eminent Prelates * that ‘ attend our Perſon; for they are ac- ‘ cuſed without producing any the leaſt ‘ Shew or Shadow of Proof againſt ‘ them; and ſhould they or any other ‘ attempt Innovation of Religion, either ‘ by that open, or any cunning way, ‘ we ſhould quickly take other Order ‘ with them, and not ſtay for your *Re-* ‘ *monſtrance*.

‘ To help on this, our People are ‘ made believe there is a Reſtraint of ‘ Books *Orthodoxal*; but we are ſure ‘ ſince the laſt Parliament begun, ſome, ‘ whom the *Remonſtrance* calls Ortho- ‘ dox, have aſſum'd to themſelves an ‘ unſufferable Liberty in Printing. Our ‘ Proclamation commanded a Reſtraint ‘ *on both Sides*, 'till the Paſſions of Men ‘ might ſubſide and calm. And had this ‘ been obey'd, as it ought, we had not now ‘ been toſs'd in this Tempeſt; and for ‘ any diſtreſſing or diſcountenancing of ‘ good Preachers, we know there is ‘ none, if they be (as they are called) ‘ Good; but our good People ſhall ne- ‘ ver want that ſpiritual Comfort which ‘ is due unto them. And for the Pre- ‘ ferments which we beſtow, we have ‘ ever made it our great Care to give ‘ them as Rewards of Deſert and Pains: ‘ But as the Preferments are ours, ſo ‘ will we be Judge of the Deſert our ‘ ſelf, and not be taught by a *Remon-* ‘ *ſtrance*.

‘ FOR *Ireland*, we think, in Caſe ‘ of Religion it is not worſe than ‘ Queen *Elizabeth* left it; and for other ‘ Affairs it is as good as we found it, ‘ nay, perhaps, better: And we take it ‘ for a great Diſparagement of our Go- ‘ vernment, that it ſhould be voiced ‘ that new Monaſteries, Nunneries, and ‘ other ſuperſtitious Houſes are erected ‘ and repleniſhed in *Dublin*, and other ‘ great Towns of that our Kingdom; ‘ for we aſſure our ſelf, our Deputy and ‘ Council there will not ſuffer God ‘ and our Government ſo to be diſhonour- ‘ ed, but we ſhould have had ſome Ac- ‘ count of it from them; and we may not ‘ endure to have our good People thus ‘ miſled with Shews.

‘ THERE is likewiſe ſomewhat conſide- ‘ rable in the Time when theſe Practices to ‘ undermine true Religion in our King- ‘ dom are ſet on Foot: The *Remonſtrance* ‘ tells us it is now, when Religion is op- ‘ poſed by open Force in all other Parts: ‘ But we muſt tell our People there are ‘ no undermining Practices at Home a- ‘ gainſt it, if they practiſe not againſt it ‘ that ſeem moſt to labour for it. For ‘ while Religion ſeems to be contended ‘ for in ſuch a factious Way (which can- ‘ not be God's Way) the Heat of that ‘ doth often melt away that which it la- ‘ bours earneſtly (but perhaps not wiſely)

* Dr. *Laud*, Biſhop of *London*, and Dr. *Neal*, Biſhop of *Wincheſter*.

to

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'to preſerve. And for God's Judgments, 'which we and our People have felt, and 'have cauſe to fear, we ſhall prevent 'them beſt by a true and religious *Re-* '*monſtrance* of the Amendment of our 'Lives, *&c.*

Patents for Inventions.

40. 1. A GENERAL Liſt of Patents for Inventions in the fourth Year of King *Charles.*

157. 2. A SPECIAL Licence to *Francis Tucker* of *London*, Gent. and other Perſons to dig in ſearch of hidden Treaſure, on paying a quarter Part of what is found to the King; dated at *Weſtminſter*, *April* 19, 1630, under the Privy-Seal.

189. 3. A GRANT to *Edward Ball*, *Edmund Laſſels*, *Robert Hampton*, and *William Audley*, of the ſole Benefit (for the Term of fourteen Years) of a Method they had invented of Melting, Forging, and Fining of Iron, Lead, and Tin, and Boiling of Salt, Burning of Brick, Tile, and Lime, *&c.* with the Fuel of Peate or Turf, reduced into a Coal, without the Addition or Uſe of any Wood, Charcoal, Pitcoal or Seacoal. It is dated at *Canbury* the 13th of *Auguſt*. The Patentees were to pay 6 *l.* 13 *s.* 4 *d.* yearly Rent to the Crown.

200. 4. 'A LICENCE dated at *Weſtminſter*, '*November* 11, under the Privy-Seal, 'to *David Ramſey*, Eſq; for the Term of 'fourteen Years, to have the ſole Uſe 'and Benefit of an Invention of his for ſe-'parating Gold and Silver from other 'Metals, on Condition of his paying to 'the Crown a third Part of all the Profits 'after the firſt Year of the aforeſaid 'Term.' Mr. *Ramſey* had ſet forth, that great Damage accrued to the Crown becauſe the ſeveral Farmers of the Mines of Copper, Tin, and Lead, for want of Experience to make a Separation of the Metals of the ſaid Mines, daily caſt away, and loſt much of thoſe Mines which contained Gold and Silver in them, and did not diſtinguiſh which were Mines-Royal and which were not. Therefore he had moreover, a Privilege for twenty-one Years to dig in the Counties of *York*, *Somerſet*, and *Devon*, where no Tin-works had been, for all Mines and Minerals, Works of Silver and Gold, or Lead holding Silver, or mix'd with Silver, and all other the Mines-Royal whatſoever, and to extract and refine the ſaid Oars, on paying to the Crown, after the two firſt Years of the ſaid Term, the tenth Part of all the Gold, Silver, Copper and Lead ſo extracted and refined.

236. 5. ANOTHER granting to *David Ramſey*, Eſq; one of the Grooms of the Privy Chamber, and to *Thomas Parker*, *Edward Biſſe*, and *Richard Jarret*, the ſole Benefit of their Invention for raiſing Water out of Mines and Coal-pits by a ſort of Barrel-Engine, for the Term of fourteen Years, on paying 1 *l.* 6 *s.* 8 *d.* a Year to the Crown during the ſaid Term. It is dated at *Weſtminſter*, *Jan.* 21, 1631.

6. ANOTHER Patent of the ſame Date, granted to the ſaid *David Ramſey*, allowing him for the ſame Term of Years, on paying 3 *l.* 6 *s.* 8 *d. per Ann.* to the Crown, the ſole Benefit of his Inventions to multiply and make Salt-petre, in an open Field in four Acres of Ground, ſufficient to ſerve all the King's Dominions: To make any ſort of Mills go on ſtanding Waters by continual Motion, without the Help of Wind, Weight or Horſe: To make all ſorts of Tapiſtry without any Weaving-Loom, in a Method never before uſed: To make Boats, Ships and Barges go againſt ſtrong Wind and Tide: To make the Earth more fertile than uſual: To raiſe Water in a new Method from Mines and Coal-pits, and other low Places: To make hard Iron and Copper ſoft and tough; and to make yellow Wax white very ſpeedily. 239.

7. A SPECIAL Licence to *Michael Parker* of *London*, and *Everard Maynwaring* of *Weſtminſter*, Gent. who had with great Induſtry and Expence found out certain Springs of good Water, to ſet up a Lottery in order to raiſe Money for the Expence of *Aquæducts*, *&c.* to bring it to *London* and *Weſtminſter*; dated at *Weſtminſter*, *Feb.* 11. 242.

8. AN Indenture of the ſame Date, between King *Charles* on the one Part, and Sir *Edward Stradling* of *Glamorganſhire*, *John Lyde* of *Oxfordſhire*, Eſq; and the aboveſaid *Michael Parker*, on the other Part, for making an *Aquæduct* to convey Water to *London* and *Weſtminſter* from any Springs, Pools or Currents within a Mile and half of *Hoddeſdon* in the County of *Hertford*, that have not been heretofore uſed for ſupplying the ſaid Cities. The ſaid Sir *Edward Stradling* and *John Lyde*, their Heirs and Aſſigns, were to have the Benefit thereof for ever, on paying the King 4000 *l.* a Year out of the Profits of the ſaid Water-works. But there was a Proviſo, that they ſhould not in the ſaid Water-work diminiſh any of the Springs, or take away any of the Water already brought into *London* and *Weſtminſter* by Sir *Hugh Middleton*, or by any other Water-work then in being. 244.

9. A GRANT of Privy-Seal to *Stephen Gibbs*, of an Invention for Defence of Marſh-Lands againſt Inundations of the Sea, and for other Purpoſes; dated at *Canbury* 251.

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Canbury, *March* 26. He was to have the ſole Privilege of it for fourteen Years, on paying 20 *s.* a Year during the ſaid Term to the Crown.

305. 10. A PATENT to Capt. *John Gilbert*, and *James Freeſe* of *London*, Merchant, for the making of Engines called Water-Ploughs, or any other Inſtruments for taking up of Sand, Gravel, Shelves and Banks out of the River of *Thames*, and all Waters and Harbours for the Term of twenty-one Years, on paying 6 *l.* 13 *s.* 4 *d.* to the Crown; dated *July* 8, at *Canbury*, under the Privy-Seal. There was a Proviſo in this Patent in favour of a Grant made by the late King to *Robert Crump* for the ſole making and Practice of an Engine by him invented for raiſing of Waters, or for draining of Mines.

365. 11. ANOTHER to *Richard Norwood*, granting him the ſole Benefit of his Invention of an Engine for Diving and bringing up of Goods caſt away by Shipwreck. It was to laſt during the Term of fourteen Years, and was dated at *Weſtminſter*, *April* 2, 1732.

371. 12. ANOTHER to *Thomas Grent*, M. D. of the ſole Uſe and Benefit of certain Inſtruments by him invented, for the Term of fourteen Years, *viz.* 1. An Inſtrument called the *Wind's-Mate*, for the navigating of Ships and Veſſels when becalm'd. 2. A *Fiſh-Call*, or a Looking-Glaſs for Fiſhes in the Sea, very uſeful for Fiſhermen to call all ſorts of Fiſh to their Nets, Spears or Hooks, in the Nature of Fowlers Bird-Calls. 3. A *Water-Bowl*, being a very ſerviceable manual Inſtrument for preſerving Houſes and Ships from Fire. 4. A *Building-Mould*, or Stone-Preſs, for making Stone-Windows, Door-Caſes, Chimney-pieces, *&c.* 5. A moveable *Hydronlike*, or Chamber *Weather-Call*, which being placed in any Room, or by the Bed-ſide, cauſeth ſweet Sleep to thoſe that by hot Fevers, or otherwiſe, cannot take Reſt, and cooleth and moiſtens the dry hot Air either with or without muſical Sounds. 6. A *Crane Corrected* for drawing any Liquor from one Veſſel to another, without ſucking or forcing it by the Mouth. He was to pay 1 *l.* 6 *s.* 8 *d.* yearly Acknowledgment to the Crown for this Privilege, which is dated *June* 20.

554. 13. A PATENT granted under the Privy-Seal to *Jerome Lanyer*, for his Invention called *Londridiana*, being an Art and Myſtery, by affixing of Wool, Silk, and other Materials of diverſe Colours upon Linnen-Cloth, Silk, Cotton, Leather, and other Subſtances, with Oil, Size, and other Cements, to make them uſeful and ſerviceable for Hangings, *&c.* He was to have the ſole Practice and Profit of his ſaid Invention for the Term of fourteen Years, on paying 10 *l.* yearly Rent to his Majeſty. It was dated at *Weſtminſter*, May 21, 1634.

CHARLES I.

14. 'A PROCLAMATION for erecting 563.
'and making of Boiling Furnaces, for leſ-
'ſening the Annoyance occaſioned by
'Smoak, and for ſaving of Fuel; da-
'ted at *Greenwich*, *June* 25.

IT declares, that Capt *Thorneff Francke* had a Patent for this Invention on the 2d of *November* laſt, to continue for fourteen Years, and that the ſame had been invaded by other Perſons without his Licence. It alſo certifies of what great Benefit the Invention was to all the King's Subjects, eſpecially Brewers, Dyers, Soap-boilers, Salt-makers, and all others who had or might have Occaſion to uſe boiling Furnaces, as alſo for leſſening of the great Annoyance of Smoak, ſo obnoxious to *London*, and all other Cities and Towns-Corporate; and that the Brewers in particular had confeſſed that it ſaved them a third Part of Expence in Fuel, and three Parts in four of the Charge of Iron heretofore expended in ſupporting the Furnace; that whereas before they brewed but thrice a Week, they now were able to brew five times, and that the Smoak ariſing from the new invented Funnels was not half ſo much as that which came from the old Furnaces.

15. 'A GRANT of a Privy-Seal to 564.
'*William Bolton*, Grocer, for his In-
'vention of the Art and Myſtery of
'making the Duſt of Indico into In-
'dico, and bringing rich Indico into
'the Nature of flat, by ſoaking and grind-
'ing of it.

HIS Privilege for the ſole making of this Duſt into Indico, *&c.* was to continue fourteen Years, on paying the annual Rent of forty Marks to the Crown. It is dated at *Weſtminſter*, *July* 2, under the Privy-Seal.

16. ANOTHER of fourteen Years Privilege to *William Parham*, *John Prewet*, *Ambroſe Prewet*, and *Thomas Dorney*, Gentlemen, who had invented an Engine for the Earing and Ploughing of Land without Horſes or Oxen, to be drove by two Men only, and a third to hold or guide the Plough or Sullow. They were to pay 20 *l.* a Year for it to the Crown. The Patent bears Date *July* 17. 569.

17. ANOTHER Grant, under the Privy-Seal, of the like Term, to *John Bulmer*, Eſq; Maſter-Surveyor of the King's Mines, Minerals, and Engines for Water-works, for the ſole Uſe of his own Engines and Inventions for the taking up of Ships and Goods ſunk at Sea; dated *July* 18. 571.

18. A

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'18. A Grant, under the Privy-Seal, to Sir *Sanders Duncombe*, for the ſole uſing 'and putting forth to hire of covered 'Chairs, which he was to procure to be 'made at his own Coſts and Charges, for 'carrying thoſe Perſons that deſired it, in 'and about *London* and *Weſtminſter*, and 'the Suburbs.' The Preamble to this Grant, which is dated *Oct.* 1. at *Canbury*, and was to extend fourteen Years, takes notice that the Streets were, at that time, much incumbered with an unneceſſary multitude of Coaches, to the great Danger of Paſſengers, and the Impediment of the neceſſary Carts and Carriages; and that the Patentee had repreſented in his Petition for the Grant, that few Coaches were uſed beyond the Seas, becauſe the People were frequently carried up and down in covered Chairs.

577. '19. A Grant to *John Day*, Citizen 'and Fiſhmonger, and ſworn Broker of '*London*, for the ſole Printing of the week-'ly Bills of the Prices of all foreign Com-'modities, for the Term of fourteen Years.' The Patent, which is ſealed with the Privy-Seal, at *Weſtminſter*, *Nov.* 1. declares it to have been his own Invention; and that it had been diſcontinued near three Years, to the great Hindrance of the Merchants in their Commerce and Correſpondence, to the Diſgrace of the City of *London*, and to the Prejudice of the Cuſtoms.

656. 20. Letters Patent of Privilege, for twenty-one Years, granted, under the Privy-Seal, to *William Braithwaite*, Reader and Schoolmaſter, for the ſole printing and ſale of his Books, containing an eaſy Method which he had accompliſhed to facilitate Muſic, both for expedite and exquiſite compoſing, and for ſpeedy and pleaſant teaching, and learning it by Voice, or Inſtruments; and his Invention of a Method to expreſs the long and ſhort Syllables in the *Greek* and *Latin* Tongues, by the Letters themſelves, without the Accents, to the great advantage of Poetry, Oratory, and of a graceful Pronunciation of the *Greek* and *Latin* Tongues. They are dated *Aug.* 18, 1635.

716. 21. A Writ of Privy-Seal, granting to *Francis Chamberlayne*, Eſq; a Licence for the ſole making of Wines with dried Grapes, or Raiſins, for the Term of fourteen Years, on paying forty Shillings Annuity to the Crown, according to his own Way and Invention in his Travels. Dated at *Weſtminſter*, *Jan.* 4, 1636.

Patents for Offices, and their Salaries, Fees, &c.

55. 1. A general Liſt of Patents for Offices in the fourth Year of King *Charles*.

2. A Patent for erecting an Office called the Office of Receiver of the Compoſition Monies payable in lieu of Grocery Wares

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109. 3. A ſpecial Grant, under the Privy-Seal, of Fees payable to the Grooms of the Chamber in Ordinary, by thoſe Perſons who are advanced to Degrees of Honour Eccleſiaſtical or Civil. Dated *Nov.* 9.

111. 4. A Grant to *Ambroſe Randal*, and *William Boſwel*, Eſqrs; of the Office of Keepers and Regiſters of the Records, and other State-Papers, at *Whitehall*, with an Allowance of eight Shillings and nine Pence three Farthings *per* Day. Dated *Nov.* 21, under the Privy-Seal.

114. 5. ANOTHER, ſettling the Fees of the Office of the King's Serjeant Porter, then held by Sir *John Millicent*. Dated *Jan.* 13, 1630.

121. 6. A ſpecial Grant of Fees to the Gentlemen Uſhers, Daily-Waiters, and their Succeſſors. Dated *Feb.* 19, under the Privy-Seal.

126. 7. ANOTHER for allowing fifteen Pence *per* Day, Board-Wages, to each of the King's Serjeants at Arms, dated *Feb.* 24.

132. 8. A general Liſt of Patents for Offices paſſed in the fifth Year of this Reign.

176. 9. A ſpecial Commiſſion, under the Privy-Seal, to *Rowland Woodward*, Eſq; to officiate as Maſter of the Ceremonies in the Abſence of Sir *John Fynett*, with a Fee of ſix Shillings and eight Pence *per* Day. It is dated *July* 22, at *Canbury*.

253. 10. A General Liſt of Patents for Offices in the ſixth Year of the King.

322. 11. A ſpecial Commiſſion to *Robert*, Earl of *Lindſey*, to officiate as Conſtable of *England*, in a Court of Chivalry, on the Appeal (mentioned in Page 767.) of *Donald Mackay*, Lord *Rea*, againſt *David Ramſey*; dated at *Weſtminſter*, *Nov.* 24, 1631.

345. 12. A Liſt of Patents for Offices in the ſeventh Year of this Reign.

371. 13. A Revocation of the Earl of *Lindſey*'s Patent aforeſaid; dated at *Weſtminſter*, *May* 11, 1632.

385. 14. A Patent appointing *William Frizel*, and *Thomas Witherings*, the Poſt-maſters of *England* for foreign Parts; dated at *Oatelands*, *July* 19, 1632.

431. 15. A general Liſt of Patents for Offices in the eighth Year of *Charles* I.

465. 16. A ſpecial Commiſſion to *Francis*, Lord *Cottington*, Chancellor of the Exchequer, for the Execution of certain Powers and Authorities, during the Abſence of the Earl of *Portland*, Lord High-Treaſurer, who was accompanying the King to *Scotland*. Signed by his Majeſty at *Weſtminſter*, on the very Day of his Departure, *viz.* *May* 13, 1633.

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17. A ſpecial Commiſſion, under the Privy-Seal, to the Archbiſhop of *Canterbury*, to the Lord Keeper of the Great-Seal, and others, to iſſue the neceſſary Commiſſions for the Execution of the Office or Offices of Provoſt Marſhal in *England* and *Wales*, and to authoriſe ſuch Provoſt Marſhals, to apprehend, ſuppreſs, chaſtiſe and puniſh Raiſers of Tumults and Inſurrections, and other incorrigible mutinous and rebellious Perſons; and to cauſe Commiſſions to be iſſued under the Great-Seal, for the Performance of any Buſineſs neceſſary to be done in *Ireland*. And to make Proclamation in the King's Name, and to execute ſuch Courſes and Orders as they ſhould think neceſſary, in caſe of any infectious Sickneſs in *London*, or any great Tumult or Riot, or other ſudden Accident of State, during the abſence of the King, who was then gone to *Scotland*. It is dated at *Weſtminſter*, *May* 21, 1633. CHARLES I.

18. A ſpecial Commiſſion to *Robert* Earl of *Lindſey*, to be Conſtable of *England*, for the Trial of Murders committed beyond the Seas, by the King's Subjects upon one another; dated at *Weſtminſter*, *Feb.* 11, 1634. 511.

19. A ſpecial Commiſſion directed to the Earl of *Mancheſter* and others, to inquire into the new Offices and their Fees; dated *Feb.* 17. 514.

20. A general Liſt of Patents paſs'd in the 9th Year of this Reign. 526.

21. A ſpecial Commiſſion to *Thomas Coventry*, the Lord-Keeper of the Great Seal, to adminiſter the Oaths to the Officers of the Queen; dated *May* 22. 556.

22. A ſpecial Grant of ſundry Fees to the Officers of the Wardrobe; dated at *Weſtminſter*, *Oct.* 13. under the Privy-Seal. 575.

They were to receive as follows upon the Creation of every

The	Duke	Marquiſs	Earl	Viſcount	Baron	Baronet	Knight
	l. s. d.	*l. s. d.*	*l. s. d.*	*l. s. d.*	*l. s. d.*	*l. s. d.*	*s. d.*
Yeoman	5 6 8	4 8 10½	3 6 8	2 13 4	2 0 0	1 6 8	15 1¼
Grooms	5 6 8	4 8 10½	3 6 8	2 13 4	2 0 0	1 6 8	15 1¼
Pages	5 6 8	4 8 10½	3 6 8	2 13 4	2 0 0	1 6 8	15 1¼
	16 0 0	13 6 7½	10 0 0	8 0 0	6 0 0	4 0 0	2 5 3¾

604. 23. PATENTS for Offices granted in the 10th Year of this Reign.

643. '24. A Grant, under the Privy-Seal, to '*Robert Leſley*, Eſq; one of the Gentlemen 'of the Privy-Chamber, of a new created 'Office called the Office of *Receiver of all* '*Forfeitures incurr'd by prophane Swearers* '*and Curſers in* England *and* Wales.'

THESE Forfeitures, by a Statute of 21 *Jac.* I. were fix'd at 12 *d.* for every Offence; and *Leſley*, and his Aſſigns, or Deputies, were for the Term of ſeven Years next enſuing the Date of the Grant, which was *July* 21, 1635, to receive half a Crown in the Pound for their Care and Trouble.

647. '25. A Proclamation purſuant to the 'above-mentioned Grant for ſuppreſſing pro-'phane Swearing and Curſing. 'Tis dated 'at *Oatlands*, *July* 26, 1635.'

SIR *Edward Peyton* ſpeaking of this Grant, ſays bluntly, *King* Charles *granted* 12 d. *an Oath to* Robin Laſhley, *which was obſerved more to get Money than to ſuppreſs Swearing*, then in much eſteem, from the Example of King *James*.

646. '26. ANOTHER, which was alſo rec-'koned a Money-Project, was a Procla-'mation to reſtrain the King's Subjects, (ex-'cept Soldiers, Seamen, Merchants, Factors, 'and their Apprentices) from going beyond 'Sea without Licence from the King and 'ſix or more of the Privy-Council; dated '*July* 21.'

[WHETHER there was a Neceſſity now for this Prohibition, was much to be doubted.]

649. '27. AND another for ſettling a Poſt 'between *England* and *Scotland*, and ap-'pointing *Thomas Witherings*, Eſq; Poſt-'Maſter, who was then Poſt-Maſter of '*England* for Foreign Parts. 'Tis dated at '*Bagſhot* the laſt Day of *July*.'

'TILL this time there had been no certain or conſtant Intercourſe between *England* and *Scotland*: The general Rate of Poſtage then was 2 *d.* for every ſingle Letter under 80 Miles, 4 *d.* if 140 Miles, and 6 *d.* if above.

703. 28. A Privy-Seal, appointing *John Crane* of *Laughton* in *Bucks*, Eſq; Chief Clerk of the King's Kitchen, Officer of the Admiralty and Marine Cauſes, and Surveyor-General of all Victuals for his Majeſty's Ships and Marine Cauſes, with a Fee of 50 *l.* a Year, and 8 *d.* a Day, for one Clerk, together with ſuch other Allowance as Sir *Marmaduke Dorrel* and Sir *Allen Apſley*, or the latter, and Sir *Sampſon Dorrel*, or any of them, lately had out of the Exchequer; dated at *Weſtminſter*, *November* 17.

710. '29. A Writ of Privy-Seal confirming 'Sir *Richard Young*, Knt. and Bart. in the 'Office of Clerk of the *Hanaper*; dated '*Dec.* 19.'

HIS Predeceſſors in that Office, who are mentioned in the Patent, were *Thomas Cromwell*,

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Cromwell, afterwards Earl of *Eſſex*, Sir *Ralph Sadlier*, *John Hales*, *Francis Kemp*, *Henry Sadlier*, *Arnold Ouldeſworth*, and *George Mynn*, Eſqs; the laſt preferred by King *James*. It alſo mentions the Fees of the ſaid Office, as they were fixed in the 40th Year of Queen *Elizabeth*, and as they were annex'd to the ſaid Office in the Reign of King *James* by a Decree of the Court of Chancery, confirmed by that King's Letters-Patent. To which is added an Explanation and Interpretation of ſome Doubts and Queſtions taken out of the Decree and Confirmation of the Clerk of the *Hanaper's* increaſed Fees, and the Sentence entred againſt him.

1727. 30. ANOTHER appointing Lieutenant-Colonel *Francis Coningsby*, Commiſſary-General of and for all Caſtles and Fortifications in *England* and *Wales*, with an Allowance of 13 *s.* 4 *d.* a Day, to be paid out of the Cheques and Defalcations that ſhall be made by him from time to time; or in default thereof, out of the Treaſury. 'Tis dated at *Weſtminſter*, *Jan.* 22, 1636.

730. 31. ANOTHER granted to *John Elthrington*, one of the Yeomen of the Chamber, and his Partner *Henry Stracey*, for Searching, Surveying, and Sealing Reels and Reel-Staves, employed in the Woollen Manufacture, for the Term of 31 Years, throughout *England* and *Wales*; dated as above.

761. 32. A ſpecial Commiſſion under the Privy-Seal to *Algernoon* Earl of *Northumberland* to be Admiral, *Cuſtos Maris*, Captain-General and Governor of the Navy of *England*; dated the 23d of *March*, 1636, at *Weſtminſter*.

764. 33. A general Liſt of Patents for Offices in the 11th Year of this Reign.

Patents for Peerage and Baronettage.

31. 1. A general Liſt of Patents granted for Peerage and Baronettage in the 4th Year of King *Charles*.

131. 2. ANOTHER of thoſe granted in his 5th Year,

253. 3. ANOTHER of thoſe granted in his 6th Year.

344. 4. A general Liſt of the Creations in his 7th Year.

429. 5. A Patent for creating *Richard* Lord *Weſton* of *Neyland*, Earl of *Portland*; dated *Feb.* 17, 1633.

525. 6. A general Liſt of Creations in the 9th Year of the King.

Penſions.

64. 1. A Grant of 300 *l.* a Year, under the Privy-Seal, to the King's Nephew Prince *Rupert*, Son to the Queen of *Bohemia*, for his Life; dated at *Weſtminſter*, *May* 4, 1629.

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101. 2. THE like Grant to his Niece Princeſs *Elizabeth*, Daughter to the Queen of *Bohemia*, of the ſame Date.

'3. A Penſion of 500 *l.* a Year for life, 'ſettled by Writ of Privy-Seal, on *Frances* 'de *Montbodiac*, the Queen's Nurſe, and 'firſt Woman of her Bed-Chamber; dated 'at *Canbury*, *Sept.* 8.'

102. BY the like Privy-Seals, ſigned on that and the next Day, Mademoiſelle *Vantelet*, the Lady *Mary Waldron*, and *Elizabeth Aſhburnham*, three other Women of the Queen's Bed-Chamber, had each a Penſion ſettled on them of 300 *l.* a Year.

120. '4. THE like Grant of a Penſion of '500 *l.* a Year, for his Life, to Sir *Henry* 'Wotton Provoſt of *Eaton*, and Gentleman 'of the King's Privy-Chamber. 'Tis dated 'at *Weſtminſter*, *Feb.* 16, 1630.'

HE had a Penſion of 200 *l.* ſettled on him in the third Year of this Reign, which was now augmented to 500 *l.* to enable him to compoſe the ancient Hiſtory of *England*, and to beſtow 100 *l.* on the Amanuenſes and Clerks neceſſary to be employed in that Work.

475. 5. ANOTHER of 200 *l.* to Sir *Anthony Vandike*; dated *Oct.* 17, 1633, at *Weſtminſter* under the Privy-Seal.

Plague.

185. 1. A Proclamation dated at *Canbury*, the 3d of *Auguſt*, 1630, which prohibits the keeping of *Bartholomew*-Fair, *Sturbridge*-Fair, and our Lady-Fair in *Southwark*, and all Fairs within 50 Miles of *London*, in order to prevent the farther ſpreading of the Plague, with which the Town of *Cambridge* was then much afflicted.

192. 2. ANOTHER for adjourning part of *Michaelmas* Term, by reaſon that ſeveral Pariſhes in *London* and *Weſtminſter* were infected with the Plague; dated at *Wanſted* the 9th of *September*.

696. '3. A Proclamation dated *Nov.* 1, 1635, 'at *Hampton-Court*, to reſtrain the landing 'of Men or Goods out of ſuch Ships as 'ſhall come from the Parts of *France*, or 'the *Low-Countries*, now infected with 'the Plague, 'till they have Warrant from 'the Officers or Farmers of his Majeſty's 'Cuſtoms.'

MR. *Whitelock* ſays, that the Plague was this Year in *London*, but did not ſpread ſo much as was apprehended.

Poor.

71. 1. A Proclamation for the due Execution of the Laws for ſetting the Poor at work; dated at *Greenwich*, *May* 17, 1629.

72. 2. ANOTHER for the ſpeedy ſending away the *Iriſh* Beggars out of this Kingdom

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dom into their own Country, and for the ſuppreſſing and ordering of the *Engliſh* Rogues and Vagabonds, according to the Laws; dated as above.

160. ANOTHER of the ſame nature; dated at *Whitehall* the 23d of *April*, 1630.

173. 4. ANOTHER for the ſuppreſſing of Felons and Outlaws, their Aiders and Abettors, by bringing them to be anſwerable to the ſeveral Laws of *England* and *Scotland*; dated at *St. James's*, *June* 30, 1630.

174. 5. A Proclamation for the better Diſcovery and Prevention of Burglaries, Robberies, and other Frauds and Abuſes, and for ſuppreſſing all ſecret and unlawful Practices of Retailing-Brokers and others that take in Pawns or ſtolen Goods, who were hereby obliged to give 100 *l.* Bond; dated at *Whitehall*, *July* 5.

194. '6. ANOTHER for the ſuppreſſing 'and puniſhing of Rogues and Vagabonds, 'and Relief of the Poor, according to Law; 'dated at *Theobalds*, *Sept.* 17.'

THIS was for enforcing the Execution of the above Proclamation of the 23d of *April*.

228. '7. A Commiſſion directed to the Archbiſhop of *Canterbury*, and others, for the 'Relief of poor Priſoners; dated at *Weſt-* 'minſter, *Dec.* 31, under the Privy-Seal.'

IT was to enable them to compound with the Creditors of ſuch Priſoners, whoſe Debts did not exceed 200 *l.*

231. '8. ANOTHER to the Archbiſhop of 'Canterbury, and others of the Privy-Coun- 'cil, for the Relief of the Poor; dated the '5th of *January*, 1631.'

THEY were to inquire into the Execution of the Statutes relating to the Poor, and the Employment of Lands, Goods, and Monies, given for charitable Uſes, the training up of Youth in Trades, and the Reformation of Diſorders.

523. 9. A ſpecial Commiſſion to inquire into the Frauds and Oppreſſions committed by the Warden of the *Fleet*, his Deputy and other Officers of the ſaid Priſon; dated at *Weſtminſter*, *March* 22, 1634,

10. A Proclamation for the Reſtraint of Outlaws, Felons, and Malefactors, on the Borders of *England* and *Scotland*; dated *Feb.* 21, 1636, at *Weſtminſter*.

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Popiſh Prieſts, &c.

6. 1. A Proclamation for apprehending *Richard Smith* a Popiſh Prieſt, ſtiling and calling himſelf the Biſhop of *Calcedon* in *Greece*, tho' a Native of *England*. 'Tis dated at *Whitehall*, *Dec.* 11, 1628.

RUSHWORTH ſays, another Proclamation came out for him on the 24th of *March* following*.

80. 2. A Commiſſion to the Archbiſhop of *York* and others, to compound with the Popiſh Recuſants in the Counties of *Staffordſhire*, *Derby*, *Cheſter*, *Lancaſter*, *Nottingham*, *York*, *Lincoln*, *Weſtmorland*, *Cumberland*, *Northumberland* and *Durham*, for all Forfeitures due to the late King, to Queen *Elizabeth*, or to himſelf; and alſo for all ſuch as ſhall become due hereafter. 'Tis dated *June* 8, 1629, at *Weſtminſter*.

206. 3. A ſpecial Commiſſion of the Privy-Seal to ſeveral Perſons, to examine all People going out of the Kingdom upon Oath, and to adminiſter the Oath to them, which is mentioned in the Act of the 3d of *James*, intitled, *An Act for diſcovering and repreſſing of Popiſh Recuſants*. 'Tis dated *Nov.* 19, 1630.

738. 4. A Commiſſion of the ſame nature as the former of *June* 8, 1629, and directed as that is to the Archbiſhop of *York* and others. 'Tis dated *Jan.* 27, 1636, at *Weſtminſter*.

746. 5. THE Form of the Grants of the Leaſes of the Eſtates forfeited by the Popiſh Recuſants.

Ports.

750. '1. A Commiſſion, under the Privy-Seal, 'granted to the Lords Commiſſioners of the 'Treaſury and others, for the Repair of 'Dover Pier; dated *Feb.* 19, 1636, at *Weſtminſter*.'

IT ſets forth, that in *October* and *December* laſt ſuch great Breaches had been made

* He was born in *Lincolnſhire*, Anno 1566, became a Student of *Trinity*-College in *Cambridge*, about 1583, and went thro' a Courſe of Philoſophy there; but before he took a Degree, he went to *Rome*, and ran another Courſe in Divinity, in which making great Proficiency, he was ſent by his Superior to *Valladolid* in *Spain*, where he took the Degree of D. D. From thence, it is ſuppoſed, that he went in the Miſſion of *England*, and after ſome Years ſtay in that Employment, was ſent for to *Rome*, to be conſulted with about the Affairs of the *Engliſh* Popiſh Clergy; which being finiſhed according to his Mind, he was, on the fourth of *Auguſt* 1625, created, by Pope *Urban*, Biſhop of *Calcedon*, and ſent over hither to exerciſe Epiſcopal Juriſdiction over the Catholics in this Kingdom. His chief Reſidence was in *Lancaſhire*, where he appeared in his Pontificalibus, conferring Orders, and beſtowing Benedictions, to the Wonder, and almoſt Terror of the Common People; of which the King having notice, renewed the former Proclamation for apprehending him, with an Offer of 100 *l.* Reward beſides the Forfeitures legally accruing to the Crown from the Perſon that entertained him. This, together with the Perſecution of his Office of Biſhop, raiſed by the regular Clergy, who not only wrote againſt his Epiſcopal Power, but made ſuch a ſtir among the Brethren againſt the Inconveniency of having a Biſhop in *England*, that the Pope, about 1634, was forced to interpoſe to prevent the Scandal, obliged him to fly to *France*, where he became a Confident of the Cardinal *de Richelieu*, who conferred on him the Abbotſhip of *Charroux* in *Poictou*, which he kept 'till 1647, when Cardinal *Mazarine* took it into his own hands. As for the Biſhop, he was a general Scholar, well read in the Controverſies betwixt the Papiſts and Proteſtants, and did great Service to the Cauſe he profeſſed, by writing ſeveral Books, viz. *The Prudential Balance of Religion*; and an *Anſwer* to Biſhop *Bramhall's Vindication* of the Church of *England* from *criminal Schiſm*, &c. and ſome others, for which we refer to *A. Wood*. He died at *Paris*, *March* 8, 1654, O. S. and was buried in the Church of the *Engliſh* Nuns, of the Order of St. *Auſtin*, in the Suburbs of St. *Victor*.

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made by Tempeſts in the Walls of the Harbour, and ſo much Damage done to the Heads and Outworks, that the Repairs would coſt 2000 *l.* For this end the Merchant-Strangers, who uſed to pay for the Benefit of that Harbour but 4 *d.* for a Bale of Goods, ſhould hereafter pay 12 *d.* more for the Term of three Years.

Preſentations to Benefices, &c.

40. 1. A general Liſt of Preſentations to Benefices in the 4th Year of King *Charles*.

136. 2. ANOTHER of thoſe granted in his fifth Year.

257. 3. ANOTHER of thoſe granted in his ſixth Year.

348. 4. ANOTHER of thoſe granted in his ſeventh Year.

433. 5. ANOTHER of thoſe granted in his eighth Year.

513. '6. A Certificate of the Preſentation to 'the Biſhoprick of *Man*, ſigned by the 'Lord-Keeper, the Lord Chief Juſtices, and 'the Lord Chief Baron of the Exchequer, 'the 17th of *Feb.* 1634.' By which it appears, that in the Reign of King *Henry* IV, the Patronage of this Biſhoprick was granted to one of the Progenitors of the Earl of *Derby*; that the Biſhoprick being twice vacant in the 12th and 18th of *Elizabeth*, the Earl of *Derby* commended and nominated two Perſons to the Biſhoprick, humbly praying her Majeſty to write to the Archbiſhop of *York*, to conſecrate and inſtall them; which was done accordingly: and that in the ſeventh of *Jac.* I. the ſole Patronage of this Biſhoprick was confirmed to the Earl of *Derby* and his Succeſſors.

518. 7. A general Liſt of Preſentations to Benefices, in the ninth Year of this Reign.

608. 8. ANOTHER of thoſe in his tenth Year.

768. 9. ANOTHER of thoſe in his eleventh Year.

Proviſions.

64. 1. A Proclamation againſt the Exportation of Corn and Grain, by reaſon of the late unſeaſonable Weather; dated at *Greenwich*, *May* 2, 1629.

116. 2. ANOTHER for reſtraint of killing, dreſſing, and eating of Fleſh in *Lent*, or on Fiſh-days appointed by Law; dated at *Whitehall*, *Jan.* 18, 1630. It is of the ſame kind with thoſe taken notice of in our Extract of the former Tome of the *Fœdera*.

195. '3. A Proclamation for preventing the 'Dearth of Corn and Victuals; dated at 'Hampton-Court, *Sept.* 28.' It took notice, that there was very great Expectation at that time; of a general ſcarcity of Corn, *&c.* in the following Year; and, therefore it is hereby required, that according to ancient and laudable Cuſtom there be a general Abſtinence from Suppers on *Fridays*, and on the Eves of Faſt-Days, and on *Wedneſdays* and *Saturdays* in the Ember Weeks, and the *Lent*-Seaſon; and that the Poor may be relieved out of what ſhall be ſaved by ſuch Abſtinence, and by a ſober and moderate Diet at other Times. The Feaſts uſually kept at the Companies Halls in *London*, were for the ſame reaſon to be forbore; and it was recommended by his Majeſty to ſuch Perſons whoſe turn it came to be, to bear the Charges of thoſe Feaſts, to allow, at leaſt, one Half of the Charge which they hereby ſave to the Relief of the Poor. CHARLES I.

329. 4. ANOTHER Proclamation, forbidding the eating and ſale of Fleſh in *Lent*, and other prohibited Times; dated at *Weſtminſter*, *Jan.* 27, 1632.

376. 5. ANOTHER, commanding the due Execution of the Laws concerning *Lent* and Faſting-Days; dated at *Greenwich*, *June* 24.

448. '6. A Proclamation for ſettling the 'Price of Victuals within the Verge of the 'King's Houſhold, during his intended 'progreſs to *Scotland*; dated at *White-'hall*, *May* 4, 1633.' The Clerk of the Market of the Houſhold was to aſſeſs the Prices of all Proviſions, or elſe his lawful Deputy, and to fix the ſame upon the Gates of the Court, and other Places in the Verge; which Rates were to be conformed to, both by Buyer and Seller, on pain of Impriſonment, Fine, and ſuch farther Puniſhment as ſhould follow.

449. 7. ANOTHER of the Day following, for the good Government of the King's Houſhold in his Journey to and from *Scotland*.

476. '8. His Majeſty's Confirmation of a De-'cree for the Prices of Victuals which was 'made the thirteenth of *November*, in the 'Court of Star-Chamber.'

INGROSSING of Victuals, and particularly of Hay, being therein declared to be a great occaſion of inhancing the Prices, and being an act puniſhable both by the Statute and Common-Law; the Judges and Juſtices were required to make diligent ſearch for ſuch Ingroſſers, and to ſee them ſeverely puniſhed. No Chandler was hereafter to buy any Corn, Meal, or Flour, to ſell again: No Taverner, or Vintner, was to ſell, or make ready for ſale, any ſort of Fleſh, or Fiſh, or other Victual but Bread; nor cauſe, or procure the Trade of a Cook to be ſet up under his Roof, or in his Neighbourhood, or permit any thing but Bread to be brought into his Houſe, to be eat by any of his Gueſts: No Baker was to ſell Bread for more than thirteen to the

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Dozen. None that kept Ordinaries, or Victualling Houſes, were to take more than 2 *s.* *per* Head for a Meal, nor more than 8 *d.* for each Servant attending his Maſter. No Taverner, or other Victualler, was to ſuffer Cards, Dice, Tables, or other unlawful Games at his Houſe. No Inn-keeper, or other, in *London*, or within ten Miles, was to take more than 6 *d.* for a Horſe ſtanding in his Stable, at Hay, a Day and a Night, nor more than 6 *d.* for a peck of Oats, without taking any thing for Litter, nor more than 1 *d.* for ſtanding of a Horſe in his Stable a whole Day without Meat, nor more than 2 *d.* for a Horſe ſtanding at Hay in the Day, and going away before Night. This Act was dated the fourteenth of *Dec.* 1633.

514 9. A Proclamation for the Prices of Poultry, Rabbets, Butter, Candles, Charcoal, and all manner of Fewel and Wood; dated at *Whitehall, Feb.* 12, 1634.

579 '10. A Proclamation to reform and prevent Frauds in the Weights, and Casks, 'of Butter; dated *Nov.* 13, 1634. at '*Theobalds.*'

It was founded on a Petition of the Freemen of *London*, trading in Butter and Cheeſe, ſhewing, that whereas every Firkin of Butter uſed, time out of mind, to weigh 56 lb. neat, beſides the Cask, and the Cask 8 lb. and no more; yet by the Avarice and Fraud of the Makers and Packers of Butter, moſt part of the Firkins fill'd and pack'd, weigh'd ſome 12, and ſome 14 lb. the empty Cask: and both Cask and Butter, for moſt part, weighed not above 60 or 62 lb. and that the Makers and Packers of Butter commonly pack'd up corrupt Butter with their beſt Cream Butter. And it declares that, purſuant to the Petition and Recommendation of the Freemen of *London*, his Majeſty, on the 2d of *July* laſt, by his Letters-Patent, created and made an Office, as well for the Gauging of Butter, as for the branding and marking of all empty Butter-Casks and Veſſels, and granted the ſaid Office to Captain *John Read* during his natural Life, to be executed by him and his Deputies throughout *England* and *Wales*, to receive from all Perſons, who ſhall bring ſuch Cask or Veſſel to be marked or branded, 2 *d.* for every Firkin, and in proportion for every leſſer or greater Cask or Veſſel. And by this Proclamation all Makers and Packers of Butter were forbid to fill or pack up any Butter after the 1ſt of *March* next, in any Veſſel whatſoever, 'till marked as aforeſaid by Captain *John Read*, or his Deputies: all Perſons were likewiſe forbid to buy Butter put up in any Veſſel, which had not ſuch Mark; and the making or packing of bad Butter with good Cream Butter was prohibited, on pain of incurring the Penalties of the *Star-Chamber*.

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'11. A Proclamation againſt the Exportation of Butter; dated at *Oatlands*, *July* '28, 1635.' 648.

It appears that this King, in the 6th Year of his Reign, had granted Letters-Patent to *George* Lord *Goring*, and Sir *Henry Hungate*, for exporting 3200 Barrels of Butter yearly from *Boſton*, *Hull*, and *Newcaſtle*, for the Term of 21 Years, at ſuch times only, as Butter was not above 4 *d.* a Pound.

12. A Commiſſion to Sir *Anthony Drury*, &c. to inquire into the Frauds committed by his Majeſty's Purveyors for the County of *Norfolk*; dated at *Canbury*, *Aug.* 17. 652.

'13. A Commiſſion under the Privy-Seal to Sir *Henry Spiller*, Sir *Abraham* '*Dawes*, and others, for reſtraining the 'Exportation of ſalted Butter out of the 'Kingdom without legal Authority; dated 'at *Weſtminſter*, *Feb.* 23, 1636.' 754.

They were to inquire into, and puniſh all Frauds committed in this Article, from the beginning of this Reign to the 15th of *September* laſt.

Revenue.

'1. A Warrant of Privy-Seal to the 'Chancellor of the Exchequer, *&c.* for the 'Payment of divers Sums of Money due 'from the Crown to the late Duke of *Bucks*; 'dated at *Weſtminſter*, *May* 18, 1629.' 73.

'Tis obſervable, that mention is herein made of 10,000 *l.* remaining unſatisfied upon a Privy-Seal of 20,000 *l.* in the Name of *Philip Burlemachi*, dated *Octob.* 12, 1625. and of 5353 *l.* unpaid upon another Privy-Seal for 6000 *l.* in the name of the ſaid *Burlemachi*.

Mr. *Ruſhworth*, who has inſerted a Privy-Seal by King *Charles*, directed to the Treaſurer, *&c.* of the Exchequer, to pay to *Philip Burlemach* of *London*, Merchant, the Sum of 30,000 *l.* to be remitted to him by Bill of Exchange into the *Low-Countries* and *Germany*, to Sir *William Balfour* and *John Dalbier*, Eſq; for levying and providing certain Numbers of Horſes, with Arms for Horſe and Foot, to be brought over to *England* for the King's Service; ſays, that this Merchant being called before the laſt Houſe of Commons, confeſs'd that he received the ſaid 30,000 *l.* by Privy-Seal for the buying of Horſes, that 1000 of them were actually levied, that thoſe Horſes and their Riders were to come over, and Arms provided for them in *Holland*; but that he heard a Countermand was gone to ſtay them.

It was upon the Diſcovery which the aforeſaid Houſe of Commons made of this Privy-Seal, that they grounded their Complaint

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plaint in their Remonſtrance of the King's Deſign to bring Foreign Forces into the Nation.

107. 2. A Warrant of Privy-Seal to *Richard* Lord *Weſton*, Lord High-Treaſurer, to execute all the Power and Authority veſted in Sir *Francis Cottington*, as Under-Treaſurer of the Exchequer, during his abſence in *Spain*, whither he was going Ambaſſador. 'Tis dated at *Weſtminſter*, *Oct.* 27, 1629.

123. 3. A ſpecial Commiſſion to the Lord High-Treaſurer, *&c.* to inquire into the Value of the Lands alienated from the Crown, and to compound with the Owners; dated *Feb.* 24, 1630, under the Privy Seal.

129. '4. A Commiſſion, under the Privy-Seal, 'to inquire into the Quantity and Value of 'the Goods and Merchandiſe taken by 'Captain *David Kirk* from the *French* 'that were remaining in the College of the 'Jeſuits at *Quebec* Fort in *Canada*; dated '*March* 5.'

THE *French* Settlements in *Canada*, which this Officer deſtroyed, were recovered by them in the Reign of King *Charles* II.

467. 5. A Commiſſion to examine and paſs the Accompts of *Henry Poer*, Viſcount *Valencia*, and Maſter of the Ordnance, who was by the late Duke of *Bucks* preferred to be Colonel of a Regiment of Foot in the Expedition to *Cadiz*. 'Tis dated at *Weſtminſter*, *May* 14, 1633.

721. 6. A ſpecial Warrant to the Treaſury to deliver out to the Queen Conſort, that called the *Queen's Gold*, ariſing from the Fines and other Sums of Money, out of which the Queen's Gold ought to be levied; dated at *Weſtminſter*, *Jan.* 19, 1636.

Riots.

96. 1. A Proclamation for diſcovering and apprehending of thoſe Malefactors, who were Actors in the late inſolent Riots and Murders committed in *Fleet-ſtreet* on the 10th Day of *July*, of which we gave an account in *p.* 756. The Surgeons eſpecially, who had any hurt or wounded Men in their Cure, were enjoined to diſcover them to the Lord-Preſident of the Council, *&c.* if they knew, or but ſuſpected them to have been Actors in the ſaid Tumult. This Proclamation is dated at *Whitehall*, *July* 18, 1629.

705. 2. A Commiſſion to *Thomas* Earl of *Arundel*, and others, to ſuppreſs certain unlawful and riotous Aſſemblies on the Borders, contrary to the Peace of both Kingdoms; dated at *Weſtminſter*, *Nov.* 30, 1635.

Rivers.

597. 1. A Grant under the Privy-Seal enabling *Thomas Skipwith* to make the River *Soare*, which falls into the *Trent*, navigable for Boats and Barges from the Town of *Leiceſter*; dated *March* 10, 1635.

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686. 2. A ſpecial Commiſſion for making the River *Wey*, that runs from *Guilford* into the *Thames* at *Weybridge*, navigable for Barges, Boats, *&c.* dated at *Canbury*, *Sept.* 8, 1635.

Ship-Money.

6, 8. 1. A ſpecial Writ to *Thomas* Lord *Coventry*, Lord-Keeper of the Great Seal, requiring him, for the Safeguard of the Seas, and Defence of the Realm, to iſſue forth Writs from the High Court of Chancery, with Duplicates of them under the Great Seal, to the ſeveral Counties, Cities and Towns of *England* thereafter mentioned, to provide Ships, Men, Ammunition, Proviſions and Wages.

THE City of *London*, which by the Writ bearing *Teſte* the 20th of *October*, 1634, was commanded to provide ſeven Ships of War, furniſhed with Men, Victuals, and all warlike Proviſions and Ammunition, to be at *Portſmouth* by the firſt of *March* next enſuing, and to continue from thence 26 Weeks in the King's Service, for Defence of the Seas, and other Cauſes in the ſaid Writ contained, preſented an humble Petition to the King, ſetting forth, that *they thought themſelves exempt and free from that Charge by ancient Privileges, Grants, and Acts of Parliament, which they were ready to produce.* But this Plea was ſo far from inducing the King to lay the Project aſide, that the Tax, which was impoſed in the Year 1634 for the Year 1635 upon the Maritime Towns only, was in 1635 extended for 1636 all over the Kingdom, to the Inland Counties and Towns.

THE Reaſon, or rather Pretence, for this General Tax, was the great Danger of the Kingdom from Privateers and Pyrates, and from the League lately concluded between *France* and the *Low-Countries*; from whence the King inferred, that the two moſt conſiderable Maritime Powers being united, it was abſolutely neceſſary, that *England* ſhould have a ſtrong Fleet to preſerve the Dominion of the Sea, otherwiſe ſhe might be inſulted, and her Trade diſturbed. This Tax being impoſed ſolely by virtue of the Prerogative-Royal, ſeveral Perſons refuſed to pay it, and ſome actually ſued the Magiſtrates and other Officers appointed to levy it, aſſerring *that the* Subject *could not be taxed but by Act of Parliament*. This Oppoſition was the Reaſon that in the year 1636, Ship-Money amounted to no more than 200,000 *l.* tho' the King expected a much larger Sum. Mean while his Majeſty imagining, that by help of this Tax he ſhould have a ſettled Revenue; beſides, that it wou'd be a Precedent to exert his

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his Prerogative on other Occaſions, reſolved to ſupport his Project at any rate.

BUT to guard it againſt all Objections of its being illegal and contrary to his Anſwer to the *Petition of Right*, he had a mind to ſhew he was authorized on this occaſion to make the moſt of his Prerogative. To that end, he conſulted the Judges of the Realm, who depending wholly upon the Court, very readily decided the matter for the King, and gave him their Opinion in Writing; but *Whitelock* ſays, it was very much owing to the Sollicitation of the Chief-Juſtice *Finch*, who promiſed preferment to ſome, and ſeverely threatened others whom he found doubting. The King apprehending that the Examples of ſeveral, who refuſed to pay this Tax, might be of dangerous Conſequence, publiſhed their Opinion for the Satisfaction of his Subjects; nevertheleſs, it created a general Offence and Odium. The Nobility and Gentry had reaſon to be jealous of any Methods of raiſing Money out of Parliament. The Merchants and Traders had the mortification to think that at laſt the whole Burden of it would lie upon them: tho' the Clergy at preſent were taxed as well as the reſt, yet they were favoured in the Levy; and the Country-Farmers thought it little leſs than ſeizing their Corn and Cattle to be ſent on ſhipboard. The Murmurs were indeed ſo univerſal, and ſo artfully improved by the Enemies of the Court, that they looked upon the Death of the Attorney-General *Noy* *, who projected it, (which happened on the 9th of *Auguſt* 1634.) as a Judgment on him from Heaven. Lord *Clarendon* ſpeaking of this matter, ſays, that 'Sir *John Finch*, Chief-Juſtice 'of the *Common-Pleas*, took up Ship-'Money, where Mr. *Noy* left it, and car-'ried it up to a Pinnacle, from whence he 'almoſt broke his own Neck, having in-'fluenced his Brethren to concur in a Judg-'ment, which they had all cauſe to repent.'

DR. *Kennet* ſays, that the Charges which were given by the Judges at the Aſſizes, in favour of this Impoſition, only alarm'd the Country-People, and made them feel the Burthen before it touch'd them.

IN *London*, *Richard Chambers* a Merchant, the ſame that ſuffered ſo much for Tonnage and Poundage, being committed Priſoner by Sir *Edward Bromfield* Lord-Mayor, for refuſing to pay Ship-Money, commenced a Suit againſt him for Treſpaſs and falſe Impriſonment; but Sir *Robert Berkeley*, one of the Judges of the King's Bench, would not ſuffer the Legality of Ship-Money to be ſo much as argued by *Chambers*'s Counſel, declaring in open Court, 'That 'there was a *Rule of Law* and a *Rule of* '*Government*; and that many things which 'might not be done by the Rule of Law, 'might be done by the Rule of Govern-'ment.' But this Diſtinction was thought new and dangerous, and this ſilencing of a Cauſe made People more ſuſpicious of the Merits of it.

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THE City of *London*, who had moſt ability, and indeed moſt reaſon to bear the Burden, betrayed ſo much Averſion to it, that the Lords of the Privy-Council wrote to them to adviſe their Submiſſion; but they met with ſuch a ſtout Return, that their Lordſhips were forced to write again on the eighth of *Auguſt*, 1636, to inform the Lord-Mayor and Court of Aldermen, that 'they had received a denial by ſome 'of the Aldermen, in the Name of the Ci-'ty, to their late Letter, for the ſetting 'forth of Shipping, and Excuſes had been 'ſince made on the like occaſion; which 'they could not impute to any thing but 'want of Duty: and therefore in his Ma-'jeſty's Name, their Lordſhips require them 'to ſee the Directions of their Letter per-'formed upon their Allegiance, and as they 'will anſwer the contrary at their Peril.' When the City perceived they could not ſhake off the Burden, they, however, deſired a Mitigation of it, and therefore, on the eleventh of *Auguſt*, petitioned for an Abatement, ſays Dr. *Kennet*, of the twenty Ships rated upon the City, to ten Ships, and two Pinnaces; but this too was denied in a manner, that made the Denial more grievous: for Mr. Secretary *Cook*, by Order of the Privy-Council, told them, 'That the former Commandment was ne-'ceſſary, and the Charge upon them was 'not immoderate; that Petitions and Plead-'ings againſt ſuch Commandment, were 'not to be received; and that they ought 'to know, that the Precedents of former 'Times were Obedience, and not Direction.' Now it was that the King conſulted his Judges, by Letters dated the ſecond of *Feb.* 1636, in the twelfth Year of his Reign, the Influence and Effect of which, is thus deſcribed by Lord *Clarendon*.

'It is notorious, that the Preſſure of Ship-'Money was borne with much more Chear-'fulneſs before the Judgment, than ever 'it was afterwards; Men before, pleaſing 'themſelves with doing ſomewhat for the 'King's Service, as a Teſtimony of their 'Affection, which they were not bound to 'do. But when they heard this demanded 'in

* *Ruſhworth* ſays, that after his Deceaſe, Papers were put upon Poſts reflecting on him; that his Body being opened, a Bundle of Proclamations was found in his Head, Moth-eaten Records in his Maw, and a Barrel of Soap in his Belly; alluding, no doubt, to the Multiplicity of Proclamations in this Reign, and to the old Records, which were tumbled over every day to find Patterns for Monopolies, *&c.*

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'in a Court of Law, as a Right, and 'found it by ſworn Judges of the Law 'adjudged ſo, upon ſuch Grounds and 'Reaſons, as every Stander-by was able 'to ſwear was not Law, and ſo had loſt 'the Pleaſure and Delight of being kind 'and dutiful to the King, and inſtead of 'giving were required to pay; and by a 'Logic, which left no Man any thing that 'he might call his own. They no more 'looked upon it as the Caſe of one Man, 'but the Caſe of the Kingdom; nor as an 'Impoſition laid on them by the King, but 'by the Judges, which they thought them-'ſelves bound in Conſcience to the Public 'Juſtice not to ſubmit to. The Damage 'and Miſchief, adds the noble Lord, cannot 'be expreſſed which the Crown and State 'ſuſtained by the deſerved Reproach and 'Infamy that attended the Judges, by be-'ing made uſe of in this, and the like Acts 'of Power, there being no poſſibility to 'preſerve the Dignity, Reverence and Eſti-'mation of the Laws themſelves, but by 'the Integrity and Innocency of the Judges.'

THE Ships and Compliments of Men, which every County was charged to furniſh beſides double Equipage, Ammunition, Wages, and Victuals for each Ship, are ſet down in this Tome of the *Fœdera*, from p. 658, to 670, as follows.

COUNTIES.	Ships.	Tons.	Men.
Dorſet	1	500	200
Cornwal	1	650	260
Leiceſterſhire	1	450	180
Middleſex	1	550	220
Suffolk	1	800	320
Huntingtonſhire	1	200	80
Bucks	1	450	180
Bedfordſhire	1	300	120
Derbyſhire	1	350	180
Hertfordſhire	1	400	160
Norfolk	1	800	320
Cumberland and Weſtmoreland	1	100	40
Yorkſhire	2 each	600	240
Staffordſhire	1	200	80
Wiltſhire	1	700	290
Herefordſhire	1	400	160
Monmouthſhire	1	150	60
Shropſhire	1	450	180
Surry	1	400	160
Hampſhire	1	600	280
Warwickſhire	1	400	160
Devon	1	900	360
Kent	1	800	320
Northamptonſhire	1	600	240
Nottinghamſhire	1	350	180
Berkſhire	1	400	160
Eſſex	1	800	320
Oxfordſhire	1	350	140
Rutlandſhire	1	100	40
Briſtol	1	200	80
Glouceſterſhire	1	550	220
Cambridgeſhire	1	350	140
Lincolnſhire	1	800	320
Somerſet	1	800	320
Northumberland	1	500	200
Worceſterſhire	1	400	160
Suſſex	1	500	200
London	2 each	800	320
Durham	1	200	80
Lancaſhire	1	350	140
Cheſhire	1	350	100
South-Wales	1	500	200
North-Wales	1	400	160

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MR. *Ruſhworth* has alſo ſet down the Sums impoſed on the ſeveral Counties, and the Corporate Towns in each County; for example,

Counties and Towns.	*Charge.*
Berkſhire	*l.* 4000
Windſor	100
Wokingham	50
Newbury	120
Reading	260
Abington	100
Wallingford	20
Buckinghamſhire	4500
Buckingham Town	70
Chipping-Wycomb	50
Bedfordſhire	3000
Bedford Town	140
Briſtol	1000
Cornwal	5500
Saltaſh	40
Weſtlow	18
Eaſtlow	36
Truro	70
Penryn	48
Penſance	28
Padſtowe	70
Leskard	40
Leſtwithiel	20
Kellington	20
Tregony	33
Grampound	29
Launceſton	80
Helſton	40
Boſſiney	36
Bodmyn	83
St. Mawes	10
Camelford	10
Cambridgeſhire	3500
Cambridge Town	100
Cumberland and Weſtmoreland	1400
Kirkby-Kendale	15
Appleby	5
Carliſle	20
Cheſhire	3000
Cheſter	260
Devonſhire	9000
Exeter	350
Dartmouth	80

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Counties and Towns.	Charge.
Totneſs	l.120
Plympton	35
Plymouth	190
Tiverton	130
Biddiford	40
Barnſtaple	150
Torrington	160
Oakhampton	30
Bradmintch	50
South-Molton	45
Derbyſhire	3500
Derby	175
Cheſterfield	50
Dorſetſhire.	5000
Poole	30
Dorcheſter	45
Wareham	25
Weymouth and Melcomb-regis	40
Bridport	20
Corffe	40
Lyme-regis	40
Shaftesbury	35
Blandford	25
Durham	200
Durham City, and Framwell Gate	150
Eſſex	8000
Thaxted	40
Walden	80
Colcheſter	4000
Malden	80
Harwich	20
Glouceſterſhire	5500
Glouceſter	500
Tewksbury	60
Chipping-Camden	20
Hampſhire	6000
Portſmouth	60
Southampton	195
Winchester	190
Andover	50
Rumſey	30
Baſingſtoke	60
Herefordſhire	3500
Hereford	220
Lempſter	44
Hertfordſhire	4000
Hertford	55
St. Albans	120
Barkhamſtead	25
Huntingtonſhire	2000
Huntington Town	50
Godmancheſter	80
Kent, and the Cinque-Ports	8000
Canterbury	300
Dover and its Members	330
Sandwich and its Members	250
Hythe	40
New Romney and its Members	180
Oſwaldſton and Tenterden	90
Queenborough	10
Maidſtone	160
Cranbrook	200

Counties and Towns.	Charge.
Graveſend and Milton	l.40
Rocheſter	80
Lancaſhire	1000
Preſton	40
Lancaſter	30
Liverpoole	25
Wigan	50
Clitherow	7
Newton	7
Leceiſterſhire	4500
Leiceſter Town	200
Lincolnſhire	8000
Lincoln	193
Boſton	70
Gr. Grimsbey	15
Stamford	60
Grantham with the Soke	200
LONDON	14000
Middleſex	5000
Weſtminſter and the Liberties	1180
Monmouthſhire	1500
Monmouth Town	40
Newport	23
Northamptonſhire	6000
Northampton	200
Higham Ferrers	36
Peterborow	120
Daventry	50
Brackley	50
Nottinghamſhire	3500
Nottingham	200
Newark on Trent	120
Eaſt Retford	30
Northumberland	2100
Newcaſtle on Tyne	700
Berwick upon Tweed	20
Morpeth	20
Norfolk	7800
Norwich	500
Kings-Lynn	300
Great Yarmouth	220
Thetford	30
Caſtleriſing	10
Oxfordſhire	3500
Oxford City	100
Burford	40
Chipping-Norton	30
Henly upon Thames	60
Woodſtock	20
Rutlandſhire	800
Somerſetſhire	8000
Bridgewater	70
Minehead	60
Bath	70
Wells	60
Axbridge	30
Taunton	100
Ilcheſter	30
Lang-port Eſtover	20
Yeovill	30
Surry	3500
Guildford	53
Southwark	350
Kingſton	88
Suſſex	

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Counties and Towns.	Charge.
Suſſex	*l.* 5000
Haſtings	250
Chicheſter	150
Arundel	20
Shoreham	10
Suffolk	8000
Ipſwich	240
Aldborough	8
Dunwich	4
Southwold	8
Hadleigh	120
Eye	30
Staffordſhire	3000
Litchfield	150
Stafford	30
Newcaſtle under Line	24
Walſall	32
Shropſhire	4500
Shrewsbury	456
Bridgenorth	51
Ludlow	102
Biſhops-Caſtle	15
Oſweſtry	51
Wenlock	302
Warwickſhire	4000
Coventry	266
Warwick	100
Birmingham	100
Sutton Colefield	80
Stratford on Avon	50
Worceſterſhire	3500
Worceſter	233
Eveſham	74
Bewdly	62
Droitwich	62
Kidderminſter	27
Wiltſhire	7000
New-Sarum	240
Marlborough	100
Deviſes	50
Chippenham	30
Wilton	5
Yorkſhire	12000
York	520
Rippon	40
Doncaſter	100
Pontefract	60
Richmond	50
Leeds	200
Heydon	20
Beverley	57
Scarborough	30
Kingſton upon Hull	140
North-Wales	4000
Denbigh County	768
Denbigh Town	32
Ruchyn	194
Holt	10
Flintſhire	848
Flint	16
Carnarvanſhire	728
Carnarvan Town	10
Angleſey	448

Counties and Towns.	Charge.
Beaumaris	*l.* 14
Montgomeryſhire	838
Montgomery Town	12
Merionethſhire	416
SOUTH-WALES	5000
Glamorganſhire	449
Cardiffe	60
St. David's	13
Carmarthenſhire	760
Carmarthen Town	50
Kidwell	44
Pembrokeſhire	713
Pembroke Town	10
Haverford Weſt	65
Radnorſhire	290
Radnor Town	6
Reſtinge	28
Brecknockſhire	933
Brecknock Town	54
Cardiganſhire	654
Cardigan Town	10

CHARLES I.

MR. *Ruſhworth* is apprehenſive, that there may be ſome Miſtake committed in the Sums of the *Welch* Counties, becauſe the Copy thereof, given to the Printer, was obſcurely written.

HE has given the Names of thoſe Lords who ſigned the Inſtructions for aſſeſſing and levying the Ship-Money for 1635, as follows:

William Laud, Archbiſhop of *Canterbury*.
Lord-Keeper *Coventry*.
Dr. *Juxon*, Biſhop of *London*.
Henry Mancheſter.
J. Lenox.
Lindſey.
Arundel.
Pembroke.
Edward Dorſet.
Edward Newburg.
Fra. Cottington.
Henry Vane.
Thomas Jermin.
John Cook.
Francis Windebank.

WHITELOCK ſays, that 'when the 'Judges were ordered by the Lord-Keeper 'Coventry to promote this Tax in their 'Circuits, and to perſuade the People to a 'ready Obedience to the Writs for Pay-'ment of it, they went about it in their 'Charges at the Aſſizes with great Zeal 'and Gravity, but did not convince many 'of the Legality of it; and tho' this ille-'gal Pill was gilt, it would not go down: 'but many People, eſpecially the knowing 'Gentry, expreſs'd great Diſcontent at this 'Burden, as an Impoſition againſt Law, and 'the Rights of the Subjects.'

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'2. A special Commission to *Robert* Earl 'of *Lindsey* and others, for the preparing 'and furnishing of Ships; dated at *West-'minster*, *Nov.* 16, 1635.'

IT declares that the King having sent his Writs to the Sheriffs of the Counties, and Magistrates of Towns, for providing and equipping 45 Ships and Pinnaces at their own Charges, with Men, Rigging, Ammunition, and other Necessaries for the Year ensuing, was pleased to lend Ships and Pinnaces of his own to those Counties and Towns that could not find them for the Service, and desired to be supplied therewith by the Government. Accordingly the Officers of the Army were to furnish them with such Ships, Men, and Provisions, and the Master of the Ordnance was to provide the necessary Guns and Ammunition, for which the Treasurer of the Navy was to receive from the Sheriffs and Magistrates of the Counties and Towns all the Moneys to be paid in for the said Ships, *&c.*

Titles to Estates.

4' 1. A Proclamation by the King at *Whitehall*, *Dec.* 6, 1628, declaring his Majesty's Royal Grace and Pleasure to confirm to his Subjects their defective Titles, Estates, and Possessions, (as well by colour of former Grants, as without any Grant from the Crown,) by his Commission issued for that 670. purpose. *See others of the same kind, p.* 167. All which were with a View to bring in more Revenue to the Crown: for the Monies which were to come to the Exchequer, upon the Composition with the Popish Recusants, fell very short; and the King, instead of receiving two full Thirds of their Estates, had little above a 10th or a 12th, especially in the North, where the Compositions were highest. For example, *Roger Widdrington* of *Cartington* in *Northumberland*, Esq; paid 60 *l.* a Year into the Exchequer, his Estate being worth above 500 *l.* a Year; *William Anderton*, of *Anderton* in *Lancashire*, Esq; paid but 20 *l.* a Year, his Estate being equal to *Widdrington*'s; *Francis Harcourt* of *Ranton* in *Staffordshire*, paid but 25 *l.* a Year, tho' his Estate was worth above 200 *l.* a Year; Sir *Henry Merry* of *Derbyshire*, and Sir *Ralph Ellecare* of *Yorkshire*, whose Estates were worth 600 *l.* a Year, the former paid but 66 *l.* 13 *s.* 4 *d.* a Year, and the latter only 50 *l.* a Year; and Sir *John Thimbleby* of *Lincolnshire*, Knt. paid but 160 *l.* a Year, tho' his Estate was estimated at 1500 *l. per Annum*. The Deficiency of this and other Projects, put *Noy* the Attorney-General upon the above-mentioned Project of Ship-Money.

5. 2. AN Abstract of the several Heads and Branches of his Majesty's Commission of Grace, for the Securing, Settling, and Confirming to his Subjects their defective Titles, Estates, and Possessions, by which his Majesty's Commissioners have power to compound. CHARLES I.

97. 3. A special Commission, under the Privy-Seal, ordering Letters-Patent to be made forth, under the Great-Seal, and directed to certain *Scots* Gentlemen therein mentioned, to examine the Claim of the Earl and Countess of *Suffolk* on the one part, and of Sir *David Hume* of *Wedderbury* on the other, to certain Fisheries in the Water of *Tweed*, which had been the occasion of unlawful Assemblies, Riots, and other Misdemeanors. 'Tis dated at *Westminster*, *Aug.* 5, 1629.

167 '4. A Proclamation, dated at *Whitehall*, '*May* 27, 1630, of the same kind with the 'above, dated the 6th of *December*, 1628.'

THE Design of these Commissions was opposed by the Judges, who were the occasion of quashing it. But tho' the King receded, yet the Fondness he discovered for it, deprived him of the Merit of dropping it, for it look'd as if the Court was pursuing Measures not justifiable by Law. Mr. *Rapin* observes, that the King pretended these were Acts of pure Grace and Favour, and that all his Aim was to secure the Possession of Lands to those, who held them by disputable Titles. But notwithstanding this, these Commissions were look'd upon as a manifest Oppression. The truth is, says he, that under colour of examining defective Titles, all the Proprietors were obliged to produce their Titles; to which, how good soever they might be, the Commissioners were sure to make Objections. So, to avoid a Law-Suit with the King, in which they were certain they should be cast, considering how the Judges stood affected, the Proprietors were forced to compound with the Commissioners, and give a Sum of Money to secure their Lands from the danger of being re-annexed to the Crown. A certain Author says, these Commissions were much like to that granted by *Henry* VII. to *Empson* and *Dudley*, for taking Fines and Forfeitures on obsolete Penal Laws.

585. '5. A special Commission to the Lord '*Cottington*, &c. to compound with the 'Owners of divers Lands, for the Purchase 'thereof, in order to inclose the same as a 'new Park for Deer near *Richmond*; dated 'at *Westminster*, under the Privy-Seal, '*December* 12, 1634.'

IT extends into the Parishes, Villages, and Hamlets of *Richmond*, *Petersham*, and *Ham*, *Kingston*, *Wimbledon*, *Mortlake*, &c. and is inclosed by a Brick Wall of eleven Miles in circuit.

6. A Commission granted to the Archbishop of *Canterbury*, Lord High-Treasurer, the 670.

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the Lord-Keeper of the Great-Seal, the Lord Privy-Seal, the Chancellor of the Exchequer, the two Secretaries of State, *&c.* to confirm the defective Titles of ſuch as held Lands of the Crown; dated at *Canbury*, *Aug.* 23, 1635.

678. 7. A Schedule expreſſing the defective Titles in the above Commiſſin

681. 8. A Proclamation declaring his Majeſty's Royal Grace and Pleaſure to confirm to his Subjects their defective Titles in their Lands and Poſſeſſions, by his Commiſſion lately renewed and enlarged to that purpoſe; dated the 24th of *Auguſt* at *Oatlands*.

Tobacco.

235. ‘1. A Proclamation concerning Tobacco, ‘dated at *Whitehall* the 6th of *January*, ‘1631.’

IT commanded that no Tobacco ſhould be planted, preſerved, or maintained in *England*, *Ireland*, or *Wales*, or in the Iſles of *Jerſey* and *Guernſey*, and that no Perſon ſhould buy or ſell ſuch Tobacco, the ſame being unwholeſome, and therefore to be diſplanted and deſtroyed. That no Tobacco ſhould be imported from Countries under the Obedience of any Foreign Prince or State, but ſuch only as ſhould particularly be allowed to be imported from thence according to Treaties, leſt the Subjects ſhould unthriftily vent the ſolid Commodities of our own Kingdoms, and return the Proceed thereof in Smoak. And that no Tobacco of our Plantations in *America* be imported at any other Port but *London*, and even there no more than what ſhould be declared under the Privy-Seal to be ſufficient for Home-Conſumption, to prevent an immoderate Expence of ſo vain and needleſs a Commodity, which ought to be uſed as a Drug only, and not ſo vainly and wantonly, as an evil Habit of late Times hath brought it into. Care was alſo to be taken in the ordering of it, that the Subjects ſhould not be abuſed by corrupt Tobacco.

THIS Proclamation was founded upon a Petition of the *Virginia* Planters, and the Retailers and Sellers of Tobacco in and about *London* and *Weſtminſter*, ſetting forth, that by the Importation of *Braſil* and *Spaniſh* Tobacco, and of unſerviceable Tobacco brought from our own Plantations, and by the Uſe of Tobacco planted in ſeveral Parts of this Kingdom, our *American* Plantations, depending ſolely on Tobacco, were in danger of being ruined, and the Bodies and Manners of our People in a fair way to be corrupted.

474. ‘2. A Proclamation for preventing of ‘the Abuſes owing to the unordered Re‘tailing of Tobacco; dated at *Whitehall*, ‘*October* 13, 1633.’

IT takes notice that Tobacco, which was at firſt imported in ſmall Quantities under the Notion of a Medicine, and ſo uſed by divers People, came in proceſs of time to be taken in great Quantities for Wantonneſs and Exceſs, to ſatisfy the inordinate Appetite of great numbers of both Sexes, whom it provoked to Drinking and other Inconveniencies, to the great impairing of their Healths, and depraving of their Manners. Therefore no Perſon that kept a publick Houſe, or ſold any ſtrong Liquors, were to vend it, nor any others, without a Licence. CHARLES I.

3. ANOTHER Proclamation for reſtraining the abuſive Vent of Tobacco, forbidding all Perſons to ſell it by Retail without a Licence from his Majeſty; dated at *Newmarket*, *March* 13, 1634. 512.

4. A Proclamation concerning the Landing of Tobacco, and alſo forbidding the Planting of it in the King's Dominions; dated *May* 19, at *Greenwich*. 553.

560. ‘5. A Commiſſion under the Privy-Seal, ‘to treat with the Perſons intereſted in the ‘Tobacco Plantations, that the King might ‘have the ſole Pre-emption of all that grew ‘on them, at ſuch Rates and Prices as were ‘fit to ſupport the ſaid Colonies; dated ‘*June* 19, 1634, at *Weſtminſter*.’

THIS Commiſſion was founded upon credible Information, as well as on the Petition of many of the poor Planters, that they were grievouſly oppreſs'd by the ſecret and indirect Trade of particular Merchants and Shop-keepers; who made a Prey of them and their Labours, by ſupplying their Neceſſities with Commodities at ſuch unreaſonable Rates, that they were uſually forced to pay 50 or 60 Pound Weight of Tobacco for a pair of Shoes, with ſuch like unconſcionable Advantages in other Merchandizes, that the poor Planters have ſcarce had Neceſſaries for their Bodies, but had engaged the greateſt part of their Crops beforehand to their ſaid Merchants and Shopkeepers; inſomuch that they only laboured and lived to inrich thoſe, who thus worked upon their Neceſſities, without being able to pay the King's Duties, or to apply themſelves to more noble, or ſtaple Commodities, whereby they might become of conſequence to the Crown of *England*; which unjuſt, and unconſcionable Courſe of the ſaid Merchants and Shopkeepers (as 'tis expreſs'd in the Commiſſion) had for ſome Years paſt been ſo grievous to the ſaid Planters, that they were forced, contrary to Expectation, not only to petition for Abatement of the Duties, but to beg their Bread from door to door, without any Help or Relief from the ſaid Merchants and Shop-keepers; by which means, and out of the woful Experience of their Miſeries, they had of late Years been compelled

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to offer their Tobacco to divers of the Merchants of *London*, tendring unto them a Contract for a Term of Years; which being refuſed, they were afterwards forced to ſend moſt of their Tobacco for Foreign Parts, without any Payment of the ordinary Duties to the King, any Regulation, either in quality or quantity of Tobacco, or any Reſpect to the King or his Dominions, from whence they had their annual Support of Men, Ammunition, and Proviſions: and this contrary to ſeveral Proclamations and Orders of Council; whereby the Plantations were in danger of being utterly ruined, and the Planters (who ſenſibly groaned under the Burthen,) of being wholly diſabled and impoveriſh'd.

CHARLES I.

Treaties.

66. 1. A Proclamation of the Peace concluded between *England* and *France*; dated *May* 10, 1629.

86. 2. A Commiſſion, under the Great-Seal, to Sir *Thomas Edmond*, Treaſurer of the King's Houſhold, to deliver the Articles to the King of *France*; dated at *Weſtminſter*, *June*, 11, 1629.

87. 3. The Articles of the Treaty, and their Ratification, by King *Charles*; dated as above.

88. 4. A ſpecial Commiſſion, under the Great-Seal, to Sir *Thomas Rowe*, Knt. to mediate a Peace betwixt the Kings of *Poland* and *Sweden*; ſigned on the ſame Day with the King's own Hand.

101. 5. King *Charles*'s Oath to obſerve it; ſigned with his own hand, *Sept.* 6.

172. '6. HIS Commiſſion to Sir *Robert Anſtruther*, to treat with the Electoral Princes, or the Ambaſſadors of the Empire at *Ratisbon*; ſign'd by the King at *Weſtminſter*, *June* 22.'

THE Ambaſſador preſented his Majeſty's earneſt Requeſt to the Emperor, that in regard to the many Interceſſions of his late Father, and other Kings and Princes, he would remit the Diſpleaſure conceived againſt his Brother the Elector-Palatine, and recall the Proſcription iſſued out againſt him; but all the Anſwer he received was, that the preſent Affairs depending in the Dyet were too important to admit of any Foreign Debate, but that the King of *Great-Britain* ſhould receive ſatisfaction at a more convenient Opportunity.

211. 7. A Proclamation for Peace with *Spain*; dated *Dec.* 5.

211. '8. THE King's Oath to obſerve the 'Treaty of Peace; dated *Dec.* 7.'

MR. *Rapin* obſerves, that after the King had undertaken the War with *France*, the *Spaniſh* War was no more talk'd of than if there had been no ſuch thing, tho' in all the Speeches to the foregoing Parliaments, and in all the Meſſages to the Commons, he had endeavoured to make believe how neceſſary this War was for the Welfare of all *Europe*, and eſpecially of *England*. Nay, he had frequently hinted that *England* and *Ireland* were in ſo great Danger of being invaded by the *Spaniards*, that it was impoſſible to be too ſpeedy in applying a Remedy to ſo urgent an Evil. And yet the *Spaniards* never made any Attempt that might confirm the Fears the King would have inſpir'd the Parliament with. The King of *Spain*, contented with not being attack'd, undertook nothing againſt *England*, well-knowing he was in no danger from that Quarter. However, after the Peace was concluded betwixt *France* and *England*, his Catholick Majeſty thought it likewiſe proper to clap up a Peace with *England*, in which he met with no manner of difficulty, *Charles* being by no means in a condition to carry it on.

219. 9. THE Treaty of Peace and Commerce, between King *Charles* and *Philip* IV. of *Spain*; ſign'd the 15th of *November*.

226. 10. THE King of *Spain*'s Oath to obſerve the ſaid Treaty; ſworn at *Madrid* the 17th of *December*.

267. 11. ANOTHER Commiſſion under the Great Seal to Sir *Robert Anſtruther*, to treat with the Emperor for the reſtoring the Elector Palatine to his Dominions, and for confirming the Peace; dated at *Weſtminſter* the 27th of *March* 1631.

268. 12. ANOTHER of the ſame date to treat with the Electoral Princes for the Purpoſes aforeſaid.

302. 13. A ſpecial Commiſſion to Sir *Iſaac Wake*, to treat of and conclude Matters for confirming the Peace, *&c.* with the King of *France*; dated at *Greenwich*, *June* 29.

303. 14. KING *Charles*'s Letter of the ſame date, promiſing to deliver up the Fort and Settlement of *Quebec* in *Canada* to the King of *France*, in purſuance of the Treaty of Peace.

317. 15. A ſpecial Commiſſion to Sir *Henry Fane*, Comptroller of the Houſhold, to confirm the Treaty of Alliance with *Chriſtian* IV. King of *Denmark*; ſign'd by the King's own Hand at *Weſtminſter*, *Sept.* 20, and ſealed with the Great Seal.

318. 16. ANOTHER of the ſame date, for his treating of, and concluding a more firm Peace with the King of *Sweden* and other Princes of *Germany*.

361. 17. A Treaty between King *Lewis* XIII. and King *Charles* for the Reſtoration of *New France*, *Acadia*, and *Canada*, and of the Ships and Merchandiſe taken on both ſides. And,

364. 18. A Treaty between the two Kings for re-eſtabliſhing Commerce; dated at *St. Germain-en-Laye*, *March* 29, 1632.

'19. KING *Charles*'s Ratification of the 'two Treaties; dated *April* 13, 1632.'

[BOTH

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397. 20. COMMISSIONS, under the Great-Seal, to Sir *Robert Anſtruther*, to treat with the King of *Denmark*, (*Chriſtian* IV.) for renewing the League, *&c.* with the Princes and States of the Empire, for a Public Peace, and the Reſtoration of the King's Siſter, and Nephews; and with the Queen of *Sweden*; ſigned by the King at *Weſtminſter*, *Dec.* 20.

546. 21. A ſpecial Commiſſion, under the Great-Seal, to Sir *Sackvill Crowe*, one of the Gentlemen of the Privy-Chamber, to confirm the Friendſhip with the Grand Sultan, *Amurath Han*, and to eſtabliſh the Privileges, and all Matters relating to Commerce in the *Turkiſh* Coaſts; dated at *Weſtminſter*, *April* 9, 1634.

548. 22. A Commiſſion, under the Great-Seal, to Sir *Robert Anſtruther*, to treat with the Ambaſſador of the Crown of *Sweden*, the Director-General of the Evangelic League, and the confederate Princes and States, and each of them, or their Ambaſſadors, or Deputies, at *Francfort* on the *Maine*, of all Matters relating to the Preſervation of Religion, to the Liberty of *Germany*, and to the King's Siſter, and Nieces; dated *April* 22.

638. 23. A ſpecial Commiſſion, to *Simon Digby*, Eſq; to be Agent in *Ruſſia*; dated *June* 23, 1635, at *Weſtminſter*.

Trials.

278. 'I. A ſpecial Commiſſion to *Thomas*, 'Lord *Coventry*, Lord-Keeper of the Great 'Seal, to officiate as High-Steward, at the 'Trial of *Mervin Touchet*, Lord *Audley*, 'of *Fountell Gifford* in the County of '*Wilts*, and Earl of *Caſtlehaven* in *Ire*-'*land*; dated at *Weſtminſter*, under the 'Privy-Seal, *April* 16, 1631.' This Lord had three Indictments found againſt him at *Salisbury* Aſſizes, for a Rape committed on his own Lady, with his Aſſiſtance, by *Broadway* one of his Servants, and for that other deteſtable Crime of *Sodomy* with *Fitz-Patrick* another of his Servants. His Trial, which was very ſolemn, came on at *Weſtminſter-Hall*, on the 25th of *April*, before the ſaid Lord Steward and eight Judges, Aſſiſtants, and twenty-ſeven Peers, who found him guilty, for which he was condemned, and ſoon after executed. His Sentence was to be hanged; but by the King's Clemency, it was changed into beheading, which was performed upon *Tower hill*.

284. 2. THE King's ſpecial Warrant to the Lord-Keeper, to make out due Proceſs for his Execution, declares, that his Majeſty was determined to have him beheaded rather than hanged, in regard, among other Reaſons, not only to his Nobility, but to his Deſcent from thoſe noble Anceſtors who had formerly done worthy Services to the Crown of *England*. CHARLES I.

3. THE Commiſſion to Sir *William Balfour* Lieutenant of the Tower to deliver his Perſon to the Sheriffs of *London* and *Middleſex*: And,

4. THE Warrant to the Sheriffs to receive him, and to cauſe him to be beheaded on *Tower-hill*, which follow the above Warrant, are dated *May* 12. All the Peers except *Dudley*, Lord *North*, voted him guilty of the Rape, and fifteen of them declared him guilty of the *Sodomy*. *Broadway* and *Fitz-Patrick* were executed at *Tyburn*.

321. 4. THE Pardon of his Counteſs for all Crimes of Adultery, Fornication, and Inceſt; dated *Nov.* 14, at *Weſtminſter*.

Univerſities.

70. 'I. A particular Conſtitution for the Elec-'tion and better Management of the Scholars 'of *St. Peter's* College in *Cambridge*; da-'ted at *Weſtminſter*, *May* 15, 1629, under 'the Privy-Seal.'

No more than two out of any County were to be Fellows of this College at any one time, except only *Cambridgeſhire* and the County of *Middleſex*, including the City of *London*, which two Counties were allowed four each; becauſe *Cambridgeſhire* with the Iſle of *Ely* furniſhed the far greateſt Share of Proviſions for the Maintenance of the College, and *Middleſex* and *London* ſent moſt Boys thither for Learning.

393. 2. A Privilege, under the Privy-Seal, granted to the Maſter and Scholars of the Univerſity of *Oxford*, to give a Licence to three Bookſellers and Printers, whether Natives or Foreigners, to print and ſell within or without the Univerſity all Books not publickly prohibited, after approbation thereof by the Chancellor, Vice Chancellor, or three Doctors, empowered by the ſaid Chancellor, Maſters, and Scholars, to examine and approve the ſame; dated at *Weſtminſter*, *Nov.* 12, 1632.

638. '3. A ſpecial Licence under the Privy-'Seal, incorporating Sir *Francis Kinaſton*, '(who was one of the four Eſquires of the 'King's Body) as Regent, and ſix other 'Perſons, as Profeſſors of a College erected 'in *Covent-Garden*, with the Title of *Mi-'nerva's Muſæum*, for the Inſtruction of the 'young Nobility in the Liberal Arts and 'Sciences. 'Tis dated at *Canbury*, *June* 26, '1635.'

THE Profeſſors were *Edward May* Doctor of Philoſophy and Phyſick, *Thomas Hunt* Batchelor of Muſick, *Nicholas Phiske* Profeſſor of Aſtronomy, *John Spidell* a Geometrician, *Walter Salter* a Linguiſt, and *Michael Maſon* a Fencing-Maſter.

Ward-

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Wardrobe.

'1. A Commiſſion, under the Privy-Seal, 'dated *Dec.* 17, 1633, at *Weſtminſter*, and 'directed to *Richard* Earl of *Portland*, 'Lord High-Treaſurer, *&c.* to call the Of-'ficers of the King's Wardrobes to account; 'to which are annex'd the King's Orders for 'Regulation of the Wardrobes, and pay-'ing the Officers Wages; dated *April* 15, '1630.'

WHEREBY it appears, that the Maſter of the great Wardrobe was to be allowed 16,000*l.* a Year by way of Impreſt, upon account, towards defraying the general and yearly Expences of the Wardrobe; and the Gentleman of the Robes was alſo to have an Aſſignment of 500*l.* a Year by way of Impreſt upon Accompt, for defraying of all manner of Expences belonging to the Office of his Majeſty's Robes.

875. 2. A Grant of certain Fees to the Officers of the Wardrobe, by a Writ of Privy-Seal; dated *October* 13, 1634, at *Weſtminſter*.

634. 3. A ſpecial Commiſſion to the Earl of *Pembroke*, Lord-Chamberlain, *&c.* to take a Survey and Account of the King's Wardrobes; dated *May* 9, 1635.

Wines.

405. 1. A Proclamation for Prizing of Wines, declaring that for one Year next following, *Canary*, *Muſcadel*, and *Alicant* Wines be ſold in Groſs at 16*l.* a Pipe, and at 12*d.* a Quart by Retale; Sacks and Malagoes at 13*l.* the Butt in Groſs, and 9*d.* a Quart Retale; the beſt *Gaſcoigne* and *French* Wines at 18*l.* a Tun in Groſs, and 6*d.* a Quart by Retale; and the *Rochel* and other ſmall thin Wines at 15*l.* a Tun in Groſs, and 5*d.* a Quart by Retale. And where Wines were conveyed by Land-Carriage, the ſeveral Sorts of Wines were to be ſold according to the Rates aforeſaid, allowing 4*l.* a Tun, and 1*d.* a Quart for the Carriage thereof upon Land every 30 Miles. The Proclamation is dated at *Whitehall*, *Feb.* 18, 1633.

429. 2. ANOTHER Proclamation for the Priſing of *French* Wines, wherein 'tis declared, that becauſe this preſent Year ſome of the Wines of *Gaſcoigne* are very ſmall and thin, and ſcarce to be diſcerned from the thinner Sort of Wines; and that becauſe ſome of the thinner Wines are very good and deſirable, and others ſo thin and ſmall, that they are not to be ſold at ſo high a rate as 5*d.* a Quart: Therefore his Majeſty orders that the good and wholeſome Wines of the Growth of *France*, as well thoſe of *Rochel*, as the reſt, ſhould be ſold by Retale at reaſonable Prices, not exceeding 6*d.* a Quart. This Proclamation is dated at *Whitehall*, *March* 22.

503. 3. ANOTHER Proclamation for the Prizing of Wines; dated *Jan.* 25, 1634. declaring that *Canary* Wines, *Muſcadel*, and *Alicant* be ſold in Groſs at 17*l.* a Pipe, and at 12*d.* a Quart by Retale; Sacks, and Wines of *Malaga* at 15*l.* the Butt in Groſs, and 10*d.* a Quart Retale; the beſt *Gaſcoigne* and *French* Wines at 18*l.* a Tun, and at 6*d.* the Quart by Retale; and the *Rochel* and other ſmall thin Wines at 15*l.* a Tun in Groſs, and 6*d.* a Quart Retale. But in Places above ten Miles from the Ports where the Wines are landed, they were to be ſold according to the Rates aforeſaid, allowing 4*l.* a Tun, and one Penny *per* Quart for the Carriage thereof by Land every 30 Miles.

716. 4. A Privy-Seal granting to *Francis Chamberlayne*, Eſq; for 14 Years, the ſole making of Wines of dried Grapes and Raiſins, which he had invented in his Travels, on paying 40*s.* a Year to the Crown; dated at *Weſtminſter*, *Jan.* 4, 1636. *See* Manufactures *and* Monopolies.

FINIS.

Errata of the Preſs.

IN p. 5. dele the Word *Lemma* in the Margin; p. 8. in the Notes, l. 16. for *regis* read *regi*; p. 18. col. 1. l. 22. from the bottom for *Share* read *Shire*; in the Notes, p. 115. put the Letter (*a*) before the laſt Line; in p. 148. l. 8. in the Margin, after *beheaded* read *by*; p. 159. col. 1. l. 9. *Deigratiam* ſhould be two Words; p. 198. col. 2. l. 27. for *Edward* read *Edmund*, and l. 28. for *Edmund* read *Edward*; p. 279. col. 1. l. 8. from the bottom, for *non* read *not in*; p. 478. in the Lemma, col. 2. for V. read IV.; in p. 591. col. 2. in the date of the year, for 1627 read 1628; p. 625. col. 2. l. 40. dele *had*; p. 627. col. 2. l. 39. for *ſecured* read *ſwor'd*; and l. 48. dele *that*; p. 628. col. 1. l. 36. for *neceſſary* read *unneceſſary*; and l. 56. after *Ages* read *ſtyl'd*; col. 2. l. 36. inſtead of *thoſe for* read *therefore*; and l. 58. for *Diſturbance* read *Diſſervice*; p. 629. col. 1. l. 31. for *Hands* read *Hands*; p. 631. col. 1. l. 5. for *Biſhop* read *Archbiſhop*; p. 632. col. 1. l. 23. for *Guardar* read *Guider*; p. 635. col. 2. l. 5. and l. 23. for *Lord-Keeper* read *Secretary*; and l. 53. for *never* read *ever*; p. 636. col. l. penult. for *Articles* read *Article*; p. 638. col. 2. in the date for 1682 read 1628; and l. 17. for *Biſhop* read *Archbiſhop*; and l. 23. for *Monroin* read *Monroin*; p. 641. col. 1. l. 23. for *live* read *be*; p. 643. col. 1. l. 12. the Comma ſhou'd be after not; p. 644. col. 1. l. 37. for *male* read *malè*; col. 2. l. 5. for *ad augenda* read *adaugenda*; l. 29. for *in eſt* read *ineſt*; p. 668. col. 2. l. 37. for *ſicure* read *ſecure*.

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